

ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE

1st March 2012

PRESENT:-

Conservative Group

Councillor Watson (Chairman), Councillor Roberts (Vice-Chairman) and Councillors Mrs. Brown, Mrs. Hall, Mrs. Hood, Mrs. Patten and Smith (substitute for Councillor Ford).

Labour Group

Councillors Chahal, Dunn, Mrs. Heath, Stuart, Taylor and Tilley.

In attendance

Councillors Atkin and Plenderleith (Conservative Group).

EDS/63. **APOLOGY**

An apology for absence from the Meeting was received from Councillor Ford (Conservative Group).

EDS/64. **MINUTES**

The Open Minutes of the Meetings held on 3rd January, 12th January and 26th January 2012 were taken as read, approved as true records and signed by the Chairman.

EDS/65. **DECLARATION OF INTEREST**

Councillor Mrs. Patten declared a personal interest in Minute No. EDS/68, as a Member of Derbyshire Fire Authority.

MATTERS DELEGATED TO COMMITTEE

EDS/66. **DERBYSHIRE COUNTY COUNCIL CONSULTATION ON DRAFT DERBYSHIRE INFRASTRUCTURE PLAN AND DRAFT DEVELOPER CONTRIBUTIONS PROTOCOL**

Derbyshire County Council had published a Draft Derbyshire Infrastructure Plan (the Draft Plan) and a Draft Developer Contributions Protocol (the Draft Protocol) for consultation. The purpose of the Draft Plan was to identify the need for investment in strategic infrastructure and services across Derbyshire and support its delivery in a timely and cost effective way. The Draft Protocol was a means of identifying strategic services and infrastructure which could be impacted by new development, and it was requested that Derbyshire Councils recognise the legitimate need identified and therefore negotiate Section 106 agreements accordingly.

The Draft Plan focussed on strategic infrastructure relating to the County Council's own services. It reflected existing infrastructure deficits as well as

those likely to arise from economic and housing growth anticipated in emerging Local Development Framework (LDF) Core Strategies. To avoid duplication, local infrastructures, such as open space and leisure centres were not covered by the Draft Plan. It did, however, refer to other types of non County Council infrastructure, such as trunk road improvements being promoted by the Highways Agency, and efficiencies in broadband provision.

As well as determining the County Council's spending priorities, it was intended that the Draft Plan assisted the district planning authorities in preparing LDFs, Community Infrastructure Levy (CIL) charging schedules, and/or other approaches to funding infrastructure projects. It was therefore assumed that with respect to some of the infrastructure requirements highlighted in the Draft Plan, the County Council would seek a contribution from this Authority, either via CIL or Section 106 contributions.

With regard to the Draft Protocol, previous reports regarding Section 106 Agreements had dealt with issues such as type of contribution and thresholds of implementation which had then informed the planning application negotiation process. Currently, until the Council made a decision about CIL charging schedules and the formulation of its LDF etc., the Local Planning Authority continued to negotiate with developers in accordance with the document previously agreed. The effect of the County Council's Draft Protocol was to provide, for the first time, a more comprehensive list of possible areas of contribution for strategic infrastructure and services that were the responsibility of the County to provide. Further information was provided on Section 106 planning obligations and the Community Infrastructure Levy regulations.

A full summary of the Draft Derbyshire Infrastructure Plan was provided, along with details of committed projects, planned priority projects and also projects judged to be of low priority within the District of South Derbyshire.

In addition, a summary of the Draft Developer Contributions Protocol was also provided along with an indication of the level of contributions that might be required.

Members expressed concern about the Draft Derbyshire Infrastructure Plan, commenting that Derbyshire County Council had appeared to present the District Council with a list of priorities that might not be the same as South Derbyshire District Council priorities. It was also questioned how Derbyshire County Council had chosen their priorities, as they had not carried out any previous consultation with the District Council. It was felt that the consultation was inadequate, and Members wished to invite Derbyshire County Council to a Meeting with Members of the Environmental and Development Services Committee, to explain their criteria, and provide the opportunity to feed in to this process.

RESOLVED:-

- (1) That, in relation to the Draft Derbyshire Infrastructure Plan, Members feel that the consultation process is insufficient and request that a meeting be arranged between Derbyshire County***

Council Officers and Members of the Environmental and Development Services Committee to explain the process and criteria for this document. The wording of the letter to be delegated to the Head of Community and Planning Services in consultation with the Chairman of Environmental and Development Services Committee. A copy of this letter be sent to all Members of this Committee.

- (2) *In relation to the Draft Developer Contributions Protocol:***
- a) *That Derbyshire County Council be informed that the District Council agrees to recognise the strategic service areas which will qualify for legitimate contributions (subject to viability limitations and demonstration of sufficient evidence provided by the County Council), and that best endeavours will be made to secure such contributions as the Head of Community and Planning Services and the Planning Committee deem appropriate at the time.***
 - b) *That Derbyshire County Council be made aware of concerns, as outlined in paragraph 7.4 of the report.***

EDS/67. CORPORATE PLAN 2009-14: PERFORMANCE MANAGEMENT REPORT (1st OCTOBER 2011 – 31st DECEMBER 2011)

A report was submitted which detailed achievements for the quarter ending 31st December 2011, in relation to the Council's Corporate Plan 2009 – 14. The Corporate Plan consisted of 4 main themes or priorities, of which this Committee was responsible for 3 outcomes within the sustainable Growth and Opportunity theme. Key projects were highlighted, along with details of activity within the Environmental Services and Community and Planning areas. Details were provided on performance against targets and also targets at risk of failure, along with reasons and any further proposed actions.

Members requested further details on recycling and planning, which were both highlighted as at risk of failure. It was asked if there had been an increase in the use of recycling centres since the kerbside collection of cardboard had been stopped. The Director of Operations responded that he would provide a response to all Members on this matter following the Meeting.

RESOLVED:-

- (1) *That that the Council's key achievements and progress during the period 1st October to 31st December 2011, be noted.***
- (2) *That where progress has failed to achieve the specified target, remedial action be taken.***

EDS/68. CONSULTATION ON THE FIRE AND RESCUE NATIONAL FRAMEWORK FOR ENGLAND

Members were asked to consider the overall principles of the Draft Fire and Rescue National Framework for England. In particular, how the Government would work in partnership with Fire and Rescue Authorities and the wider

community to make communities safer. The suggested responses were detailed within the report.

RESOLVED:-

- (1) That the Fire and Rescue National Framework for England be noted.***
- (2) That a response as detailed with the report be submitted to the Department for Communities and Local Government by 19th March 2012.***

EDS/69. **WORK PROGRAMME**

Members were asked to consider the updated work programme and to review its content where appropriate.

It was asked if there was an update on a report which dealt with the removal of chewing gum on pavements. The Director of Operations responded that work was continuing on this and the report would be added to the work programme as soon as possible.

RESOLVED:-

That the updated work programme be approved.

EDS/70. **LOCAL GOVERNMENT ACT 1972 (AS AMENDED BY THE LOCAL GOVERNMENT [ACCESS TO INFORMATION] ACT 1985)**

RESOLVED:-

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

MINUTES

The Exempt Minutes of the Meeting held on 12th January 2012, were received.

SERVICE REVISIONS IN HOUSING AND ENVIRONMENTAL HEALTH – ARCHITECTURAL SERVICES FOR DISABLED ADAPTATION AND PEST CONTROL (Paragraph 2)

Members approved changes to the existing pest control service.

STRAY DOG CONTRACT (Paragraph 3)

Members approved amendments to the scope of the existing stray dog collection and kennelling contract, and that a competitive tendering process be undertaken.

P. WATSON

CHAIRMAN