



F. McArdle
Chief Executive

Civic Offices, Civic Way,
Swadlincote, Derbyshire DE11 0AH

www.south-derbys.gov.uk

Please ask for: Democratic Services
Phone: (01283) 595722 / 595848
Minicom: (01283) 595849
DX 23912 Swadlincote
Email :
democraticservices@south-derbys.gov.uk

Date: 12 November 2014

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, 20 November 2014 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 receive the Open Minutes of the Meeting held on 02.10.2014.

2nd October 2014. **4 - 8**
- 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** HEALTH & SAFETY ADVICE SERVICE. **9 - 29**
- 8** LOCAL DEVELOPMENT SCHEME. **30 - 47**
- 9** TICKNALL CONSERVATION AREA - CHARACTER STATEMENT. **48 - 56**
- 10** CONSULTATION ON PLANNING & TRAVELLERS. **57 - 62**
- 11** CORPORATE PLAN - PERFORMANCE MANAGEMENT. **63 - 73**
- 12** COMMITTEE WORK PROGRAMME. **74 - 76**

Exclusion of the Public and Press:

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.

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

14 To receive the Exempt Minutes of the Meeting held 02.10.2014.
2nd October 2014.



ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE

2nd OCTOBER 2014

PRESENT:-

Conservative Group

Cllr Watson (Chairman) and Councillors Mrs Brown, Ford, Mrs Hall, Mrs Patten, Stanton and Atkin

Labour Group

Councillors Chahal, Frost, Mulgrew, Southerd, Rhind and Taylor

EDS/29 **APOLOGIES**

Apologies for absence from the Meeting were received from Councillor Roberts. Councillor Atkin substituted for him. Apologies were also received from Councillors Stuart and Tilley. Councillors Rhind and Southerd substituted for them.

EDS/30 **MINUTES**

The Open Minutes of the Meeting held on the 21st August 2014 were approved as a true record.

EDS/31 **DECLARATIONS OF INTEREST**

The Committee was informed that no Declarations of Interest had been received from its members relating to any of the items on today's agenda.

EDS/32 **QUESTIONS FROM MEMBERS UNDER COUNCIL PROCEDURE RULE NO 10**

The Committee was informed that no questions from elected members had been received.

EDS/33 **QUESTIONS BY MEMBERS OF THE PUBLIC UNDER COUNCIL PROCEDURE RULE NO 11**

The Committee was informed that no questions from members of the public had been received.

EDS/34 **REPORTS OF THE OVERVIEW & SCRUTINY COMMITTEE**

The Committee was informed that there were no Overview & Scrutiny Committee reports for it to consider.

MATTERS DELEGATED TO COMMITTEE

EDS/35 CONSERVATION AREA CHARACTER STATEMENTS

Members considered a report which sought the Committee's agreement to extend the conservation area boundaries and adopt conservation area statements for different parts of the District. It was explained that extensive public consultation on this had taken place during the early part of 2013. The comments received during this consultation exercise were attached to the report.

It was pointed out that the comments attributed to the Trusley Parish Meeting should actually have been attributed to Stanton-By-Bridge. Members noted this and agreed that the correct attribution for these comments be made clear in the minutes.

The Committee was informed that approval of the Ticknall conservation area character statement would have to be put on hold. This would enable further local evidence about the history of the area to be assessed and, if necessary, reflected in the statement.

The Committee welcomed the work that had taken place to produce the draft conservation statements and agreed that they now be adopted.

RESOLVED:-

That the extension of the conservation area boundaries for Trent & Mersey Canal, Stanton by Bridge and Trusley, be approved.

That the draft conservation area character statements for Shardlow, Smisby, Stanton By Bridge, Swadlincote, Swarkestone, Trent & Mersey Canal, Trusley, Twyford, Walton on Trent and Woodhouses be approved

That approval of the Ticknall conservation area character statements is deferred pending further, more detailed consideration of the historical facts.

EDS/36 ADOPTION OF MODEL CONDITIONS FOR DOG BREEDING ESTABLISHMENTS

The Committee then considered a report explaining the Council's legal duty to licence dog breeding establishments in the District, and to ensure that their operators complied with the relevant legislation in terms of the welfare of the animals. It was pointed out that in order to help discharge their responsibilities, local authorities could adopt 'conditions' setting out how these establishments should operate. The Committee was asked, therefore, to adopt the model conditions for dog breeding establishments produced by the Chartered Institute of Environmental Health (CIEH). A consultation exercise involving relevant stakeholders had been held in the District and no objections were raised to the proposed conditions.

RESOLVED:-

That the conditions and supporting guidance related to dog breeding establishments be approved.

EDS/37 **PET SHOPS LICENSING POLICY**

Following this, the Committee then considered a report explaining the Council's legal duty to licence pet shops in the District, and to ensure that their operators complied with the relevant legislation in terms of the welfare of the animals. It was pointed out that in order to help them discharge their responsibilities, local authorities could adopt conditions setting out how these establishments should operate. The Committee was asked, therefore, to adopt the model conditions for pet shops, produced by the Chartered Institute of Environmental Health (CIEH). A consultation exercise involving relevant stakeholders had been held in the District and no objections were raised to the proposed conditions.

RESOLVED:-

That the conditions and supporting guidance related to pet shop licences be approved.

EDS/38 **PRIVATE HIRE VEHICLES LICENSING POLICY**

Members received a report setting out a new policy and associated operational conditions for licensing private hire vehicle drivers in the District. The proposed changes had been produced following consultation with the relevant stakeholders. They would, it was explained, bring the Council into line with national guidance and best practice. Briefly, under the revised policy the Council would now require that: (a) On the initial grant of a private hire licence, all vehicles must be less than **eight** years old from the date of registration, and (b) Medical examinations of drivers must take place every **five** years and eye tests every **two** years up to the age of 65 (and yearly after that).

Members discussed the proposed changes and welcomed them. They thanked the Senior Licensing Officer for her hard work in producing the revised policy, along with the conditions relating to pet shops and dog breeding establishments.

RESOLVED:-

That the proposed Private Hire Licensing Policy, Private Hire Operator Licence Conditions, Private Hire Vehicle Licence Conditions and Private Hire Drivers Licence Conditions as set out in the report be approved.

That the revised policy and conditions as set out in the report come into effect from Monday 10th November 2014

EDS/39 REGULATORS CODE

The Committee received an update on the changes to statutory guidance which had taken place on the way in which the Council's enforcement services ought to be directed to regulate the local business community. These changes were set out in the so-called 'Regulators Code', published by the Department for Business Innovation and Skills. The code is intended to provide a framework for the proportionate and appropriate regulation of businesses.

The Council is required to show how it is complying with the code. A comprehensive assessment of its activities had been carried out to help identify where we are compliant in terms of the six specific requirements of the code and where we are not. Members were told that proposals to make the necessary improvements had been drawn up and that these were appended to the report.

During the discussion, members queried the scope of the code and in particular, the local focus on food safety, in terms of the actions that the Council had or intended to take. This focus, it was explained, reflected the fact that food safety was the main area of regulation where the Council engages the with the business community.

RESOLVED:-

That the Committee approve the proposed actions identified in the report following a review of the Council's regulatory services in the light of the publication of the Regulator's Code.

That the Committee approve the report as evidence that the regulation of the business community by South Derbyshire District Council is compliant with the principles of the Regulator's Code.

EDS/40 DERBYSHIRE ECONOMIC STRATEGY STATEMENT

Members then considered the 'Derbyshire Economic Strategy Statement' (DESS). This had been produced by the Derbyshire Economic Partnership, which the Council is a part of. This strategy sought to define what the County needs to do in order to secure economic prosperity and setting out what the County can do to promote and deliver growth. The DESS had been endorsed by the Partnership Board in May of this year. All of the local authority partners had now been asked to formally approve the plan through their own governance arrangements. For this reason, it had been submitted to the Committee for its endorsement.

Members discussed the strategy and in particular the role played by the visitor economy in promoting economic growth. It was noted that although employment in the sector had grown nationally it had actually fallen in Derbyshire. Much of this was caused by a reduction employment elsewhere in Derbyshire, rather than to the National Forest in South Derbyshire. In

this context, members also discussed whether a joint approach with the West Midlands might help, especially in terms of marketing the midlands as a whole to overseas visitors.

The Committee thanked the Economic Development Manager, Mike Roylance, for his contribution to the preparation of the strategy.

EDS/41 **COMMITTEE WORK PROGRAMME**

The Committee considered its revised work programme for the year.

RESOLVED:-

To approve the updated work programme

LOCAL GOVERNMENT ACT 1972 AS AMENDED BY THE LOCAL GOVERNMENT ACT (ACCESS TO INFORMATION) ACT 1985

RESOLVED:-

EDS/42 *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.*

EDS/43 **EXEMPT QUESTIONS FROM MEMBERS UNDER COUNCIL PROCEDURE RULE NO 11**

The Committee was informed that no exempt questions from elected members had been received

EDS/44 **EXEMPT MINUTES**

The Exempt Minutes of the Meeting held on 21st August 2014 were approved as a true record.

P. WATSON

CHAIRMAN

The meeting terminated at 18.40.

REPORT TO:	Environmental and Development Services	AGENDA ITEM: 7
DATE OF MEETING:	20th November 2014	CATEGORY: DELEGATED
REPORT FROM:	Director of Housing and Environmental Services	OPEN
MEMBERS' CONTACT POINT:	Matthew Holford, 01283 595856, matthew.holford@south-derbys.gov.uk	DOC:
SUBJECT:	Health and Safety advice service to businesses in the Derbyshire and Nottinghamshire region	REF:
WARD(S) AFFECTED:	All	TERMS OF REFERENCE: EDS13

1. Recommendations

- 1.1 To approve continued support for the provision of a regional health and safety business advice service for the remainder of the 2014/15 financial year.
- 1.2 To approve the submission of a bid to the Regional Growth Fund for the continuation of the service in 2015/16.

2. Purpose of Report

- 2.1 To advise Members of the outcomes of a regional health and safety business advice project delivered by the Council in in partnership with other regulators and the Local Economic Partnership (LEP) as part of the 'Better Business Regulation' (BBR) initiative (formerly known as Better Business for All).
- 2.2 To seek Committee support for the continuation of the service for the remainder of the financial year prior to the submission of a proposed Regional Growth Fund bid for 2015/16 and beyond.

3. Detail

- 3.1 The Better Business for All initiative was established by the Better Regulation Delivery Office (BRDO); part of the Department for Business, Innovation and Skills (BIS) and is currently being rolled out across the country. The main objective of the programme is to bring together local and national regulators with businesses and business representatives within the Local Economic Partnership to encourage a better working relationship and a more supportive approach to helping businesses achieve regulatory compliance. In this way it is anticipated that local authorities can support local businesses to grow by improving confidence and reducing costs of compliance.

- 3.2 Currently a number of work streams are being undertaken under the BBR umbrella. One work-stream was to respond to local business concerns about the perceived burden of complying with health and safety legislative requirements. In response to these concerns South Derbyshire District Council has led an initiative, on behalf of the partnership, to provide free health and safety advice to local businesses within the D2N2 LEP region. The service was promoted through the Derbyshire and Nottinghamshire Chamber of Commerce as a key partner and to seek to alleviate any business concerns or reticence about approaching the regulator direct.
- 3.3 The service was launched towards the end of 2013 and promoted throughout the first half of 2014. The original intention was to run the project for six months and to provide advice to 100 local businesses. However, there was less of a demand for the service than anticipated, although advice has been provided to some 45 businesses across Derbyshire and Nottinghamshire. The main objectives of the project were to seek to:
1. Reduce the potential cost burdens to business of health and safety (and where appropriate) other regulatory requirements.
 2. Improve health and safety standards in the D2N2 region's businesses.
 3. Improve the understanding of the specific areas of health, safety and other laws which may be causing undue burden to business based on objective evidence.
 4. Understand the best ways to engage with businesses in order to help deliver regulatory duties.
 5. Improve trust between the business community and regulators.
- 3.4. An evaluation of the project is contained in the Appendix to this report. It concludes that local businesses gained measurable value from access to the source of free advice. An attempt to quantify the value of the advice received in terms of compliance costs avoided has estimated a total saving of between £33,000 and £75,000. Views are being sought from the Department of Business Innovation and Skills as to whether this is an appropriate conclusion from the internal evaluation of the project.
- 3.5 Other findings from the project evaluation are that a significant proportion of local businesses were reticent about approaching their local authority regulator for fear of the potential consequences; i.e. that they might be exposing themselves to significant compliance costs and/or sanctions for non-compliance.
- 3.6 It is also of interest to note that most businesses that participated in the project did so following either a face-to-face dialogue with the officer from South Derbyshire who was providing the service or a referral from economic development advisors, rather than as a result of responding to a newsletter, website, letter or e-mail promoting the availability of the service. In addition, businesses much preferred talking to an individual rather than being referred to a website for advice or to written advice in the form of a letter or advisory leaflet.
- 3.7 Finally, the project identified that local businesses would welcome a process whereby they could informally challenge advice or instruction from local regulators on the interpretation of the requirements of the law.

- 3.8 The regional Better Business Regulation Steering Group have considered the report findings and believe that this has been a worthwhile project and that whilst demand for the service has not been as great as original anticipated, those business that participated had overwhelmingly benefited from the service. A minority of businesses also indicated that they would be willing to contribute to the cost of the advice. The Steering Group is keen for the existing offering to continue.
- 3.9 A presentation has been given to the Chief Executive of D2N2 LEP who has received the report and is supportive of a BBR bid to the LEP for funding to support the continuation of the service. It is proposed to submit this bid as part of the Growth Hub, which will provide a range of support to local businesses from April 2015.
- 3.10 To ensure the temporary continuation of the current offer, the partnership is seeking contributions from a number of partner organisations as well as directly from the BRDO. All of the funding secured will be used to fund the release of the South Derbyshire officer who has provided the service to date in order to pay for a suitably qualified temporary member of staff to cover the officer's substantive duties. The annual costs for funding a full time health and safety advisor are £42,000.
- 3.11 The LEP have agreed to provide £10,000 to enable the project to continue for the remainder of this financial year. The County Council have also pledged £5,000.
- 3.12 The proposal is to utilise this £15,000 funding in order to continue to enable the South Derbyshire officer to provide the free business support service to businesses across the region. Additional funding may be forthcoming, but is not yet guaranteed.
- 3.13 The business case for the provision of a long term service is currently open to question. From the figures provided in paragraphs 3.4 and 3.10 it is apparent that the savings made by the client businesses is roughly equal to the costs of providing the service. However the extra benefits of the service which are more difficult to quantify at this point are;
- the improvements in employee health / reductions in accidents as a result of the service and the consequential higher levels of productivity;
 - reductions in the perception of regulatory burden in the business community as a result of the service;
 - the contribution of the service to economic growth, by freeing up small and embryonic businesses to grow and to create extra employment.
- 3.14 The delivery of the project between now and the end of the 2014/15 financial year will be used to assess whether the service has sufficient value in terms of savings to business, health protection and jobs growth to support a robust bid for Regional Growth Fund support.
- 3.13 The service is a unique offering in the country and as a model it is attracting significant national interest. Not only do officers feel that it provides a direct way of positively benefiting workplace health and safety, but we hope to derive significant national reputational benefit on behalf of the Council.

4. Financial Implications

- 4.1 In order to backfill the services which our officer will not be able to provide, we propose to utilise the £15,000 (or an appropriate proportion of it) to buy in consultancy support for food safety inspections and health and safety interventions. We do not anticipate the proposals having any impact on our bottom line budget.

5. Corporate Implications

5.1 The proposals meet the Corporate Plan themes of both “sustainable growth and opportunity” and “lifestyle choices”. The pilot project has produced empirical evidence that it can deliver savings to businesses (and therefore promote economic growth) and improvements in workplace health and wellbeing.

6. Community Implications

6.1 The proposals fit with the Community Strategy theme of “A vibrant economy”.

7. Background Papers

7.1 None



**South
Derbyshire**
District Council



PROJECT EVALUATION REPORT

Health and Safety Advice Service

September 2014

1. Introduction

- 1.1. With support from the Department of Business Innovation and Skills (BIS) Better Regulation Delivery Office (BRDO), local regulators within the Derbyshire and Nottinghamshire region (D2N2) – primarily trading standards, environmental health and fire authorities – have been working with the Derbyshire and Nottinghamshire Chamber of Commerce (DNCC), Federation of Small Businesses (FSB) and Local Enterprise Partnership (LEP) colleagues to promote a better working relationship between local businesses and local regulators. A variety of themes have emerged from this joint work under the Better Business for All project branding.
- 1.2. As well as ensuring a level playing field by protecting the public from the minority of rogue or negligent traders who have no regard for the law, local regulators play a vital role in supporting business to get it right first time and thus support economic growth. Derbyshire Trusted Trader Scheme and the Food Hygiene Rating Scheme are two excellent examples where local regulators support and promote good business compliance.
- 1.3. Never the less, a recent survey¹ by DNCC suggests that their members believe that meeting regulatory requirements costs an average £46,000 per year and 29% of businesses surveyed believe that ‘regulations’ place them at a competitive disadvantage.
- 1.4. A recent national survey of business leaders², identified that businesses spend an estimated 5.7 staff days per month dealing with the specific aspects of regulatory compliance covered by the survey. 91% of businesses reported using some form of external support, which in the case of micro and small companies is most likely to come from friends and peers.
- 1.5. One of the main issues that local businesses identified in the DNCC survey is with health and safety legislation.
- 1.6. There is plenty of anecdotal evidence which suggests the underlying cause of this perception within the business community. Various this includes;
 - Excessively burdensome interpretation of health and safety legal requirements by regulators;
 - Equipment suppliers claiming their products as being the quick fix to comply with health and safety requirements;
 - Excessive or unnecessary demands being made by third parties (such as major clients and contractors on smaller businesses) under the guise of health and safety compliance.
 - Excessive or unnecessary demands by insurers in relation to policy conditions.
 - ‘Goldplating’ of health and safety requirements by private sector health and safety advisors
- 1.7. All of the existing evidence relating to the perceived burdens to the business community are based on these anecdotal reports, but there is little in the way of objective evidence. Without this objective evidence, any strategies to seek to address the perceived burdens will be based on assumptions, and likely to fail.
- 1.8. In order to bridge this evidence gap, regulators in local authorities in Derbyshire and Nottinghamshire collaborated with the Chamber to run a dedicated health and safety project.

¹ DNCC Business Survey, March 2013

² Business Perceptions Survey, NAO/BIS May 2014

- 1.9. The scope of the project was *“To provide direct ‘without prejudice’ workplace health, safety and welfare advice to businesses in Derbyshire and Nottinghamshire to support local business growth and maximise cost effective regulatory compliance”*
- 1.10. The objectives of the project were to;
- *Reduce the financial and cost burdens to business of health and safety (and where appropriate) other red tape;*
 - *Improve health and safety standards in the D2N2 regions businesses;*
 - *Improve the understanding of the specific areas of health, safety and other laws which are causing undue burden to business based on objective evidence;*
 - *Understand the best ways to engage with businesses in order to help deliver regulatory duties;*
 - *Improve trust between the business community and regulators.*
- 1.11. The deliverables we sought from the project were;
1. *To have positively contributed to cost effective health and safety improvements in up to 100 businesses in the D2N2 region based on the post project perceptions of both the business client and the H&S specialist providing the service;*
 2. *To have quantified the savings made by the participating businesses in either money and /or time in complying with H&S law as a result of the project;*
 3. *To have obtained first hand, objective evidence from all participating businesses of the greatest burdens presented to them by regulation;*
 4. *To have obtained opinions from participating businesses about how the regulatory burdens can be minimised;*
 5. *To have developed a series of case studies highlighting 1) the direct benefits of this service and 2) evidence of regulatory burdens / benefits;*
 6. *To produce a project evaluation report for submission to Committee, the local Chamber of Commerce, the D2N2 LEP and BRDO;*
 7. *If appropriate, to have developed a phase 2 workplan to further develop the project with a view to bidding for external funding support;*

2. Summary of the Project Delivery Mechanism

- 2.1. The project sponsors were the D2N2 Chamber of Commerce, Derbyshire County Council and South Derbyshire District Council.
- 2.2. Research by the Chamber had identified that 35% of businesses would welcome the opportunity to have ‘without prejudice’ discussions with regulators, in other words the opportunity to discuss either specific or general compliance issues with no risk of a resulting intervention by the regulator.
- 2.3. The regulatory community generally welcomes the opportunity to discuss compliance issues with businesses. But regulators will often stop short of guaranteeing no intervention because in many instances they are under a statutory duty to act where a significant risk or legal non-compliance is discovered. There is also a fear in the regulatory community that they may very well face civil litigation or claims of maladministration if harm results from their not applying the law.
- 2.4. An experienced IOSH (Institute of Safety and Health) qualified health and safety advisor was seconded from a local authority to deliver the project. The advisor has a number of years’ experience working as both a private sector consultant and as a local authority health and safety regulator.
- 2.5. Requests for the services of the advisor were made to the Chamber helpline (0844 225 4089). In order to maximise the contact with the business community, the service offered

was entirely client led. The brief given to the advisor was to offer advice and practical support in whatever manner the client requested. No limit was placed on the size or type of the client business, the scope of the requests accepted, the number of requests made or the time devoted to the request by the advisor.

- 2.6. Following the referral, the advisor made initial contact with the client to clarify their requirements and to determine the best way to deliver the services they needed. Basic information about the client was obtained (location, number of employees, business sector, etc.).
- 2.7. The delivery of the service generally required the advisor to pay a visit to the client's operational site(s), followed by a report. In many instances, the client requested further subsequent visits or advice in relation to other matters.
- 2.8. On the completion of the service to the client, the advisor requested feedback in the form of a questionnaire from the business operator. The information in the questionnaire sought to obtain specific information in relation to the project objectives and deliverables, namely;
 - Did the service reduce the perceived red tape burden on the business?;
 - Did the service save the business money?;
 - Did the service improve the safety and wellbeing of the workforce?;
 - In the businesses opinion how could the regulatory burden be reduced whilst maintaining safety standards?;
 - What would improve the trust that businesses have in regulatory services?
- 2.9. On the completion of the service, the advisor was also directed to complete a questionnaire. The information sought the advisor's opinion on;
 - What area of regulation was the client business finding to be particularly burdensome?;
 - Was this burden, in the advisors opinion, unreasonable?;
 - Was health and wellbeing at the business improved as a result of the service?;
 - The costs of providing the service?;
 - What lessons could be learned?
- 2.10. Marketing of the service was clearly important in order to maximise uptake and ensure that a sufficient cohort of businesses were involved. Various marketing routes were utilised including;
 - A press release from the Chamber at the launch of the service;
 - Advertising of the service through various websites including the D2N2 Chamber and the participating local authorities;
 - Direct email promotion to at least 6000 businesses on databases held by the partners;
 - Promotion of the service within the economic development services of partner local authorities;
 - Quarter page adverts in three consecutive publications of 'In Business', the Chamber's own bi-monthly magazine for the business community;
 - An advertising flier was published and supplied to local authorities to promote the service as well as being used in face to face contact with potential clients;
 - Face to face promotion of the service at 7 local business seminars consisting of an estimated 500 plus local business participants.
- 2.11. The total cost of the delivery of the service over 7 months was calculated as £24,500.

3. Project Delivery Mechanism

- 3.1. Over the 7 month duration of the project a total of 45 requests for services were received.
- 3.2. The highest uptake of the service was in South Derbyshire, Derby and Chesterfield.
- 3.3. The highest uptake of the service was in the leisure, food and professional services sectors and in the micro and small businesses sectors. Nearly 50% of the client businesses had 10 employees or less (see Appendix B)
- 3.4. The greatest demand for the service was in January and February 2014. This followed intensive face to face marketing of the service by the advisor in local business seminars. After February the marketing of the service was reliant on more passive marketing channels (websites, email and magazine adverts). There was a noticeable reduction in take-up of the offer at this point.

4. Project Outcomes

Demand for Service

- 4.1. The overall demand for the service was lower than anticipated. A proxy target of an interaction with 100 businesses was set. By 30th July 2014, 45 businesses had been provided with a service. The highest volumes of enquiries occurred immediately after the H&S Advisor had spent time visiting business forums in the region providing face to face promotion of the service.
- 4.2. The majority of reasons given by the clients for using the service were (in order): following the direct promotion of the service to them by the Advisor at business forums; following referral from a local authority economic development advisor and following a recommendation from a business associate. The passive, electronic forms of promotion (website, emails) did not generate significant interest in the service.

Feedback from Clients

- 4.3. Despite persistent efforts to persuade clients to provide feedback, only 15 feedback responses were returned by the client group.
- 4.4. In response to the question, "Did the advice you receive reduce the burden of red tape", 12 clients (80%) responded 'Yes', 2 (13%) responded 'No' and one did not answer.
- 4.5. In response to the question "In financial terms, how much benefit do you think you got from the service", 9 clients (60%) confirmed that they had financially benefitted and the other 6 did not respond. Of the 9 clients who stated they thought they had benefitted financially the range of estimated savings was £400 - £4,600, the average saving per business was £1,660 and the total savings were £15,000.
- 4.6. If the savings from the businesses who answered this question were reflected across the whole client cohort then the estimated savings to the business community is £75,000.
- 4.7. In response to the question "Did the advice directly benefit the safety or wellbeing of your workforce?", 12 clients (80%) responded 'Yes' and 3 clients (20%) responded 'No'.
- 4.8. In response to the question "Would you pay for this service?", 6 clients (40%) responded 'Yes' and 9 clients (60%) responded 'No'.
- 4.9. A graphical summary of the client feedback is provided in Appendix B.

Client Comments

- 4.10. Client feedback comments are contained in Appendix A. The interpretation of the feedback comments are;

The reductions in red tape derived from the service

- Enabled businesses to have clarity and confidence in the decisions they were making;
- Mythbusting and jargon busting;

- Offered practical and inexpensive solutions to problems on the shopfloor;
- Provided a resource which embryonic businesses simply did not have the time to do;
- Challenged and changed regulatory decisions;
- Enabled businesses to prioritise the importance of different regulatory demands;
- Enabled the business to get to the right contacts within the regulatory administrations.

Client opinions about ways to reduce burdens, but maintain standards

- Regulators to provide advice without any threat of sanctions;
- Provision of an updating service offering simple advice about new laws;
- Regulators to provide direct and specific advice about solutions, with less subjectivity or generality;
- Regulators should offer definitive advice and not change their minds;
- An informal opportunity to challenge decisions, independent of the regulator.

Client opinions about ways to improve trust in regulatory services

- Provision of ‘without prejudice’ visits;
- An informal opportunity to challenge decisions independent of the regulator;
- Face to face contact to develop personal relationships;
- Practical compliance advice, rather than legal terminology;
- Confidence that the regulator’s priority is not about raising revenue;
- Use business language, not regulator language.

Feedback from Health and Safety Advisor

4.11. The Advisor completed a post service evaluation for each of the clients with whom he considered he had offered a sufficiently thorough service from which to form a clear opinion. In total he completed 33 responses.

4.12. In response to the question, “What form of regulation was the business finding to be excessively burdensome?” the Advisor provided the responses in the following table. In many instances the information sought by the client cut across a number of different regulatory areas and therefore the number of enquiries in the second column exceeds the total number of clients who contacted the service;

Type of Regulation the Client Sought Guidance on	Number of Enquiries	% of Cohort
Health and Safety	28	85%
Fire Safety	9	27%
Food Hygiene / Safety	9	27%
Building Control	4	12%
Planning	2	6%
Quality Management Systems	1	3%
Environmental	1	3%

4.13. The advisor was asked to classify the specific nature of health and safety support requested. The table below provides a summary of the broad classifications of the nature of

the service which he was asked for. In many cases the request covered a number of topic areas.

Nature of the Enquiry	Number of Enquiries
Start up advice or help for clients with no H&S policies or systems	8
Peer review of existing policies and risk assessments	14
Working at height	3
DSE assessments	1
Provision of training	3
Structural elements	8
Infectious disease control	1
Qualifications necessary for the delivery of H&S related services	3
Electrical safety	2
Manual handling	3
Guarding	1
Noise	3
Management systems (i.e implementing policies)	2
Gas safety	2
Lone working	1
Lift safety	1

- 4.14. A significant proportion of the enquiries were from either start up businesses, from existing businesses which had no basic policies or procedures relating to health and safety, or from businesses who were seeking independent verification that they were on the right track.
- 4.15. In response to the question “What Agency was responsible for the perceived burden”, the Advisor reported that for 22 of the clients (67%) the burden was based on their own perceptions of what was necessary to achieve legal compliance; for 5 of the clients (15%) a specific requirement had been imposed on them by a regulator; and for 6 of the clients (18%) they had been directed by a third party to implement a specific requirement which they found burdensome.
- 4.16. In the case of the 6 businesses who had been directed to implement a specific requirement by a third party; 2 had been directed to carry out specific works by their builder, 2 had been directed to carry out specific activities by their insurance company, one as a requirement to meet the conditions of a Charter (i.e a quality system) and one had been directed to carry out specific activity by a professional institute.
- 4.17. In response to the question “In your view, was the burden unreasonable?”, the Advisor only responded to those perceived burdens which had been as the results of a direction from a regulator or third party. He reported that of the five directions from regulators, four were in his opinion unnecessarily burdensome. Of the six directions from other third parties, four were in his opinion unnecessarily burdensome.
- 4.18. In response to the question “Has health and safety improved at the business as a result of the service?” the Advisor reported that after the delivery of the service he had seen clear evidence of improvements at 28 (85%) of the businesses.
- 4.19. The average estimated time the Advisor reported providing services to each client was 2.25 days (approximately 17 hours).

4.20. Of the 33 clients for whom the Advisor produced a post service feedback he was asked to estimate the predicted financial saving to the business as a result of the implementation of his services. He did not predict the saving where the client had already given their own estimate. Based on relatively conservative estimates, the total saving to the clients (i.e. in addition to that stated in paragraph 4.5) as a result of the project was £17,900. This equates to an average saving per client of £716.

5. Project Conclusions

Objective 1 - Reduce the cost burdens to business of health and safety (and where appropriate) other red tape.

- 5.1. The project has successfully delivered an estimated saving of between £33,000³ - £75,000⁴ in the costs of regulatory compliance to the cohort of client businesses.
- 5.2. Based on client feedback, the service reduced perception of regulatory burden in 80% of cases.

Objective 2 - Improve health and safety standards in the D2N2 region's businesses.

- 5.3. The project has delivered demonstrable improvements in 28 businesses across the region.
- 5.4. Based on client feedback the service delivered improvements in workforce safety and wellbeing improvements in 80% of cases.

Objective 3 - Improve the understanding of the specific areas of health, safety and other laws which are causing undue burden to business based on objective evidence

- 5.5. The majority of requests for service were in relation to health and safety enquiries. This is entirely predictable given that the service was marketed as being a free advisory service specifically in relation to health and safety compliance. However fire safety, food safety, building control, planning and environmental law were all also areas which businesses sought advice on.
- 5.6. The evidence from the project suggests that in the majority (67%) of cases the regulatory burden is self-imposed rather than as a consequence of third party pressures.
- 5.7. The greatest demand is for a competent health and safety practitioner to provide a critical friend review of businesses policies and procedures.
- 5.8. The next greatest demand is for starter business help – namely providing practical assistance to businesses who have no health and safety processes what so ever.
- 5.9. In many instances where businesses required topic specific advice, the businesses operator needed the help of the advisor to navigate their way to a solution through the extensive available on-line advice.
- 5.10. In many cases the costs of providing a health and safety solution was not a burden, however the time and costs incurred in finding an appropriate solution was.
- 5.11. 13% of the client group sought advice in relation to perceived burdens following directions from third parties. 9% of advice to clients was as a result third party directions which were considered to be unnecessarily burdensome
- 5.12. 11% of the client group sought advice in relation to perceived burdens following directions from regulators. 9% of advice to clients was as a result of regulatory directions were considered to be unnecessarily burdensome.

Objective 4 - Understand the best ways to engage with businesses in order to help deliver regulatory duties

- 5.13. Clients provided clear feedback to the advisor that they would not willingly and openly speak with regulators to obtain specific information about how to comply with regulatory

³ Calculated from the total reported savings (£15,000) in para 4.5 plus estimated savings to clients (£17,900) in para 4.20.

⁴ Calculated based on the number of clients, multiplied by the average saving reported per business (£1,660) in para 4.5.

requirements. The majority of businesses in the cohort had an aversion to speaking to their regulator. This aversion was because of their fear that the regulator would either take formal action against the business if it was deficient or imperfect in the way it was handling a given regulatory matter, or because the business operators feared that opening the door to a regulator would invite more detailed scrutiny of other aspects of their business.

- 5.14. In the businesses who sought basic advice or peer review, the advisor found that their overriding sense of uncertainty with regulatory compliance meant that the business would not seek advice from regulators because of the perception that the regulator would always find something wrong. The perception of the business operator in many such instances was that inviting contact with the regulator could have dire consequences particularly for fledgling and small businesses and for those operating on tight margins.
- 5.15. Businesses made it clear that they did not want to use passive means of accessing information such as on-line resources, which are perceived as being too generic to be of use or require too much investment of time to get sufficiently bespoke information.
- 5.16. The subjectivity of much regulation leads to inevitable disagreements between businesses and regulators as to what is specifically required to discharge a particular legal requirement. Businesses in the cohort fed back to the advisor that they felt that they could not challenge a regulator's decision even when they felt certain it was wrong. Many of the businesses were either unaware of the means of challenging a regulatory officer's decision (such as corporate complaints, Ombudsman, the Independent Regulatory Challenge Panel, Food safety rating appeals). However, even when businesses were aware of these means to challenge a decision there was a deep reluctance to use these formal process due to a fear that the regulator would seek some form of retaliation through enforcement of other statutory requirements.
- 5.17. Objective 5 - *Improve trust between the business community and regulators*
- 5.18. Businesses want to be given clear direction about exactly what they need to do by their regulators. Regulators will often not recommend specific products or providers as they do not want to be seen to be promoting one product or provider over another. However businesses want to be given clear direction and certainty about exactly what their regulators want from them. Regulators will need to find a middle way if they are to deliver a more business orientated regulatory service.

6. Recommendations

- 6.1. The advice service was well received by the business community and delivered measureable benefits proportionate to its cost. The opinion of the project partners is that the advice service in its current form or expanded to include advice on other regulatory matters should continue. There is not likely to be sufficient demand, or sufficient opportunity to generate income, to make the delivery of a similar service self sustaining in the medium term. Therefore it is the partner's intention to seek alternative funding opportunities to enable the service to continue.
- 6.2. The business community wants an informal (and potentially anonymous) challenge process for regulatory decisions it disagrees with. The regulatory community is encouraged to consider the possible ways to deliver such a challenge mechanism.
- 6.3. Regulators are encouraged to explore ways to make their advice more explicit and to leave their business customers with as little uncertainty as possible whilst maintaining their own impartiality and a proportionate distance from their customers.
- 6.4. Regulators are encouraged to be as open as possible to consideration of alternative proposals from their business customers which meet equivalent regulatory compliance. The offer to consider alternative proposals could be explicitly stated in communications with customers.

- 6.5. Regulators should consider methods of improving the adoption of business language within their communications with customers (and within their everyday communications) in order to reduce the language gap.

ANNEX A Client Feedback

1. In response to the question “How did the service contribute to a reduction in red tape”

Gave us more confidence at the assessment of risk

By educating the team about their responsibilities, making a clear distinction between the ‘facts’ and ‘myths’ about health and safety. By suggesting ways in which we might improve our processes without putting extra burden on staff. Good common sense advice including inexpensive suggestions and solutions.

We are small growing business and having taken on staff we had health and safety burdens. Also, we wanted to start a new project that involved food health and safety, but it became too much of a burden to set up. With the help from Mark, we have successfully set the project up.

Possibly not, but the visit did make it clear which red tape needed to be attended to and which was not necessarily relevant. H&S legislation was explained clearly and in layman’s’ terms. H&S ‘myths’ were dispelled and information on where to find relevant information was particularly useful. Good guidance was given regarding risk assessments and record keeping.

It didn’t but it was very helpful. In fact the Advisor has subsequently given further helpful information for which I am very grateful.

We had an appeal of our FHRS increased on appeal.

Allowed us to focus on what was important

Advised in a matter of fact way how to get action/advice through the correct Council Departments.

An open door assessment by a specialist H&S advisor adds knowledge and identifies weaknesses that can then be addressed. The subsequent open and frank discussions permit a conscious willingness to improve. The cost of preventing an injury is morally, priceless. From a business point of view, such issues can ruin any business so a price is difficult to quantify (the financial benefit).

Mark Toplass, explained things in a simple way that we could understand, and enabled us to do risk assessments and put in measures we needed and told us which items we did not need to be concerned with.

Saved much time implementing sound H&S regime.

All was invaluable

In response to the question “How did the service improve the safety or wellbeing of your workforce?”

We were made aware that we were not working safely in one area (storage) and the advisor helped us to see a solution.

With the new cooking project, it gave me our staff the skills and knowledge needed to confidently start the project. This reduced stress and anxiety levels.

It allowed us to be more focused on the relevant aspects of health and safety that affect the business directly.

Several examples of where can improve both safety and wellbeing.

Valuable guidance on rule of thumb approach to noise on the workplace

Made responsible people more aware of their responsibilities not only for themselves but also for others. Refreshed responsibilities for correctly maintaining equipment.

When you don't know what we needed to know, the specialist advice provided an improvement plan that was clear. By default, completion of any identified weakness must improve the safety and wellbeing of all staff.

Because he made everything easy to understand and easier we were able to put H&S measures in place quick, cheaper and easier.

Electrical safety and protection from chemicals.

Helped explain the jargon.

In response to the question “How could the burden on businesses be reduced whilst maintaining standards”

More advice in a simpler format about new regulations and the consequences

By providing more ‘advice’ that doesn’t come with the perceived threat that would accompany a formal inspection

From our experience, it’s was having the expert advice from someone. And the extra guidance throughout setting up policies and procedures. It was like having another member of staff on board.

The most time consuming aspect for us as a new business was finding the relevant requirements for the building, the staff, our clients and ourselves. The information available is often spread over a number of web sites and authorities and is general and left open to interpretation, with terms such as, ‘adequate’ and ‘reasonable’ often used without any qualification. In telephone conversations ‘but don’t quote me on that’ was often used This does not allow a new business any confidence that all the guidance has been met therefore leaving H&S feeling more onerous than it needs to be. If more information from local councils, HSE, and regulatory bodies where better linked information would be easier to find. This along with better explanation in real terms would make H&S less daunting.

Personally I thinks its about someone to talk to rather than having to spend valuable hours seeking info from unfriendly websites.

An appeal independent of the Council

More informal visits and working with companies to improve

The (regulator) used to have a common sense approach but now they are challenged to raise revenue I no longer think their objectives are the same as ours

Awareness of issues is the starting point closely followed by guidance of solutions without the “hard sell” background.

There seems to be so many firms telling you that you need certain H&S legislation, when in fact if you are small organisation and small building it is not necessary to put all of the things they would recommend in place.

Health and safety helpline for queries. Availability of cheap supplies of safety products.

Send out requirements as they are changed and not expect the business to be psychic

In response to the question “”What would improve the trust you have in the regulatory services?”

Advisory visits to give guidance, advice and information. During this process we were never made to feel that we were being inspected or judged. This has given us confidence to believe that we can ask for any advice and guidance that we might need without the fear of “getting into trouble” if we are not quite up to scratch!

Not sure

For us there was no lack of trust, just a lack of confidence that we had met all necessary requirements

Seeing a face / talking to someone rather than going into a queuing system.

External appeal and scrutiny (of the regulators decision)

More face to face visits

They (the regulator) cannot have an objective of raising revenue – they must have only one objective which is making the workplace as safe as is reasonably possible

Plain speaking and credible/affordable options.

More of the same service, perhaps if necessary annual follow-ups on agreement

Being told how we could save money and how we could do things easier and quicker.

Keeping things simple, practical and proportionate to the business

Regular updates

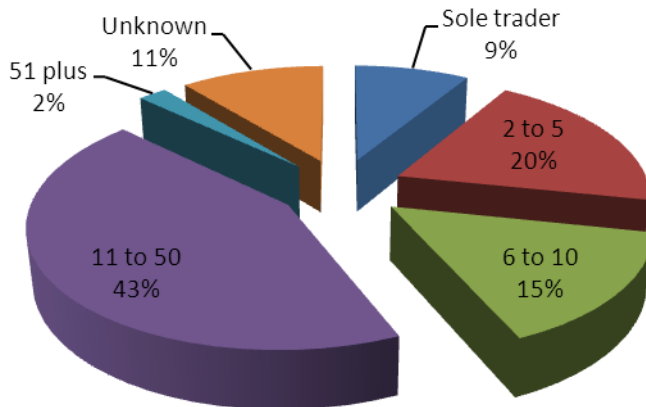
Additional Comments Made

SME companies are unlikely to have the recognised skills to immediately identify all H&S requirements. Paying for such a service is ultimately necessary although its priority may not be placed correctly. When a new business is developed, cash-flow is always the initial brake. It is recommended that this no-fee consultation is offered to all new business, but during the design and development of the business. This will allow H&S to be built into the business before it commences trading. The H&S advice then becomes preventative rather than corrective. It is important that this service is clearly visible to the new business. We discovered this service after we started trading. Consider how to introduce the service earlier, perhaps using Companies House register to highlight such new businesses.

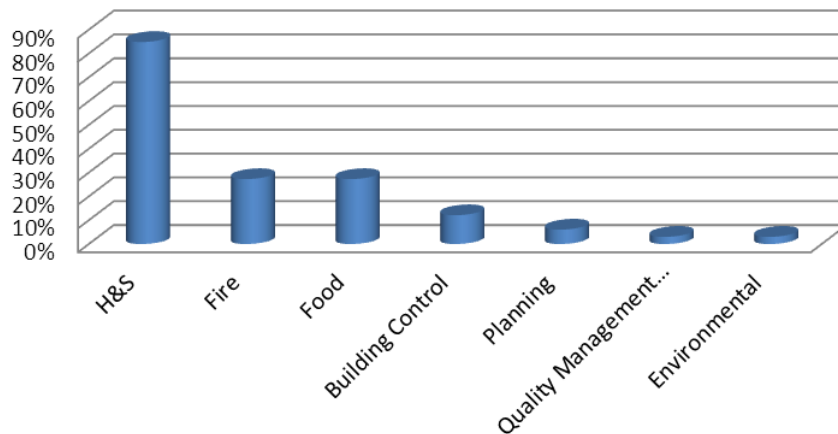
ANNEX B Project Outcomes

Details of the Clients

Clients by Number of Employees

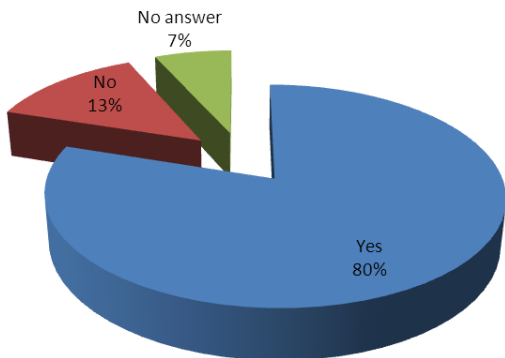


Nature of the regulatory advice sought by the whole client group

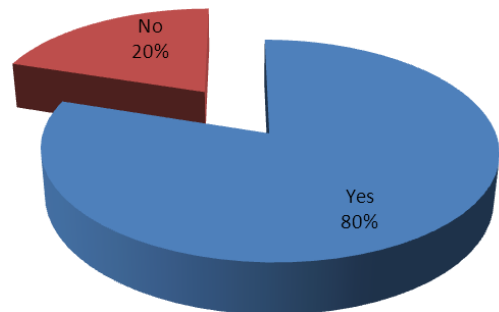


Client Feedback

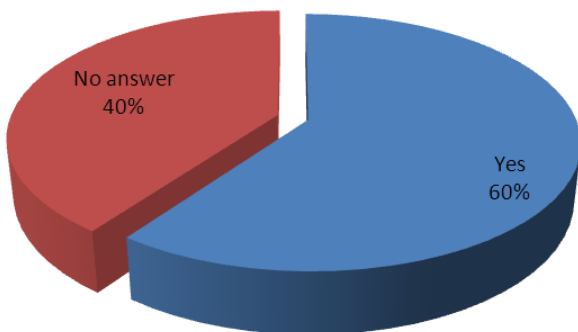
"Did the service benefit you by reducing red tape?"



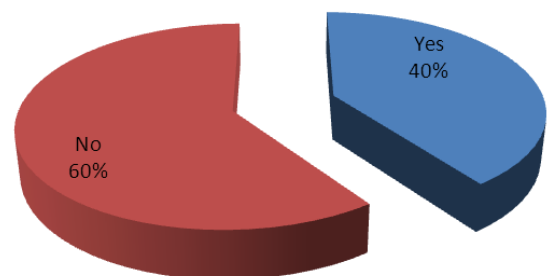
"Did the advice directly improve the safety or wellbeing of your workforce?"



Did the service benefit you financially?

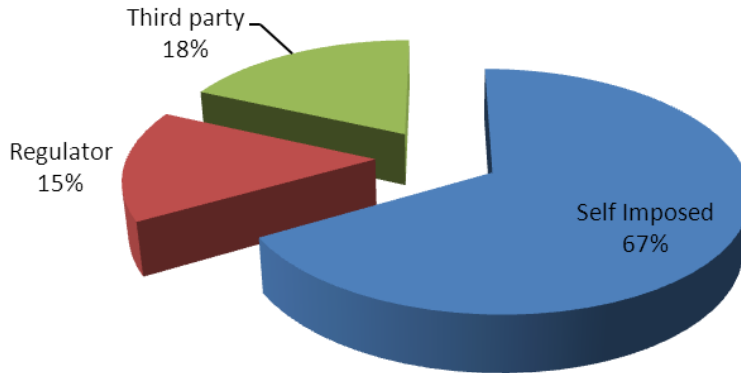


"Would you pay for the service?"

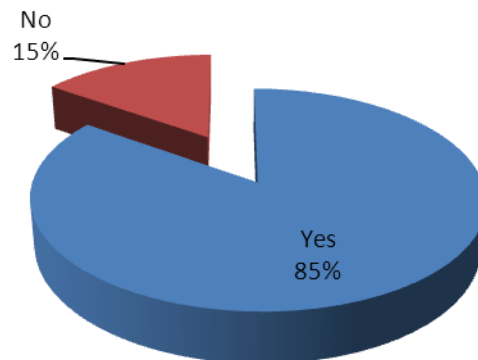


Feedback from the Advisor

Cause of the perceived burden



Has H&S improved in the business as a result of the service?



Document Control

Version	Date of Issue	Author(s)	Brief Description of Change(s)
1	11 Sept 2014	MH	First Issue
2	18 Sept 2014	MH	Following comments from partners
3	23 Oct 2014	MH	Following pre-circulation feedback before E&DS

REPORT TO:	Environmental and Development Services	AGENDA ITEM: 8
DATE OF MEETING:	20th November 2014	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:	Local Plan - Local Development Scheme	REF:
WARD(S) AFFECTED:	All	TERMS OF REFERENCE: EDS03

1.0 Recommendations

That Members:

- (i) endorse the Local Development Scheme (LDS) for publication.
- (ii) endorse continuation of the South Derbyshire Local Plan Part 1 having given consideration to the Duty to Co-operate under section 33A of the Planning and Compulsory Purchase Act 2004 (the "Act")

2.0 Purpose of Report

2.1 To endorse the publication of the updated LDS for the Local Development Framework as it forms a piece of evidence base for the Local Plan production and to consider the options for joint development plan documents.

3.0 Detail

3.1 The LDS is an important piece of evidence that sets out the programme for preparing the documents that will form the Local Plan and also the documents to be written as Supplementary Planning Documents (SPDs). It also sets out the possible risks that exist with producing the documents listed in the LDS. The LDS is monitored through the Annual Monitoring document.

3.2 The LDS was previously put before Members at this Committee on the 21st August which unfortunately already needs updating. This is partly because of further changes to the Local Plan process that mean the timetable for both Part 1 and Part 2 needs to be amended.

3.3 The Local Plan Part 1 was submitted on the 8th August. Following this Ms Kingaby was appointed as our Inspector to consider whether the Plan is 'sound' and whether all other legal requirements have been complied with. The start of the hearings is Tuesday 25th November and it is currently timetabled to be complete by the 5th December (running for 5 or 6 days in that period).

- 3.4 Following the introduction of the “Duty to Co-operate” contained in section 33A of the Act, which came into effect on 15 November 2011, the Council is required to co-operate with other bodies in maximising the effectiveness with which certain activities are undertaken, including the preparation of development plan documents and other local development documents. This requires the Council to engage constructively, actively and on an ongoing basis and, more specifically (under subsection (6)), to (a) consider whether to consult on and prepare, and enter into and publish, agreements on joint approaches to the undertaking of the preparation of development plan documents and other local development documents; and (b) consider whether to agree under section 28 of the Act to prepare joint local development documents.
- 3.5 Members will be aware the Council’s Plan preparation process was well underway when the “Duty to Co-operate” came into force. In March 2007, Derby City Council proposed to produce joint allocations plans. This was referred to in the Council’s 2007 Local Development Scheme, but it was decided not to prepare a joint local development document following adoption of the East Midlands Regional Spatial Strategy in 2009. Whilst the decision taken not to agree to prepare joint development documents has not been formally documented, it has been implicit in all stages of the preparation of local development documents since the Duty to Co-operate arose in November 2011. The Council has, however, prepared separate but aligned Core Strategies working constructively and actively with neighbouring local authorities on a continuing basis and it is now intended to hold a joint session to consider the steps taken by the three Council’s within the Derby Housing Market Area to address the provision of an increased housing requirement during the examination process.
- 3.6 Whilst it is considered that the duty has been complied with throughout the plan making process, Members are asked to formally consider the matter for the avoidance of any doubt. Members at this point have two options which would satisfy the requirements of section 33A (6) of the Act.

These options are:

1. Continue to progress a separate South Derbyshire Plan and the pending Examination in Public, prepared on an aligned basis and with the benefit of joint evidence collated with neighbouring local authorities, including Derby City Council and Amber Valley Borough Council, particularly in respect of the Derby Housing Market Area to which a cross-boundary strategic approach has been taken; or
 2. Start the Local Plan process again with a Joint Plan across two or more authorities.
- 3.7 There would be little merit in proceeding with Option 2, given the extensive joint working that has occurred to date. It is difficult to see that a joint plan would result in a different outcome, given the approach that has been taken in respect of the Derby Housing Market Area. In addition there is no indication that any neighbouring authorities would be prepared to do the same.

- 3.8 In the event that Members opt to continue with the Plan in accordance with option 1, it was intended to undertake a consultation on the Local Plan Part 2 in December this year but given the continued uncertainty regarding the housing target it is now not appropriate to undertake this consultation at this stage. The 'options' consultation (Regulation 18) will now take place at the beginning of 2015. The Part 2 also has to undertake the statutory stages of consultation and an Examination in Public in the same way as Part 1. The timetable in the LDS sets out one round of consultation plus the Regulation 19 consultation followed by an Examination which would now mean submission to the Secretary of State in July 2015.
- 3.9 A further reason for bringing the LDS to Committee again is that the Gypsy and Traveller Site Allocations DPD was not listed in the previous version. This document is required following the introduction of the 'Planning policy for Traveller Sites' in March 2012 that requires a five year supply of sites to be introduced against targets set out in the gypsy and traveller accommodation assessment.
- 3.10 A policy is included in the Local Plan Part 1 that sets out criteria should a planning application be received for additional pitches or plots.
- 3.11 As previously mentioned the Local Plan Part 1 has established the need for a Design SPD, Cycling and Greenways SPD and a Car Parking Standards SPD to be written.
- 3.12 The timetable for the Greenways SPD as the County have now informed us that they are looking to employ consultants before the end of March 2015 to work on their Strategy which will include consultation within the District.
- 3.13 There is a statutory requirement to have an up to date LDS and due to the stage the Local Plan is at, it is essential that it is updated.

4.0 Financial Implications

- 4.1 None arising directly from this report.

5.0 Corporate Implications

- 5.1 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 LDS is an essential part of the evidence for the Local Plan.

6.0 Community Implications

- 6.1 The LDS when published will allow members of the Community and others to be more aware of the timetable that is being followed for the Local Plan but also the other documents that are intended to support the Local Plan policies.

7.0 Background Papers

- 7.1 Local Plan Part 1

Appendices

South Derbyshire Local Development Scheme - Index

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1 Purpose of this document

This revised Local Development Scheme (LDS) sets out how the Council will progress the Local Plan (previously known as the Local Development Framework over a 3 year period. The documents contained within the Local Plan will set out the policies and proposal for the use and development of land, which over time will replace saved policies within South Derbyshire's 1998 Local Plan and its supporting documents.

The Planning and Compulsory Purchase Act 2004 (as amended by the Planning Act 2008 and Localism Act 2011) states that the LDS must specify:

- the local development documents which are to be development plan documents
- the subject matter and geographical area to which each development plan document is to relate
- which development plan documents (if any) are to be prepared jointly with one or more other local planning authorities
- any matter or area in respect of which the authority have agreed (or propose to agree) to the constitution of joint committee under section 29
- the timetable for the preparation and revision of the development plan documents
- such other matters as are prescribed

2 Timescales

This is the sixth LDS to be published by South Derbyshire District Council. This LDS reflects an updated timetable to that published in August 2014.

The first LDS came into effect in April 2005, the second on 18th July 2005, the third in March 2007, the fourth in March 2014 and the fifth in August 2014. Following the Government's proposal to introduce the Localism Bill an indicative timetable was also produced that superseded the third Local Development Scheme.

Following the adoption of the LDS in March 2007, there were significant changes to the planning system at a national level. The changes included:

- Replacing National Planning Policy Guidance Notes and Planning Policy Statements with the National Planning Policy Framework (NPPF)
- The Introduction of the Localism Act 2011
- The revocation of the East Midlands Regional Spatial Strategy
- The publication of the National Planning Practice Guidance which supersedes many guidance notes and circulars that weren't replaced by the NPPF.

This revised LDS covers the period of November 2014 – November 2017 and takes a realistic view of the Local Plan documents to be prepared in the coming three-year period. The reason that an update is required so soon after the previous LDS was produced is due to further consideration that was required in regard to the Derby Housing Market Area housing number and to reflect the impact that has had on the timetable.

3 Local Plan

South Derbyshire and other local planning authorities are required to produce a Local Plan. South Derbyshire's existing Local Plan was adopted in 1998 and some policies were 'saved' under the Planning and Compulsory Purchase Act 2004 regulations, which extends the life of these plan policies until they are replaced by a new Local Plan. The saved adopted local plan policies can be viewed at: http://www.south-derbys.gov.uk/planning_and_building_control/planning_policy/adopted_local_plan_1998/default.asp

Supplementary Planning Guidance (SPG) associated with the saved policies in the 1998 adopted Local Plan will also remain a material consideration when determining planning applications, until such time as it is replaced by Supplementary Planning Documents. SPG which remains up to date can be found at: http://www.south-derbys.gov.uk/planning_and_building_control/planning_policy/supplementary_planning_guidance/default.asp

The National Planning Policy Framework paragraph 215 indicates that “due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan, to the policies in the Framework, the greater the weight may be given)”. The saved policies in the Local Plan therefore can be used for decision making when they are in line with the NPPF.

It is considered that the saved policies in the 1998 Local Plan are mainly consistent with the NPPF.

The Local Plan currently being prepared by South Derbyshire will contain a portfolio of planning documents which supports the preparation of the Local Plan. Alongside the LDS the portfolio of documents includes the following:

- Development Plan Documents (Local Plan)
- Supplementary Planning Documents
- Statement of Community Involvement
- Annual Monitoring Report

The Planning Practice Guidance was published on the 6th March 2014 and reiterates the need for a Local Development Scheme that is up to date and enables people to track the progress of documents.

Development Plan Documents (DPDs) set out the policies and proposals for a Local Authority Area and carries the most weight in the determination of planning applications. They are subject to independent examination by a Planning Inspector and subject to community involvement through consultation and a Sustainability Appraisal. South Derbyshire will provide the following DPDs:

- Local Plan Part 1 (formally known as the Core Strategy), which will set the long-term vision, objectives and strategy for the spatial development of South Derbyshire and provide a framework for promoting and controlling development. Strategic housing and employment sites will be allocated, along with Development Management policies to be used in determining planning applications.
- Local Plan Part 2, which will allocate non-strategic housing sites and review all settlement boundaries. It will also look at more detailed Development Management policies to support strategic policies in Part 1 in the areas of retail, conservation and heritage and the countryside.
- Proposals Map: A map that identifies those areas to which specific policies apply.
- Gypsy and Traveller Site Allocations DPD

South Derbyshire District Council had previously intended to produce an Area Action Plan (AAP) for the land between Woodville and Swadlincote Town Centre. The District is no longer intending to produce this AAP; however the principle of regeneration on this site including the Regeneration Route is being taken forward in the Local Plan Part 1 as a site specific policy.

Supplementary Planning Documents (SPD) will cover some Development Management policies in more detail. They will be used in the determination of planning applications, and will replace Supplementary Planning Guidance (SPG). SPD's are not subject to independent examination but will be considered through the Council's Committee process.

Statement of Community Involvement (SCI) sets out how the Council intends to engage and consult local communities and others in the preparation of the Local Plan and Development Management matters. South Derbyshire's SCI can be found at: http://www.south-derbys.gov.uk/planning_and_building_control/planning_policy/local_plan/statement_of_community_involvement/default.asp

Annual Monitoring Report (AMR) reviews the progress in the preparation of the Local Plan documents against the milestones set out in the Local Development Scheme and assesses the extent to which development plan policies are being achieved. South Derbyshire's most recent AMR can be found at: http://www.south-derbys.gov.uk/planning_and_building_control/planning_policy/local_plan/annual_monitoring_reports/default.asp

The relationship of each of the Local Plan documents can be found in Appendix 1.

4 Strategic Environmental Assessment (SEA) and Sustainability Appraisal (SA)

All DPD's are subject to a SA and a SEA. The SA is an iterative process that is integral to the document's preparation as a means of assessing their potential social, environmental and economic effects.

The Council will also conduct an Environmental Assessment in accordance with the requirements of the EU Directive 2001/42/EC. The Council appointed a Planning Policy Officer with particular responsibility for SA matters in December 2005, which has enabled in-house expertise to be developed together with the progress of a monitoring framework.

The SA was published for consultation during the Regulation 18 consultation on the Draft Local Plan Part 1, which took place from 27th September to 15th November 2013. Following a review of the comments received during this consultation, the SA was updated and published for a further consultation (alongside the Local Plan Part 1 Regulation 19 consultation) from 10th March -22nd April 2014.

The Part 2 of the Local Plan will be subject to the same requirements in terms of SEA and SA as Part 1. The SA will be published alongside the Regulation 18 (Draft Local Plan) consultation for Part 2 and then again following any necessary revisions for the Regulation 19 (Pre -submission) stage.

5 Links with other Strategies and Plans

The Local Plan will have regard to other Council Strategies such as those for Housing, Economic Development, Tourism, Heritage and Leisure. Work is ongoing with other parts of the Council to develop a joint approach to establishing and maintaining a robust and credible evidence base. This joint approach to data collection will be used to support the preparation and monitoring of the Local Plan. Additionally regard will be had to the Council's Corporate Plan 2009-2014 which the Local Plan will help deliver many of the aspirations within it and South Derbyshire's Sustainable Communities Strategy.

South Derbyshire is part of the Derby Housing Market Area (HMA) along with Amber Valley and Derby City with support from Derbyshire County Council. Given the functional relationship (housing markets and travel to work patterns) between the Derby HMA there has been joint working on the Authorities Local Plan's through the collation of a joint evidence base.

6 Adopted Local Plan Document

The following document has been adopted and is subject to ongoing monitoring. In the event of a formal review being necessary, this will be highlighted in the Annual Monitoring Report:

Document	Date of Adoption
1. Statement of Community Involvement	March 2006

7 Evidence

Government guidance emphasises the need for a robust evidence base in the preparation of Local Plans. South Derbyshire District Council will continue to undertake studies, research and public consultation in preparation of the Local Plan. Many of the studies have been undertaken on a HMA wide basis. Specific research and studies carried out to date include:

<u>Research/Study</u>	<u>Method</u>	<u>Completed</u>
Sustainability Appraisal	In house	Ongoing
Habitats Regulations Screening Assessment	In house	September 2013
Infrastructure Delivery Plan	In house	Ongoing
South Derbyshire's Five Year Housing Land Supply (2014-2019)	In house	August 2014
SHLAA	In house	Ongoing
Derby HMA Education Position Statement	In house	August 2014
Derby Urban Area Transport Position Statement	In house	November 2012
Derby HMA Sensitivity Testing	Consultants	May 2014
Derby HMA Strategic Housing Market Assessment Update *	Consultants	July 2013
Derby HMA Employment Land Review Forecasts Update*	Consultants	March 2013
Derby HMA Housing Requirements Study *	Consultants	2012
Derby Housing Market Area Water Cycle Study *	Consultants	2010
Derbyshire Gypsy and Traveller Accommodation Assessment * (Currently being updated)	Consultants	2008
Derby HMA Employment Land Review	Consultants	March 2008
South Derbyshire District Council Employment Land Review	Consultants	2007
South Derbyshire Level 1 Strategic Flood Risk Assessment (SFRA)	Consultants	2008

* Joint studies commissioned with Derby City Council and Amber Valley Borough Council and/or Derbyshire County Council.

Further information on the Derby HMA joint evidence base can be found at: http://www.south-derbys.gov.uk/planning_and_building_control/planning_policy/local_plan/evidence_base/hma_joint_evidence_base/default.asp whilst further information on South Derbyshire's evidence base can be found at: http://www.south-derbys.gov.uk/planning_and_building_control/planning_policy/local_plan/evidence_base/default.asp

8 Consultations to date

Seven consultations have been undertaken in the preparation of the Local Plan Part 1. The consultations undertaken are:

- Issues and ideas, January 2009 - 3 April 2009
- Issues and Alternative Options, January 2010 - 31 May 2010
- Your Neighborhood Talk to Us, 8 February 2011 – 3 May 2011
- Options for Housing Growth, 12 July 2011 - 30 September 2011
- Preferred Growth Strategy, 4 October - 21 December 2012
- Draft Local Plan Part 1, 27 September – 15th November 2013 (the deadline for the consultation statement was extended until the 22nd November 2013)
- Pre-Submission Local Plan Part 1, 10th March -22nd April (Regulation 19 consultation)

Further information on these consultations can be found at: http://www.south-derbys.gov.uk/planning_and_building_control/planning_policy/local_plan/local_plan_part1/default.asp

The Local Plan Part 1 was submitted to the Secretary of State on the 8th August 2014 and hearings are to commence at the end of November 2014.

9 Resources

The preparation of the Local Plan is led by the Planning Policy Team and comprises the Planning Policy Manager, two Planning Policy Officers, one Planning Policy Officer (Sustainability), one Assistant Planning Policy Officer, 1.5 Planning Assistants, one Conservation and Heritage Officer and one Design Excellence Officer. The work of the team will also be complemented by officers from other services with specialist knowledge within South Derbyshire District Council, such as Development Management, Housing and Economic Development. External resources may also be called upon such as the County Council and consultants for certain projects. However, as far as possible surveys and studies will be undertaken in house.

The team has other responsibilities in addition to preparing the Local Plan including:

- Providing advice and evidence to Development Management
- Neighbourhood planning support
- Compiling and maintaining an evidence base for the Local Plan and wider uses
- Maintaining a Duty to Co-operate.

10 Monitoring

The Council is required to produce and make available to the public an Annual Monitoring Report (AMR). The AMR should review the progress in the preparation of the Local Plan against the milestones set out in the Local Development Scheme and assess the extent to which development plan policies are being implemented, through the use of a range of indicators.

The introduction of the Localism Act in November 2011 removed the statutory requirement for local planning authorities to submit an AMR to the Secretary of State. However authorities still have a duty to monitor and report its activities to the local community.

The Council have produced nine AMR's with the most recent covering the period 2013/14. The Council has detailed databases for monitoring residential and employment land availability. The Council also holds detailed information regarding retail and leisure which are updated and form a key aspect of the annual monitoring. The residential and employment database is maintained by Derbyshire County Council as all Derbyshire Local

Authorities use the same system in accordance with an agreed protocol. The AMR will monitor the progress in meeting the milestones in the LDS and inform a review of the document when necessary.

11 Risk Management

The Council does not have control over all aspects associated with the preparation of the Local Plan. Completion of the Plan relies upon input to the process from a wide variety of individuals and organisations ranging from members of the public to the Secretary of State. All those involved will have their own priorities and processes that need to be dealt with and may not reflect the timescales placed on the Council by legislation. The Council will endeavor to ensure that working relationships with external groups and organisations move forward and continue towards joined up working.

In preparing the LDS, the Council has identified some of the main areas of risk and their impacts, and potential ways to overcome these to ensure that the LDS timetable is delivered.

Area of risk	Impact	Mitigation
Inadequate staff resources	Unable to produce the Local Plan on time and to a decent standard due to lack of in house skills/resources for evidential work.	<ul style="list-style-type: none"> • Employ temporary staff/consultants subject to resource availability. • Use staff from other departments within the Council. • Joint working with the HMA Authorities (Derby City and Amber Valley Borough Council).
Change of political leadership of the Council	Could cause delay in the preparation of the Local Plan	<ul style="list-style-type: none"> • Maintain the involvement of all parties in the District Council through Committee and also the Local Plan Member Working Group.
Changes to national policy requirements	New/emerging policy could generate new issues, which need to be addressed within the Local Plan, which require additional work and could delay the preparation of the local plan.	<ul style="list-style-type: none"> • Keep up to date on emerging National policies. • Revise the LDS.
Capacity of the Planning Inspectorate (PINS)	PINS unable to meet the demand for Local Plan examinations, resulting in a delay in adopting South Derbyshire's Local Plan.	<ul style="list-style-type: none"> • Close liaison with the Planning Inspectorate to ensure early warnings of any delays. • Programme of Local Plan production including revisions will be provided to the PINS.
Public consultation	Public concern and stakeholder involvement on planning issues is increasing. This could add to the time required to process representations made, delaying the preparation of the Local Plan.	<ul style="list-style-type: none"> • Employ temporary staff subject to resource availability. • Resources from other departments within the Council could be drawn upon to process representations.

Joint Working	Working with the HMA Authorities (Derby City and Amber Valley) could be problematic with political differences and conflict of interests occurring.	<ul style="list-style-type: none"> • Early and meaningful engagement with Members of all three Authorities. • Concise working arrangements with neighbouring local authorities.
Delay approval or require changes to the Local Plan by Council Members	Reports could miss council committee deadlines, or create unforeseen work, resulting in a slippage of timetable.	<ul style="list-style-type: none"> • Involve members through the preparation of the Local Plan, to ensure that the Councils priorities are reflected.
Local Plan found unsound	<p>If the Plan is found unsound at examination it could result in the withdrawal of the Plan.</p> <p>Extra work would be required for resubmission leading to failure to meet planned timescales.</p>	<ul style="list-style-type: none"> • Take PINS advice. • Ensure a robust evidence base with well documented community and stakeholder engagement. • Keep up to date with experience from other Local Authorities Public Examinations.
Incorporating change after Examination	The Planning Inspectorate could request changes to the Local Plan, which require further work than anticipated, leading to slippage on the Local Plans publication time.	<ul style="list-style-type: none"> • Allow for some inconsistency in the programme. • Use project management methods.
Legal Challenge	A legal challenge could result in the Local Plan being quashed.	<ul style="list-style-type: none"> • Ensure that the Local Plan has been prepared in accordance with legal and procedural requirements. • Act on pre submission PINS advice.

5 Schedule and Timetable of proposed Development Plan Documents

The profiles below set out the work and resources required in order to produce each DPD. The potential timings of each of the DPDs can be found below each document profile.

South Derbyshire Local Plan Part 1 (formally known as the Core Strategy)

Status	Development Plan Document
Geographical Area	South Derbyshire District
Conformity	Conform to legislation, case law and National Planning Policy Framework.
Description	Local Plan Part 1 will provide a long term vision, objectives and strategy

	for the spatial development of South Derbyshire and provide a framework for promoting and controlling development. Part 1 will provide: <ul style="list-style-type: none"> • Site allocations for strategic housing and employment sites across the District; • Development management policies that will be used in the determination of planning applications.
Joint Working	The Council recognises the importance of joint working between the Derby HMA and neighbouring authorities under the Duty to Co Operate. Work on this document has been closely aligned with Derby City and Amber Valley. There has been numerous pieces of evidence produced jointly with authorities within the Derby HMA, which can be found at: www.south-derbys.gov.uk/
Management	Director of Community & Planning ► Environment & Development Services Portfolio Holder ► Environment & Development Committee ► Full Council ► Evidence agreed by Local Plan Member Working Group
Internal Resource	South Derbyshire District Council - Planning Policy Team, Development Management team, Strategic Housing team, Community teams, Economic Development team.
External Resource	Derby City Council, Amber Valley Borough Council, Derbyshire County Council and other key stakeholders.
Community and Stakeholder Involvement	In accordance with the Town and Country Planning Regulations 2012 and as set out in the Councils Statement of Community Involvement.
Monitoring and Review	Progress on the preparation and production of the document will be carefully monitored to ensure that milestones in the LDS are met. Monitoring policies in this document will be a main feature of the AMR.
Timetable	
Stage	Date
Commencement of the process	2009 (start of aligned working within the Derby HMA)
Submission Consultation (Regulation 19)	March 10 th – April 22 nd 2014
Submission to Secretary of State (Regulation 22)	8 th August 2014
Commencement of the Hearing Sessions	November 2014
Adoption by Council	March 2015

South Derbyshire Local Plan Part 2

Status	Development Plan Document
Geographical Area	South Derbyshire District Council
Conformity	Conform to legislation, case law and National Planning Policy Framework as well as Part 1 of the Local Plan.
Description	Local Plan Part 2 will cover non-strategic housing allocations and a full review of the settlement boundaries. It will include more detailed policies on retail including consideration of a Town Centre boundary. Other policies will include conservation and countryside policies.
Joint Working	There will be less need to work alongside Amber Valley and Derby City in such an aligned manner. Derbyshire County Council will be involved particularly in regards to highways and education expertise.
Management	Director of Community & Planning ►

	Environment & Development Services Portfolio Holder ► Environment & Development Committee ► Full Council ► Evidence agreed by Local Plan Member Working Group
Internal Resource	South Derbyshire District Council - Planning Policy Team, Development Management team, Strategic Housing team, Community teams, Economic Development team.
External Resource	Derby City Council, Amber Valley Borough Council, Derbyshire County Council and other key stakeholders.
Community and Stakeholder Involvement	In accordance with the Town and Country Planning Regulations 2012 and as set out in the Councils Statement of Community Involvement.
Monitoring and Review	Progress on the preparation and production of the document will be carefully monitored to ensure that milestones in the LDS are met Monitoring policies in this document will be a main feature of the AMR.
Timetable	
Stage	Date
Commencement of the process	April 2014
Options Consultations (Regulation 18)	January 2015
Proposed Submission Consultation (Regulation 19)	March 2015
Submission to Secretary of State (Regulation 22)	July 2015
Commencement of the Hearing Sessions	September 2015
Adoption by Council	January 2016

Gypsy and Traveller Site Allocations DPD

Status	Development Plan Document
Geographical Area	South Derbyshire District
Conformity	Conform to National Planning Policy & Guidance as well as Part 1 of the Local Plan.
Description	Consideration of sites for Gypsy and Traveller pitches to enable the Council to demonstrate a five year supply of pitches
Joint Working	Derbyshire County Council, all other Derbyshire Authorities and East Staffordshire Borough Council
Management	Director of Community & Planning ► Environmental & Development Services Portfolio Holder ► Environment & Development Committee ► Full Council
Internal Resource	South Derbyshire District Council - Planning Policy Team, Development Management team, Economic Development team, Strategic Housing team.
External Resource	Derbyshire County Council
Community and Stakeholder Involvement	In accordance with the Town and Country Planning Regulations 2012 and as set out in the Councils Statement of Community Involvement.
Monitoring and Review	Progress on the preparation and production of the document will be carefully monitored to ensure that milestones in the LDS are met. Monitoring policies in this document will be a main feature of the AMR.
Timetable	
Stage	Date
Commencement of the process	June 2015
Consultation	September 2015
Adoption by Council	November 2015

13 Schedule and Timetable of proposed Supplementary Planning Documents

Design SPD

Status	Supplementary Planning Document
Geographical Area	South Derbyshire District
Conformity	Conform to National Planning Policy Framework and Guidance as well as Part 1 of the Local Plan
Description	Guidance for people assessing development and for those proposing it across the District. It will provide clear and concise design guidance for all types of development. The guidance will be split as: <ul style="list-style-type: none"> • Design Process • Design Principles
Joint Working	Derbyshire County Council
Management	Director of Community & Planning ► Environment & Development Services Portfolio Holder ► Environment & Development Committee ► Full Council
Internal resource	South Derbyshire District Council - Planning Policy Team, Development Management team, Strategic Housing team, Waste Collection team, Economic Development team, Tree Officer.
External Resource	Police Architectural Liaison, National Forest, Developers & House Builders
Community and Stakeholder Involvement	In accordance with the Town and Country Planning Regulations 2012 and as set out in the Councils Statement of Community Involvement.
Monitoring and Review.	Progress on the preparation and production of the document will be carefully monitored to ensure that milestones in the LDS are met. Monitoring policies in this document will be a main feature of the AMR.
Timetable	
Stage	Date
Commencement of the process	March 2014
Consultation	January 2015
Adoption by Council	July 2015

Car Parking Standards SPD (may be included as part of the Design SPD)

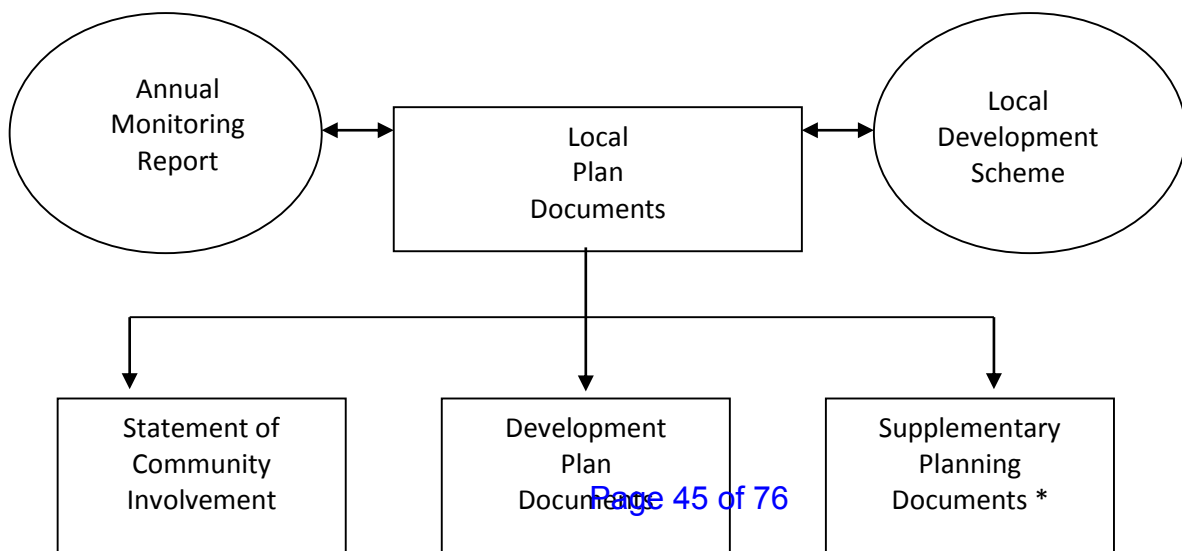
Status	Supplementary Planning Document
Geographical Area	South Derbyshire District
Conformity	Conform to National Planning Policy Framework & Guidance as well as Part 1 of the Local Plan.
Description	Guidance on car parking standards and requirements on all developments across the District.
Joint Working	Derbyshire County Council
Management	Director of Community & Planning ► Environmental & Development Services Portfolio Holder ► Environment & Development Committee ► Full Council
Internal Resource	South Derbyshire District Council - Planning Policy Team, Strategic Housing team, Development Management team, Waste Collection team Economic Development team, Tree Officer
External Resource	Police Architectural Liaison Officer
Community and Stakeholder	In accordance with the Town and Country Planning Regulations 2012 and

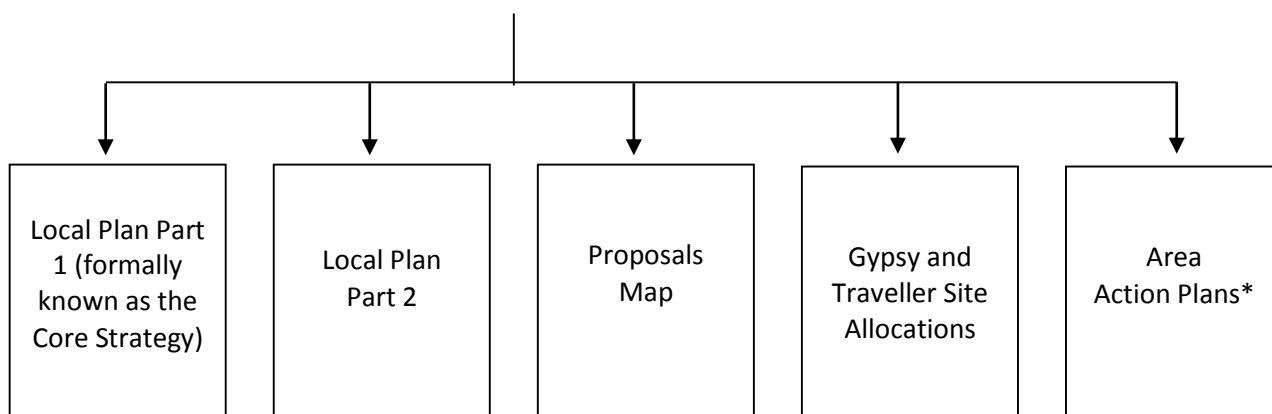
Involvement	as set out in the Councils Statement of Community Involvement.
Monitoring and Review	Progress on the preparation and production of the document will be carefully monitored to ensure that milestones in the LDS are met. Monitoring policies in this document will be a main feature of the AMR.
Timetable	
Stage	Date
Commencement of the process	March 2014
Consultation	January 2015
Adoption by Council	July 2015

Greenways SPD

Status	Supplementary Planning Document
Geographical Area	South Derbyshire District
Conformity	Conform to National Planning Policy Framework & Guidance as well as Part 1 of the Local Plan.
Description	Guidance and proposals on strategic multiuser routes for walkers, cyclists, horse riders and those with mobility difficulties across the District.
Joint Working	Derbyshire County Council who produce a County wide Green way Strategy
Management	Director of Community & Planning ► Environmental & Development Services Portfolio Holder ► Environment & Development Committee ► Full Council
Internal Resource	South Derbyshire District Council - Planning Policy Team, Development Management team, Economic Development team, Tree Officer, Open Space and Facilities Officer
External Resource	National Forest, Sustrans, Derbyshire County Council
Community and Stakeholder Involvement	In accordance with the Town and Country Planning Regulations 2012 and as set out in the Councils Statement of Community Involvement. This SPD will link to Derbyshire County Councils refresh of their Greenways Strategy.
Monitoring and Review	Progress on the preparation and production of the document will be carefully monitored to ensure that milestones in the LDS are met. Monitoring policies in this document will be a main feature of the AMR.
Timetable	
Stage	Date
Commencement of the process	December 2014
Consultation	April 2015
Adoption by Council	August 2015

Appendix 1: Chart to show the relationship between Local Plan documents





* Optional

Appendix 2 - Glossary of Terms

Adopted Local Plan	The South Derbyshire Local Plan formally adopted in May 1998
AMR	Annual Monitoring Report to chart progress of producing and implementing policies and proposals
Duty to Cooperate	A statutory duty placed on Local Planning Authorities to cooperate with other authorities and relevant bodies in the preparation of a DPD
LDD	Local Development Documents comprising DPDs and SPDs that together will make up the Local Plan
NPPF (National Planning Policy Framework)	Contains a range of planning policies set by National Government
Planning Inspectorate	An agency of Department of Communities and Local Government that provides independent adjudication on planning matters
Proposals Map	A map that identifies those areas to which specific policies apply.
SA	Sustainability Appraisal – a tool to ensure that policies in all LDD reflect sustainable development principles.

SCI	Statement of Community Involvement that sets out how the Council will consult the community and stakeholders on the preparation of planning documents and planning applications.
SEA	Strategic Environmental Assessment is a requirement of EU Directive 2001/42/EC and applies to plans and policies where impacts will be of a strategic nature.
SPD	Supplementary Planning Documents that provide additional detailed guidance to support policies in DPD.
SPG	Supplementary Planning Guidance provides additional guidance to support Local Plan Policies.

REPORT TO:	Environmental and Development Services Committee	AGENDA ITEM: 9
DATE OF MEETING:	20 th November 2014	CATEGORY: DELEGATED/ RECOMMENDED OPEN/EXEMPT PARAGRAPH NO:
REPORT FROM:	Director of Community and Planning	DOC:
MEMBERS' CONTACT POINT:	Nicola Sworowski, Planning Policy Manager, ext. 5983	REF:
SUBJECT:	Conservation Area Character Statements - Ticknall	TERMS OF REFERENCE: EDS04
WARD(S) AFFECTED:	Repton	

1.0 Recommendations

1.1 That the committee approves the adoption of the draft Conservation Area Character Statement for Ticknall.

2.0 Purpose of Report

2.1 To consider the outcome of the public consultation exercise on the deferred (as agreed at the October Committee) Ticknall Conservation Area Character Statement (CACS).

3.0 Detail

3.1 The consultation was on the second eleven Conservation Area Character Statements (letters S – W) which were approved at the October 2014 Committee with the exception of Ticknall which it was agreed to defer due to the number of comments received that required further work.

3.2 For this second set of Conservation Area Character Statements the consultation ran from 1st February 2013 to 19th April 2013. There were four drop in events that were held in Melbourne, Swadlincote, Walton on Trent and Shardlow. The documents were also made available on the Council's website.

3.3 The comments made on the Ticknall CACS included those made by Janet Spavold and Sue Brown who have a particular interest and great knowledge of Ticknall's history. The comments have now been considered by our Heritage consultant and the suggested amendments can be seen in Appendix 1.

3.4 There was also a suggestion that the area of archaeological potential needed to be extended to include an area to the south west of the village. This has been checked

and agreed by the County's archaeological team. The area for extension can be seen at Appendix 2.

3.5 Comments were also made from Ticknall Parish Council which has been considered though no change was required to the statement.

3.6 The Conservation Area Character Statements have already succeeded in making people aware of the special qualities within each of the 22 areas. They will also be a useful tool for the development management process and also in aiding the Local Plan Part 2 policies.

4.0 Financial Implications

4.1 There are no financial implications

5.0 Corporate Implications

5.1 The District's Conservation Areas are a key component of its vibrant communities which offer opportunities for the future, such as tourism and job creation.

5.2 If approved then the status of these documents will change from draft to adopted on the Council's website. Those people that made comments on the documents will be informed if the documents are adopted.

6.0 Community Implications

6.1 Conservation Area Character Statements help to sustain the District's built heritage, a valuable and non-renewable resource. Investment in built heritage promotes tourism and improves environmental quality for all.

7.0 Background Papers

7.1 Draft Conservation Area Character Statements can be viewed at: http://www.south-derbys.gov.uk/planning_and_building_control/conservation_and_heritage/character_statements/default.asp

Appendix 1

Suggested amendments to Ticknall Conservation Area Character Statement

Appendix 2

Map of area of high archaeological potential

Appendix 1	
Comments on Ticknall Conservation Area Statement	Suggested Amendments
Janet Spavold and Sue Brown	
<p>Introduction</p> <p>Page 1. Paragraph 1, line 3. Change Smisby to Ticknall</p> <p>Paragraph 4, line 1. change “1765 and the 1830s” to “1780 and the 1880s”.</p> <p>Paragraph 6, line 2. There were 3 manors in Ticknall not 2.</p> <p>3. Area of Archaeological Potential - We are submitting a map identifying an extended area of archaeological potential, this does not coincide with the boundary of the conservation area.</p>	<p>Paragraph 1, line 3- amend</p> <p>Paragraph 4, line 1 - amend to read “Although often identified as an estate village, it was only between 1780 (the date of the first purchase) and the 1880s that the Harpur (later Crewe and Harpur Crewe) family of Calke Abbey finally bought out most of the lesser freeholders...”</p> <p>Paragraph 6, line 2 – amend</p> <p>Page 3. Area of Archaeological Potential – the County Council Archaeologist has been consulted on the boundary extension proposed by Janet Spavold and Sue Brown</p>
<p>Historic Development</p> <p>3. Paragraph 3 – The Francis and Abel families were not medieval landowners in Ticknall, they were the major tenants of the three manors. They became landowners well after the Dissolution.</p> <p>4. Paragraph 2. “were laid out as allotments” sounds as if this is gardening allotments, “were allotted to” might be better in the context of Enclosure.</p> <p>Paragraph 5. Growing archaeological evidence suggests that the pot making in Ticknall started in the 13th century. See the reports produced by and for the Ticknall Archaeological Research Group.</p>	<p>Page 3. Paragraph 3 - amend to read; “Other significant families in the village, who were tenants of the three manors, were The Francis family of Foremark, who had acquired property in the parish at an early date, and the Abel family, who from the early 1300s were being granted land by the Prior of Repton, including land where the Limeyards are now. Both families continued to purchase land in Ticknall after the Dissolution and consolidate their land ownership.</p> <p>Page 4. Paragraph 2 – change, as suggested.</p> <p>Paragraph 5 – amend to read; “The potteries were the most distinctive industry of the village. Growing archaeological evidence suggests that the pot making in Ticknall started in the 13th century but they were at their height in the 16th and 17th centuries; the last one (at Pottery House) survived until the late 1880s.”</p>

Approaches

Paragraph 7. The small cottages near to Top Farm were all pottery production sites, see the map.

7. Paragraph 2. Springfield House Farm. The frame in the gable end is exposed because the adjacent part of the house has been demolished. They were originally internal timbers.

8. Paragraph 3. Line 3 “It appears to be an estate response to the desire to build economically”. The cottages were built economically but by private owners before the estate acquired them.

Paragraph 5. “Small potteries became established as cottage industries within the village from the early 16th century”. See our comment above, that growing archaeological evidence suggests that the pot making in Ticknall started in the 13th century. For their date they were not small potteries.

Page 9. Photograph of Pennfold Cottage. The parking area for this cottage was the village pinfold.

Paragraph 7 – noted. As there is no contradiction, there is no need to change the document.

Page 7. Paragraph 2 – noted. As there is no contradiction, there is no need to change the document.

Page 8. Paragraph 3. Line 3 – amend for clarity of meaning to say; ” This appears to reflect a desire to adapt the buildings as economically as possible, by both the estate and the private owners, using the available and relatively cheap local bricks.”

Paragraph 5 - replace to read; “Growing archaeological evidence suggests that pot making in Ticknall started in the 13th century (J Spavold and S Brown)”

Page 9. Photograph – noted. There is no need to alter this part of the document as this section relates directly to window details, not history.

Conservation Area Description, Area 1.

Page 11. The church was in existence by 1200, not the early 14th century.

13. Paragraph 6. The name on the parapet of Sheffield House was put there by the Sheffield family to make the point that it was not owned by the Harpur Crewes, it was not intended as a commercial name.

Page 14. Paragraph 4. The name of the pub is The Wheel, it has never been known as The Wheelhouse.

Page 15. Paragraph 1. Slade House, formerly Slade Farm, was the manor house of the Abel family. Any proposed development on this site should be the subject of archaeological investigation.

Paragraph 3, Chapel Street. “By 1844 the small cottages on the road frontage had been built”. Some of these cottages were built in the 1790s, they have dates and initials incised into the brickwork.

Paragraph 4, “Walker’s Lane” not “Walker Lane” please. It is named after the family who lived there in one of the cottages (now demolished).

Paragraph 5. The Royal Oak Service Station has now been demolished and replaced by housing.

Area 2. The Limeyards and the East End of the village

16. Paragraph 3 point 1. The paddock had a substantial

Page 11 - amend for clarity of meaning to say;

“The old church at Ticknall, of which two fragments yet remain, was originally a Chapel of Ease to Repton Priory and was documented ca. 1200”.

Page 13. Paragraph 6 – amend to read;

“It was purpose-built as a shop, house and warehouse. The paired windows betray its commercial origins and the lettered parapet may have been equally calculated or may simply reflect a hint of defiance, as it was not owned by the Harpur Crewe estate”.

Page 14. Paragraph 4 – correct the document.

Page 15. Paragraph 1 – comments noted. Any archaeological investigation will be required through consultation with the County Archaeologist.

Paragraph 3, Chapel Street – amend the document to say;

“Some of the small cottages on the road frontage had been built in the 1790s, although it was another fifty years or so before the large detached houses, with their distinctive incised stone lintels and sash windows, correct the document.

Paragraph 4 – noted and change to Walker.

Paragraph 5 – remove the phrase “adjacent to the service station”. “

Page 16 Paragraph 3 point 1 – this is noted and included on the extended

farmhouse on it belonging to a significant longstanding village family and it should be on the archaeological listing.

Page 17. Paragraph 4. There is documentary evidence dated 1462 for the sale of a lime kiln in Ticknall.

18. Paragraph 1. To add to this. There is evidence both on the ground and in documents for a watermill from 1297. The mill leat partly survives in the limeyards but the medieval mill pond has gone. The site of the mill itself can still be identified on the ground, see the map. This early evidence should be protected.

Paragraph 3. Please note the Royal Oak Service Station has now gone.

19. Paragraph 1. The farmhouse for Honeysuckle Barn & Limeyards Stables is that mentioned on Page 16 paragraph 3 point 1.

Paragraph 3, last sentence. The unusual splayed shapes of the Market Place and the entrance to Calke Park are the fossilised remains of two the medieval field entrances, one to Knowle Hill Field or Old Field on the north and the other to South or Little Field on the south.

map of “Archaeological Potential”.

Page 17. Paragraph 4 – amend to read “Documentary evidence suggests that the limestone was being worked in the 15th century – the sale of a lime kiln was recorded in 1462.”

Page 18. Paragraph 1 - alter to insert before paragraph 1;

“There is evidence both on the ground and in documents for a watermill from 1297. The mill leat partly survives in the limeyards but the medieval mill pond has gone.”

Paragraph 3 – noted and reference to be removed

Page 19. Paragraph 1 – noted, no change required.

Paragraph 3 - amend to read;

“The space opposite also has tapered walls. T h e s e are the fossilised remains of two of the medieval field entrances, one to Knowle Hill Field or Old Field, on the north, and the other to South or Little Field, on the south (J Spavold & S Brown).”

Area 3, the southern approach on Ashby Road

“The Green” never was a village green. It was another field entrance, this time to Park or Scaddows Field, which was blocked by the building of nos. 4 & 5 The Green across the end. The curve of this entrance explains the odd angle of adjoining cottages.

20. Paragraph 2. The present post-Enclosure Top Farm, built in the early 19th century, replaced a pre-Enclosure farm on the site. Evidence can be seen in the side of the barn facing the road.

Paragraph 3. All the cottages in this area – from Pottery House south to Willowbrook on the west side of the road and the cottage opposite Pottery House and the cottage at the top of Staunton Lane have evidence for pottery production. There was also a pottery associated with Top Farm. All these sites should be included in the area of archaeological interest. A seventeenth century kiln and its working area at M r s .Hammond’s (Jasmine Cottage?) has already been lost during recent development because it was not recorded as a pottery site.

Loss of archaeological evidence

23. We absolutely agree with how much archaeology has been lost and hope to see protection for the areas marked on the map submitted with these comments. The building of Grange Close has prevented important archaeological evidence being found, as this area was the power centre of the village. Harpur Avenue should similarly have been investigated before building as part of

Comments noted. Amend for clarity to say; “The name “The Green” is relatively recent. The open character of this area has been largely lost following the enclosure of “The Green”. The unusual orientation of buildings such as No. 60 (Woodbine Cottage) is important as it follows the boundary and entrance into the historic open field, which it nudged up against.”

Page 20. Paragraph 2 – re-phrase to say; “On the east side of Ashby Road, two estate farm groups were built during the early 19th century, that to Top Farm replacing a pre-Enclosure farm”.

Paragraph 3 – amend to say; “Within the space formed by the road and the tramway, cottages directly front the road and all of the cottages in this area have evidence for pottery production. There was also a pottery associated with Top Farm”

Loss of archaeological evidence -

Comment noted.

it was Potters Close and belonged to the pottery at Ivy Leigh.	
Ticknall Parish Council	
The Parish Council requests that extra consideration is given when considering planning applications that abut the conservation area and that building are in keeping with the conservation area.	Comment noted

Appendix 2



▨ EXTENSIONS TO AREA OF HIGH ARCHAEOLOGICAL POTENTIAL

■ EXISTING AREA OF HIGH ARCHAEOLOGICAL POTENTIAL

APPENDIX 2

REPORT TO:	Environmental & Development Services Committee	AGENDA ITEM: 10
DATE OF MEETING:	20 November 2014	CATEGORY: DELEGATED
REPORT FROM:	Director of Community and Planning	OPEN
MEMBERS' CONTACT POINT:	Nicola Sworowski 01283 595983 nicola.sworowski@south-derbys.gov.uk	DOC:
SUBJECT:	Consultation Paper: Planning and Travellers	REF: NS
WARD(S) AFFECTED:	All	TERMS OF REFERENCE: EDS 17

1.0 Recommendations

- That the contents of the consultation paper be noted and;
- that the Committee Chair, in consultation with the Chief Executive be delegated to respond to the Departments for Communities and Local Government (DCLG).

2.0 Purpose of Report

- 2.1 To inform Members of, and formulate a response to, a consultation on Planning and Travellers issued by DCLG. The Consultation's proposals primarily relate to changes to *Planning Policy for Traveller Sites*, although some would apply to the settled community, involving other changes to national planning policy.
- 2.2 Responses are required to be submitted by 23 November 2014. A copy of the consultation document is available at <https://www.gov.uk/government/consultations/planning-and-travellers-proposed-changes-to-planning-policy-and-guidance>

3.0 Executive Summary

- 3.1 This report sets out proposed changes to current national policy *Planning Policy for Traveller Sites*. The proposals are currently being consulted upon and questions are included in the consultation document. Recommended responses to the questions are given below where appropriate.

- 3.2 The consultation also includes draft planning guidance for travellers, which primarily aims to direct Councils in how to objectively assess their need for Gypsy and traveller accommodation. This guidance would form the statutory guidance and once published would cancel previous guidance on the subject.

4.0 Detail

Background

- 4.1 DCLG have published a consultation on Planning and Travellers, which proposes to make changes to national policy and Planning Policy for Traveller Sites. The Government's intention remains to review in the future whether Planning Policy for Traveller Sites should be incorporated within the National Planning Policy Framework. This would be considered as part of any wider review of the Framework.
- 4.2 Furthermore, the consultation also includes updated planning guidance on how local authorities objectively assess their own traveller accommodation needs. This guidance would replace the existing guidance on Gypsy and traveller accommodation assessments.
- 4.3 The changes proposed in this consultation seek to deliver a planning system that applies equally and fairly to both the travelling and settled communities. The Government is also concerned that current policy does not provide sufficient protection for the Green Belt and other sensitive areas. The consultation also proposes new policy measures to deter the occupation of sites without planning permission.

Proposed Key Changes to Policy

- 4.4 The first key change is that, where Gypsies and travellers have ceased to travel, then they should be treated no differently to members of the settled community for the purposes of planning policy. Furthermore, in seeking to simplify the process for assessing needs of Gypsies and travellers for planning and housing purposes, amendments are required to secondary legislation to bring the 2006 regulations' definition of Gypsies and travellers into line with the one set out above.
- 4.5 At present planning policy requires that local authorities strictly limit new traveller sites in open countryside. It is proposed this be changed to "very strictly limit new traveller site development in open countryside".
- 4.6 Where an up to date five year supply of deliverable sites cannot be demonstrated, this would no longer be a significant material consideration in favour of granting temporary planning permission in areas such as the Green Belt or other specified protected designations. The lack of a five year supply would remain a material consideration but with its weight determined by the decision maker.
- 4.7 Subject only to the best interests of a child, unmet need and personal circumstances are unlikely to outweigh harm to the Green Belt, or any other harm, thereby not constituting special circumstances.

- 4.8 Intentional unauthorised occupation of land by anyone should be regarded by decision takers as a material consideration that weighs against the grant of planning permission.
- 4.9 It is suggested that policy could be amended so that in exceptional cases, where a large scale unauthorised site has significantly increased an authority's need, and their area is subject to particular planning constraints, then there would be no assumption that the local authority should plan to meet their traveller site need in full.

The Consultation's Questions

- 4.10 The consultation poses a number of specific questions relating to the above. Each of these questions is set out below in paragraphs 4.11 to 4.35 together with a recommended response.
- 4.11 **Do you agree that the planning definition of travellers should be amended to remove the words or permanently to limit it to those who have a nomadic habit of life? If not, why not?**
- 4.12 Whilst the Council understands the reasoning behind the suggested change it is difficult to see how it may be defined i.e. at what point does it become reasonable to suggest that someone has no intention of travelling again. The further issue over this is that whilst travellers may decide to become "permanent", many will still maintain a traveling lifestyle. This is where an absolute definition would be required. It is also considered that there may be conflict with the Equality Act 2010, given that the policy is potentially restricting someone's choice of returning to a nomadic lifestyle, or that in not being able to travel due to ill health or age, by definition their ethnicity is changed.
- 4.13 **Are there any additional measures which would support those travellers who maintain a nomadic habit of life to have their needs met? If so, what are they?**

Local authorities should be required to keep records of unauthorised encampments and this information then used as a source of information for assessing traveller accommodation needs. This would provide evidence for the actual spread of pitches required – not just pitches in existing locations.

- 4.14 **Do you consider that a) we should amend the 2006 regulations to bring the definition of "gypsies and travellers" into line with the proposed definition of "travellers" for planning purposes, and b) we should also amend primary legislation to ensure that those who have given up travelling permanently have their needs assessed? If not, why not?**
- 4.15 A single definition would be helpful for planning and housing purposes and would hopefully ensure consistency between the two. Changes to the legislation should ensure that wider needs are assessed including those that no longer travel.
- 4.16 **Do you agree that Planning Policy for Traveller Sites be amended to reflect the provisions in the National Planning Policy Framework that provide protection to these sensitive sites? If not, why not?**
- 4.17 No comment; no sensitive areas within the District.

- 4.18 **Do you agree that paragraph 23 of Planning Policy for Traveller Sites should be amended to “local authorities should very strictly limit new traveller sites in the open countryside”? If not, why not?**
- 4.19 The change in wording is supported, however explanatory text to expound the change and what it would mean in practise would be helpful. A definition of open countryside, as opposed to countryside, would also be valuable.
- 4.20 **Do you agree that the absence of an up-to-date five year supply of deliverable sites should be removed from Planning Policy for Traveller Sites as a significant material consideration in the grant of temporary permission for traveller sites in the areas mentioned above? If not, why not?**
- 4.21 This change to protect the Green Belt is supported; the absence of an up-to-date five year supply should not routinely override the protection of the Green Belt.
- 4.22 **Do you agree with the policy proposal that, subject to the best interests of the child, unmet need and personal circumstances are unlikely to outweigh harm to the Green Belt and any other harm so as to establish very special circumstances? If not, why not?**
- 4.23 The change is supported; whilst the option should remain available to decision makers for personal circumstances to be a determining factor, this should be the exception rather than the rule.
- 4.24 **Do you agree that intentional unauthorised occupation should be regarded by decision takers as a material consideration that weighs against the grant of permission? If not, why not?**
- 4.25 The negative effects of unauthorised development are recognised however they are not limited to the unauthorised occupation of land. It is a long-established principle that development should be assessed on the planning merits of the proposal and that a retrospective application is not, in itself, a material planning consideration. Any proposed change to this principle would need careful consideration and would need to apply to all developments and retrospective applications.
- 4.26 **Do you agree that unauthorised occupation causes harm to the planning system and community relations? If not, why not?**
- 4.27 The Council supports this assertion, whilst acknowledging harm is not limited to unauthorised occupation of land.
- 4.28 **Do you have evidence of the impact of harm caused by intentional unauthorised occupation? (And if so, could you submit them with your response.)**
- 4.29 No comment.

- 4.30 **Would amending Planning Policy for Traveller Sites in line with the proposal set out in paragraph 4.16 above help that small number of local authorities in these exceptional circumstances? If not, why not? What other measures can Government take to help local authorities in this situation?**
- 4.31 The Council agrees, however clarification is required as to what constitutes a “large scale unauthorised site” and also how the need that is unable to be met by the local authority in question should be met elsewhere.
- 4.32 **Are there any other points that you wish to make in response to this consultation, in particular to inform the Government’s consideration of the potential impacts that the proposals in this paper may have on either the traveller community or the settled community?**
- 4.33 No comment.
- 4.34 **Do you have any comments on the draft planning guidance for travellers (see Annex A)?**
- 4.35 The present methodology for assessing the needs of travellers results in a needs assessment biased towards providing more pitches in areas that already provide the majority of pitches, when compared to the rest of the county for example. The use of waiting lists as a source of information in assessing need perpetuates this problem i.e. those areas not providing public sites cannot by definition have a waiting list, resulting in actual need being missed. A more balanced evidence base is required for needs assessments and mandatory collection of unauthorised encampment data would provide a more realistic picture of local need.

5.0 Conclusions

- 5.1 The consultation includes proposals that can be broadly welcomed, such as further protection of the Green Belt and open countryside. However other elements of the consultation, such as the change in definition of ‘Gypsies and Travellers’ for planning purposes and measures to address the unauthorised occupation of land, whilst the reasoning behind these proposals is understood, concerns remain outstanding as to what this would mean in practise.

6.0 Financial Implications

- 6.1 No financial implications

7.0 Corporate Implications

- 7.1 Meeting the accommodation needs of all sections of the community is an important part of providing ‘sustainable growth and opportunity’.

8.0 Community Implications

8.1 Planning and Traveller Sites is intended to assist the Council in supporting healthier, safer, vibrant and sustainable travelling communities in South Derbyshire.

9.0 Background Papers

9.1 None

REPORT TO:	Environmental & Development Services Committee	AGENDA ITEM: 11
DATE OF MEETING:	20 November 2014	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 2009-15: Performance Management Report (1 July – 30 September 2014)	
WARD (S) AFFECTED:	All	TERMS OF REFERENCE: G

1.0 Recommendations

1.1 That progress against performance targets is considered and approved.

2.0 Purpose of Report

2.1 To report details of progress during the period 1 July to 30 September 2014, in relation to the Council's Corporate Plan 2009 –2015, which are relevant to this Committee under the 'Sustainable Growth & Opportunity' theme.

3.0 Detail

3.1 This Committee is responsible for overseeing the delivery of the following outcomes:

- *Developing economic and employment opportunities within the District*
- *Increasing recycling resulting in less waste being sent to landfill*
- *Sustainable planning*

3.2 Details are provided in the following appendices:

- Appendix A - Progress against key projects.
- Appendix B - Progress against performance measures.
- Appendix C - Managing risks

3.3 During the second quarter (1 July to 30 September) all targets for relevant projects and performance measures were achieved, except for one performance measure. This is:

GM 08 - Speed of Planning applications (target 85%), the current quarter's performance stands at 80%. Temporary staff appointed and a Graduate Planner post has been advertised to increase capacity to meet workload targets.

4.0 Financial Implications

4.1 None directly.

5.0 Corporate Implications

5.1 None directly.

6.0 Community Implications

6.1 The Council aspires to be an "excellent" Council in order to deliver the service expectations to local communities. This report demonstrates how priorities under the '*Sustainable Growth & Opportunity*' theme contribute to that aspiration.

Appendix A: Sustainable Growth & Opportunity: Projects 2014/15

GP 01 - Enhance the vitality of the district's town centres			
Quarter	Task	Progress	Status
1	3 x Events supported	3 x Farmers' Markets staged and new Swadlincote Markets stalls launched. Farmers' Market held at Festival of Leisure. Second, larger, Swadlincote Festival of Transport held attracting thousands of visitors.	Achieved
2	3 x Events supported	3 x Farmers' Markets staged. Swadlincote town centre Scarecrow Hunt staged with Swadlincote & District Chamber of Trade and more than 40 participating retailers and other businesses.	Achieved
3	3 x Events supported		
4	3 x Events supported		

GP 02 – Deliver the National Forest Partnership Action Plan			
Quarter	Task	Progress	Status
1	1 x Edition of 'What's On'	Summer & Autumn edition of "What's On" published. Easter Farmers' Market held at Rosliston Forestry Centre. The National Forest Walking Festival 2014 supported. 12,316 enquiries handled by Tourist Information Centre	Achieved
2	3 x Events supported	Tourism in South Derbyshire and The National Forest promoted at events including National Forest Wood Fair, Derbyshire Day at Calke, Elvaston Castle Woodland Festival, Aston well dressing and Farmers' Market at Rosliston Forestry Centre. TBC enquiries handled by Tourist Information Centre.	Achieved
3	3 x Events supported		
4	3 x Events supported		

Appendix A: Sustainable Growth & Opportunity: Projects 2014/15

GP 03 – Promote inward investment and business development			
Quarter	Task	Progress	Status
1	1x Event Supported, 1x Publication prepared	Biggest ever Jobs & Careers Fair held attracting over 50 exhibitors offering 1,000+ jobs and some 650 visitors. Publication not completed - recruitment underway to refill vacant Economic Development Officer post.	Fail
2	1x Publication prepared	New edition of South Derbyshire Vacant Commercial Property Bulletin published promoting the area's premises to potential inward investors. South Derbyshire Business Advice Service 'Thinking of Starting a Business?' workshop held attracted more than 20 entrepreneurs considering self-employment.	Achieved
3	1x Event Supported, 1 x Publication prepared		
4	1 x Publication prepared		

GP 04 – Regulate businesses in a way that promotes success for south Derbyshire's economy as well as to continuing to provide public protection			
Quarter	Task	Progress	Status
1	Deliver a health and safety advisory service for businesses across Derbyshire and Nottinghamshire on behalf of the Local Enterprise Partnership.	Advice delivered to 38 businesses across the region referred to us by the D2N2 Chamber of Commerce	Achieved
2	Complete an evaluation of the D2N2 health and safety advisory service including client feedback, case studies and a summary report for the LEP.	Project report completed. Case studies submitted to the LEP for inclusion in their marketing material. Project outcomes have been approved by the LEP and they have agreed to provide further funding to continue the project.	Achieved

Appendix A: Sustainable Growth & Opportunity: Projects 2014/15

GP 04 – Regulate businesses in a way that promotes success for south Derbyshire’s economy as well as to continuing to provide public protection

Quarter	Task	Progress	Status
3	Revise the Environmental Health enforcement policy to include the provisions of the Regulators Code.		
4	Amend all environmental health and operational procedures to reflect the provisions of the Regulators Code and the Better Business for All Pledge of Support. Support actions arising from the D2N2 "Better Business for All" regional steering group. Complete a BRDO outcomes and impacts review and develop an action plan to implement the findings of the review.		

GP 05 – Review the commercial waste service and analyse the potential for development

Quarter	Task	Progress	Status
1	Establish capacity for expansion within current resources. Establish potential market for commercial waste collections.	All baseline data has been collated and analysed, resource capacity is equal to potential market.	Achieved
2	Review, benchmark and restructure pricing schedules. Complete initial business case	Review and Benchmark completed, restructured pricing schedules to be confirmed as part of the corporate fees and charges process. Outline business case completed, with exception of recycling options, we are awaiting confirmation of capacity and pricing from our contractor.	Achieved

Appendix A: Sustainable Growth & Opportunity: Projects 2014/15

GP 05 – Review the commercial waste service and analyse the potential for development

Quarter	Task	Progress	Status
3	Explore marketing opportunities and develop marketing approach. Complete business case		
4	Implement expansion of commercial waste collections - dependent on outcome of business case.		

GP 06 – Deliver the key actions contained within the Contaminated Land Inspection Strategy

Quarter	Task	Progress	Status
1	Publish the Q1 contaminated land inspection report. Complete 1 phase 1 study of a high priority site.	Contaminated Land Inspection Strategy quarterly progress report submitted to ED&S Committee. SDDC directed Phase I study undertaken at 80ha site on land off Valley Road, Overseal.	Achieved
2	Publish the Q2 contaminated land inspection report. Complete 2 Phase I studies of high priority sites. Develop detailed project plan for the delivery of ACUMEN landfill project	Q2 contaminated land inspection report submitted for ED&S Committee. Project plan for the ACUMEN landfill project drafted.	Achieved

Appendix A: Sustainable Growth & Opportunity: Projects 2014/15

GP 06 – Deliver the key actions contained within the Contaminated Land Inspection Strategy			
Quarter	Task	Progress	Status
3	Publish the Q3 contaminated land inspection report, including progress to plan on the ACUMEN landfill project Complete 3 Phase I studies of high priority sites.		
4	Publish the Q4 contaminated land inspection report, including progress to plan on the ACUMEN landfill project Complete 4 Phase I studies of high priority sites		

GP 07 – Progress the South Derbyshire Local Plan			
Quarter	Task	Progress	Status
1	Complete pre-submission consultation on the Local Plan. Submit Local Plan to the Planning Inspectorate	Pre Submission consultation completed and Plan to be considered by Council on 3rd July	Fail
2	Prepare for Local Plan examination - pre exam questions or meeting possible	Local Plan approved at Council and submitted to the Inspectorate. Inspector allocated and further communication awaited.	Achieved
3	Undertake Local Plan examination		

Appendix A: Sustainable Growth & Opportunity: Projects 2014/15

GP 07 – Progress the South Derbyshire Local Plan			
Quarter	Task	Progress	Status
4	Receive Inspectors Report confirming that South Derbyshire's Local Plan is sound		

GP 08 – supporting our local communities in neighbourhood planning			
Quarter	Task	Progress	Status
1	Support interested communities	Update provided at Parish Liaison meeting and offer to support Parishes refreshed	Achieved
2			
3			
4			

Appendix B Sustainable Growth & Opportunity Performance Measures 2014/15 (1 July – 30 September 2014)

Outcome	Measure	Actual / Out turn 2013/14	Target Quarter 2 2014/15	Actual Quarter 2 2014/15	Quarter Status	Annual Target 2014/15	Predicted Out turn 2014/15	Predicted Status	Comments/ Remedial Action
GO 1 - Developing economic and employment opportunities	GM 01 -Total Rateable Value of business premises (Proxy measure)	N/a	N/a	N/a	Proxy	N/a	N/a	Proxy	
	GM 02 - Unemployment Rate (Proxy measure)	1.50%	N/a	1.1%	Proxy	N/a	N/a	Proxy	
GO 2 - Increasing recycling resulting in less waste being landfilled	GM 03 -Household waste collected per head of population (in Kgs)	503.75	130.00	125.8	Green	<510	<510	Green	
	GM 04 - Percentage of all household waste recycled and composted	48.10%	51%	52.4%	Green	50%	54%	Green	
	GM 05 - Percentage of kerbside collected household waste recycled and composted	New	52.6%	53.8%	Green	52%	55%	Green	

Appendix B Sustainable Growth & Opportunity Performance Measures 2014/15 (1 July – 30 September 2014)

Outcome	Measure	Actual / Out turn 2013/14	Target Quarter 2 2014/15	Actual Quarter 2 2014/15	Quarter Status	Annual Target 2014/15	Predicted Out turn 2014/15	Predicted Status	Comments/ Remedial Action
GO 3 - Sustainable Planning	GM 06- Net additional commercial / employment floor space created (hectares) (Proxy measure)	N/a	N/a	N/a	Proxy	2.65	N/a	Proxy	Annual Target
	GM 07 - Net additional homes provided (Proxy measure)	N/a	N/a	N/a	Proxy	673	N/a	Proxy	Annual Target
	GM 08 - Speed of Planning applications	86.80%	85.00%	80.00%	Red	85.00%	85.00%	Green	Temporary staff appointed and Graduate Planner post advertised to increase capacity
	GM 09 – Proportion of quality development schemes delivered	100.00%	N/a	N/a	N/a	90.00%	N/a	N/a	Annual Target
	GM 10- Satisfaction with the Planning application process	N/a	N/a	N/a	N/a	80.00%	N/a	N/a	

Appendix C: Sustainable Growth & Opportunity - Managing Risks– As at 30 Sep 2014

Risk Description	Likelihood	Impact	Mitigating Action
Failure of tourism partnership <i>(Main Responsible Officer – Chief Executive)</i>	Tolerate the risk	Low	The partnership and its forward development should be reviewed annually, in discussion with partners.
Failure of Tourist Information Centre partnership <i>(Main Responsible Officer – Chief Executive)</i>	Tolerate the risk	Low	Annual review of risk
Failure of economic development partnership <i>(Main Responsible Officer – Chief Executive)</i>	Tolerate the risk	Low	Annual review of risk
Increase in fuel costs resulting in budget overspend <i>(Main Responsible Officer – Director of Housing and Environmental Services)</i>	Tolerate the risk	Medium	Ensure routes are fully optimised Monthly monitoring and reporting of actual spend against budget
Suitability of household waste for composting <i>(Main Responsible Officer – Director of Housing and Environmental Services)</i>	Treat the risk	Low	Keep abreast of on-going national discussions and maintain relations with partner contractors.
Failure of Sharpe’s Pottery Museum <i>(Main Responsible Officer – Director of Planning and Community Services)</i>	Tolerate the risk	Medium	Annual review of risk
Reduced Planning Fees <i>(Main Responsible Officer – Director of Planning and Community Services)</i>	Tolerate the risk	Low	Six monthly monitoring
Judicial review and/or appeals against Planning decisions <i>(Main Responsible Officer – Director of Planning and Community Services)</i>	Treat the risk	Low	Annual review of risk

REPORT TO:	ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE	AGENDA ITEM: 12
DATE OF MEETING:	20th November 2014	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:

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 – 20th November, 2014
Work Programme 2014/15**

Work Programme Area	Date of Committee meetings	Anticipated completion date	Submitted to Council target date	Contact Officer (Contact details)
Better Business Regulation	20 th November 2014			Matthew Holford Environmental Health Manager (01283 595856)
Quarterly performance	Nov 2014, March 2015			
Local Development Scheme	20 th November 2014			Nicola Sworowski Planning Policy Manager (01283 595983)
Car parking Standards Supplementary Planning Guidance	20 th November 2014			Richard Groves Planning Policy Officer (01283 595738)
Swadlincote Conservation Area Management Plan - HLF	29 th January 2015			Nicola Sworowski Planning Policy Manager (01283 595983)
Minerals and Waste Strategy	29 th January 2015			Kevin Exley Planning Policy Officer (01283 228717)
Design Supplementary Planning Guidance	29 th January 2015			Richard Shaw Design Excellence Officer (01283 228764)

Work Programme Area	Date of Committee meetings	Anticipated completion date	Submitted to Council target date	Contact Officer (Contact details)
Greenways SPD	29th January 2015			Richard Groves Planning Policy Officer (01283 595738)
Local Plan Part 1 Adoption	5 th March 2015			Nicola Sworowski Planning Policy Manager (01283 595983)
Repton High Street – Air Quality	5 th March 2015			Matt Holford Environmental Health Manager (01283 595856)
Local Plan Part 2 Draft Report	5 th March 2015			Nicola Sworowski Planning Policy Manager (01283 595983)