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Our Ref: DS
Your Ref:

Date: 22 May 2018

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, 31 May 2018 at 18:00**. You are requested to attend.

Yours faithfully,



Chief Executive

To:- **Conservative Group**

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

Labour Group

Councillors Chahal, Dunn, Taylor and Tilley

AGENDA

Open to Public and Press

- 1** Apologies and to note any Substitutes appointed for the Meeting.
- 2** To receive the Open Minutes of the following Meeting:

Environmental and Development Services Committee 19th April 2018 Open Minutes **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** CORPORATE PLAN 2016-21 PERFORMANCE REPORT **9 - 31**
- 8** SERVICE PLANS 2018-19 **32 - 107**
- 9** KEY PERFORMANCE INDICATORS – LICENSING DEPARTMENT **108 - 109**
- 10** CHARITABLE COLLECTIONS POLICY – REQUEST FOR EXCEPTION **110 - 127**
- 11** ADOPTION OF SECTION 27 OF THE POLICING AND CRIME ACT 2009 - LICENSING OF SEXUAL ENTERTAINMENT VENUES **128 - 151**
- 12** ENFORCEMENT AND COMPLIANCE REPORT **152 - 159**

13	REPTON NEIGHBOURHOOD DEVELOPMENT PLAN	160 - 231
14	REVISED LOCAL DEVELOPMENT SCHEME	232 - 250
15	DRAFT STATEMENT OF COMMUNITY INVOLVEMENT FOR CONSULTATION	251 - 283
16	HARTSHORNE CONSERVATION AREA AND AREA OF SPECIAL LOCAL CHARACTER	284 - 290
17	EAST MIDLANDS AIRPORT DRAFT NOISE ACTION PLAN	291 - 292
18	DEVELOPMENT FRAMEWORK DOCUMENT FOR INFINITY GARDEN VILLAGE	293 - 393
19	COMMITTEE WORK PROGRAMME	394 - 400

Exclusion of the Public and Press:

- 20** The Chairman may therefore move:-
- 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 paragraph of Part I of the Schedule 12A of the Act indicated in the header to each report on the Agenda.
- 21** To receive the Exempt Minutes of the following Meeting:
- Details
Environmental and Development Services Committee 19th April
2018 Exempt Minutes
- See agenda for reasons for exemption
- 22** To receive any Exempt questions by Members of the Council pursuant to Council procedure Rule No. 11.
- 23** PLANNING SERVICES REVIEW

ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE

19th April 2018

PRESENT:-

Conservative Group

Councillor Watson (Chairman), Councillor MacPherson (Vice-Chairman) and Councillors Mrs Brown, Mrs Coe (substituting for Councillor Roberts), Mrs Hall and Mrs Patten

Labour Group

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

EDS/108 **APOLOGIES**

Apologies for absence from the meeting were received from Councillors Billings, Coe, Roberts, Wheeler (Conservative Group) and Taylor (Labour Group)

EDS/109 **MINUTES**

The Open Minutes of the Meeting held on 6th March 2018 were noted, approved as a true record and signed by the Chairman.

EDS/110 **DECLARATIONS OF INTEREST**

The Committee was informed that no declarations of interest had been received.

EDS/111 **QUESTIONS FROM MEMBERS OF THE PUBLIC UNDER COUNCIL PROCEDURE RULE NO 10**

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

EDS/112 **QUESTIONS BY MEMBERS OF THE COUNCIL UNDER COUNCIL PROCEDURE RULE NO 11**

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

EDS/113 **REPORTS OF THE OVERVIEW & SCRUTINY COMMITTEE**

There were no Overview and Scrutiny Reports to be submitted.

MATTERS DELEGATED TO COMMITTEE

EDS/114 **“TOWARDS A MINERALS LOCAL PLAN” CONSULTATION**

The Planning Policy Officer presented the report to Committee.

The Chairman made reference to the defined sites, in that their names do not necessarily relate to the nearest village, more to their original location before quarry enlargement. Additional reference was made to recent misleading newspaper articles relating to the Egginton quarry, even though this location was no longer a preferred site. Councillor Mrs Brown, local Ward Member for Etwall, commented that this article had caused unnecessary concern amongst residents.

The Vice-Chairman queried the restoration schedules, which the Planning Policy Officer stated were to be determined as part of the consultation. The Chairman commented that generally the period of extraction equated to similar periods of restoration and after-care.

RESOLVED:

Members agreed that the comments in italics set out in Section 5 of the report be forwarded to Derby City Council and Derbyshire County Council as the Council's response to the consultation exercise.

EDS/115 **LOCAL GREEN SPACES SUSTAINABILITY APPRAISAL SCOPING CONSULTATION**

The Planning Policy Officer presented the report to Committee.

Councillor Tilley queried the consultation process, especially in relation to unparished areas. The Planning Policy Officer stated that the aim had been to accommodate all areas across the District, with additional information provided by residents. The Vice-Chairman made reference to some areas being subject to covenants and the merit of land being covered by both covenants and green space status. The Planning Policy Officer commented that to have both in place could undermine the creditability of the green space status and could conflict with the terms of the covenants where such were in place.

RESOLVED:

1.1 Members agreed the proposed approach for considering local green spaces as summarised in the report.

1.2 Members authorised the publication of the Council's Scoping Report Document for a statutory five week consultation with the 'Consultation Bodies' and other appropriate stakeholders.

EDS/116 **HIGHWAYS ENGLAND A38 DERBY JUNCTIONS SCHEME – STATEMENT OF COMMUNITY CONSULTATION**

The Planning Policy Officer presented the report to Committee.

Councillor Tilley queried the consultation timetable and given that the response was required before the Committee met again, queried the opportunity for Committee Members to see its content before submission. The Strategic Director (Service Delivery) clarified that the response related to the consultation process, rather than the actual proposed works.

RESOLVED:

Members agreed that authority for determining a Committee resolution in response to the forthcoming Highways England consultation on the A38 Derby Junctions Scheme Statement of Community Consultation be delegated to the Chair and Vice Chair of this Committee. This response would then be presented to a future meeting of this Committee for information.

EDS/117 CONSULTATION ON DRAFT NATIONAL PLANNING POLICY FRAMEWORK

The Planning Policy Officer presented the report to Committee.

Members commented on South Derbyshire's good record in supporting housing development, expressing the view that the objectives, such as speeding up such developments, should be aimed not only at council's, but also at developers, to ensure an adequate supply of affordable / social housing.

RESOLVED:

1.1 Members noted the content of the draft National Planning Policy Framework (NPPF) and related consultation documents summarised in the report.

1.2 Members authorised completion of the Consultation Survey being undertaken by the Ministry of Homes, Communities and Local Government (MHCLG – formerly DCLG) in order that the comments set out in the report can be submitted to the Ministry as this Authority's Response in the appropriate format.

EDS/118 FEASIBILITY STUDY FOR A BUSINESS IMPROVEMENT DISTRICT (BID) FOR THE NATIONAL FOREST

The Economic Development Manager presented the report to Committee.

Councillor Mrs Patten queried whether the other Councils would be making like contributions. The Economic Development Manager confirmed that the other District Councils within the Forest area had stated they would be doing so, with the balance being made by the National Forest Company.

RESOLVED:

Members approved a contribution of £2,000 to the National Forest Company towards a Feasibility Study into a Business Improvement District for The National Forest.

EDS/119 SERVICE POLICIES

The Direct Services Manager presented the report to Committee.

Members raised concerns and queries relating to grass cutting, its frequency, the machinery used, operational methods and publicity regarding the information contained within the Council's website. The Direct Services

Manager addressed the points raised, adding, in relation to the publicity query, that the Communication Team were being engaged to assist with publicising the service policies and standards.

The Chairman, in raising the cessation of the Clean Team free telephone number, queried the process that led to this decision. The Direct Services Manager expressed a preference for on-line form submissions, but appreciated the need to maintain a telephone contact line, which was now dealt with by the Council's Customers Services Section. Given the comments raised in relation to this matter, the Strategic Director (Service Delivery) confirmed that the contact methods would be clarified in detail to Members.

It was acknowledged that the aim of improving standards and the quality of services provided to residents was commendable and warranted support.

RESOLVED:

- 1.1 Members endorsed the service policies set out in the appendices to the report.***
- 1.2 Members noted that a similar report was to be considered by the Housing & Community Services Committee on 26th April 2018 in respect of services falling within their terms of reference.***
- 1.3 Members noted that work was ongoing to develop a range of quality standards and benchmarks which will enhance monitoring of performance and enable comparison with other local authorities, for which a further report will be brought to the Committee later in the year.***

EDS/120 **SWADLINCOTE TOWNSCAPE HERITAGE LOTTERY FUND – GRANTS PANEL MEMBERSHIP**

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

RESOLVED:

Members considered and approved the membership of the Swadlincote Townscape Heritage Lottery Fund Grants Panel, replacing Councillor Tipping with Councillor Stanton.

EDS/121 **COMMITTEE WORK PROGRAMME**

RESOLVED:

Members considered and approved the updated work programme.

EDS/122 **LOCAL GOVERNMENT ACT 1972 AS AMENDED BY THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

RESOLVED:-

That, in accordance with Section 100(A)(4) of the Local Government Act 1972 (as amended), the press and public be excluded from the remainder of the Meeting as it would be likely, in view of the nature of

the business to be transacted or the nature of the proceedings, that there would be disclosed exempt information as defined in the paragraphs of Part 1 of the Schedule 12A of the Act indicated in brackets after each item.

MINUTES

The Exempt Minutes of the Meeting held on the 6th March 2018 were received.

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

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

SWADLINCOTE MARKET (Paragraph 3)

Members approved the recommendation contained in the report.

The meeting terminated at 7.00pm.

COUNCILLOR P WATSON

CHAIRMAN

REPORT TO: ENVIRONMENTAL AND
DEVELOPMENT SERVICES

AGENDA ITEM: 7

**DATE OF
MEETING:** 31st MAY 2018

CATEGORY:
DELEGATED

REPORT FROM: LEADERSHIP TEAM

**OPEN
DOC:**

**MEMBERS'
CONTACT POINT:** ALLISON THOMAS (EXT. 5775)

SUBJECT: CORPORATE PLAN 2016-21:
PERFORMANCE REPORT
2017/18

**WARD (S)
AFFECTED:** ALL

**TERMS OF
REFERENCE: G**

1.0 Recommendations

1.1 That progress against performance targets is considered.

2.0 Purpose of Report

2.1 To report progress against the Corporate Plan for quarter four and 2017/18 under the themes of People, Place, Progress and Outcomes.

3.0 Detail

3.1 The Corporate Plan 2016 – 2021 was approved following consultation into South Derbyshire's needs, categorising them under four key themes: People, Place, Progress and Outcomes. The Corporate Plan is central to our work – it sets out our values and visions for South Derbyshire and defines our priorities for delivering high-quality services.

3.2 This Committee is responsible for overseeing the delivery of the following key aims:

People

- *Use existing tools and powers and take appropriate enforcement action*
- *Reduce the amount of waste sent to landfill*
- *Develop the workforce of South Derbyshire to support growth*

Place

- *Facilitate and deliver integrated and sustainable housing and community infrastructure*
- *Enhance understanding of the planning process*
- *Help maintain low crime and anti-social behaviour levels in the District*
- *Connect with our communities, helping them feel safe and secure*
- *Deliver services that keep the District clean and healthy*

Progress

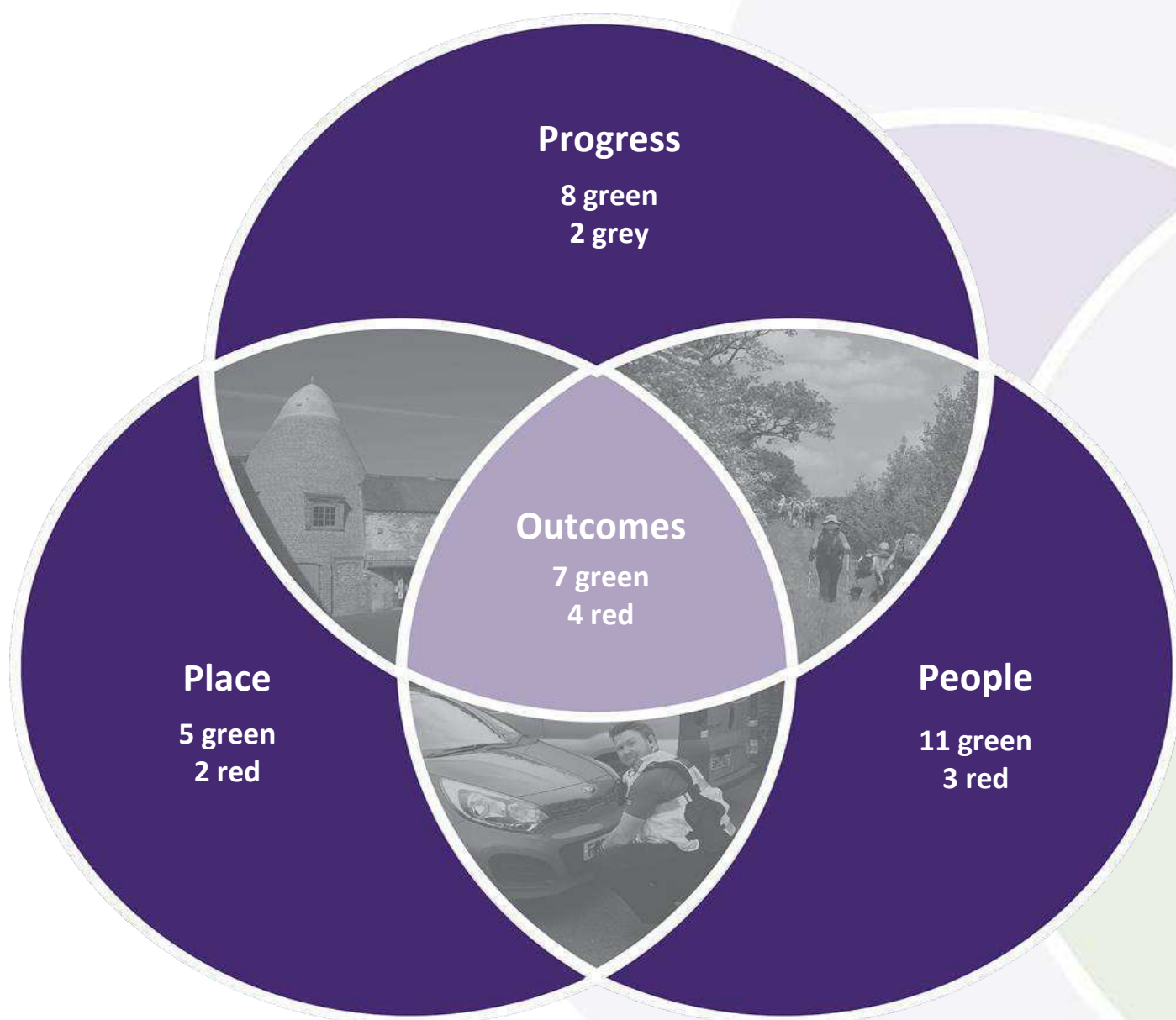
- *Work to attract further inward investment*
- *Unlock development potential and ensure the continuing growth of vibrant town centres*
- *Work to maximise the employment, training and leisure uses of The National Forest by residents and increase the visitor spend by tourists*
- *Help to influence and develop the infrastructure for economic growth*

- *Provide business support and promote innovation and access to finance*

These aims are underpinned by outcomes including financial health, improved customer focus, good governance, enhanced environmental standards and maintaining a skilled workforce.

- 3.3 Of the 17 measures and projects under the jurisdiction of the Environmental and Development Services Committee, 12 are green, two red and three grey for quarter four. 13 are green, two are red and two are grey for year end.
- 3.4 More information can be found in the Performance Board in **Appendix A**. A detailed breakdown of performance for Environmental and Development Services is available in the Success Areas and Action Plan documents (**Appendices B and C respectively**), while associated risks are contained in the risk registers in **Appendices D, E and F**.

4.0 Overall Council performance – 2017/18



Of the 42 strategic projects and measures for the Council, 27 are showing green, seven are red and eight are grey for quarter four. There are 31 green, two grey and nine red projects and measures for the year end.

5.0 Financial and 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 People, Place, Progress and Outcomes themes contribute to that aspiration.

7.0 Appendices

Appendix A – Performance Board
Appendix B – Environmental and Development Services: Successes
Appendix C – Environmental and Development Services: Actions
Appendix D – Economic Development Risk Register
Appendix E – Community and Planning Risk Register
Appendix F – Housing and Environmental Risk Register

Theme	Aim	Project	Q3 progress	Q4 target	Q4 performance	2017/18 target	2017/18 performance	Detail
Outcomes.	Maintain financial health.	Generate ongoing revenue budget savings in the General Fund.	Budget savings and additional income achieved - totals of £690k to-date. Effect of 100% Business Rates Pilot being assessed.	O1.1 Annual target of £850,000, as per the Medium Term Financial Plan. F&M	Annual target.	£850,000	Achieved.	Budget 2017 showed a projected deficit of £852k in 2018/19. This had reduced to £161k by Budget 2018, a reduction of £691k. This was mainly due to budget savings in Corporate Services and additional New Homes Bonus. In addition, savings from the transfer of Building Control to the South Staffordshire Shared Service will save £54k per year (<i>subject to approval by the Finance and Management Committee on May 3</i>). The final £105k will be drawn down from the General Reserve from savings made in 2017/18, as shown in the MTFP.
Outcomes.	Maintain proper Corporate Governance.	Compile and publish an Annual Governance Statement in accordance with statutory requirements.	Annual target was reported and dealt with in quarter two. No further reporting this year.	O2.1 An unqualified value for money opinion in the Annual Audit Letter. F&M	Annual target was reported and dealt with in quarter two. No further reporting this year.	Unqualified value for money opinion.	See Action Plan.	See Action Plan.
Outcomes.	Enhance environmental standards.	Demonstrate high environmental standards. Ensure continual compliance with ISO 14001 standard.	Date of external reaccreditation programmed.	O3.1 Ensure continual compliance with ISO 14001 standard. Reflect process outcomes into corporate and service plan action setting. E&DS	On track.	Maintain ISO14001 certification.	Achieved.	External audit complete. Four minor non-conformances identified plus 10 improvement opportunities. ISO14001 reaccreditation approved for the 10th year.
Outcomes.	Maintain a skilled workforce.	Ensure ongoing training and development for individuals and groups of employees where applicable.	35% of staff had completed all mandatory training.	O4.1 95% of all employees to complete mandatory training (annual target). F&M	Annual target.	95%.	31%.	See Action Plan.
			N/A.	O4.2 95% of all employees to have an annual performance appraisal (annual target). F&M	Annual target.	95%.	17%.	See Action Plan.
Outcomes.	Maintain customer focus.	Develop a new website and provide functionality for greater transactional processing online.	Mobile phone - 49.6% Desktop - 33% Tablet - 17.4%.	O5.1 Number of people viewing website on a mobile phone is >43% F&M	43.1% mobile; 41% desktop; 15.8% tablet.	>43%.	46% mobile; 38.5 desktop; 15.5% tablet.	Encouraging start for website, with patterns/trends for sessions, users, visits, bounce rate, online form take up and transactions all positive. We will use 2018/19 to create a baseline for figures to report against. Work is also ongoing to improve financial transactions.
		Develop a Social Media Strategy to provide easy and innovative options for residents to engage with the Council.	Extensive evidence base complete, enabling work to start on the strategy. Elected Members, departments and social media users all consulted. Action plan also being devised.	O5.2 Report to committee and adopt strategy. F&M	See Action Plan.	Social Media Strategy adopted.	See Action Plan.	See Action Plan.
		Expand services in Customer Contact Centre and maintain facilities for face to face enquiries where required.	83.8%.	O5.3 80% of telephone calls answered within 20 seconds. F&M	85.4%.	80%.	81.8%.	Annual target exceeded. The number of options available to callers has been reduced and the messages shorter. It now takes an average of 32 seconds from entry to the system to reach Customer Services compared to the one minute 20 seconds previously.
			4.2%.	O5.4 Call abandonment rate of <10%. (Number of visitors to Civic Offices to be recorded). F&M	3.7% (Visitors to Civic Offices 9,278).	<10%.	6.8%.	Annual target exceeded. This is particularly impressive for quarter four when Council Tax and end of year enquiries amounted to 2,672 calls. Further upgrades to our IVR system are to be considered in June 2018.

		Deliver Equalities and Safeguarding action plan to demonstrate principles are embedded in service delivery.	Dementia Friendly Community Status achieved.	O5.5 Undertake a Workforce Profile and consider any issues to be addressed. F&M	Workforce Profile produced and actions to be included as part of action plan arising from statutory gender pay report.	Deliver Equalities and Safeguarding action plan.	Achieved	All actions within the Equalities and Safeguarding Action Plan have been delivered. This has included accreditation to the Safe Place Scheme and achieving Dementia Friendly Community status. The Equalities Annual Report for 2017/18 will be reported to the Finance and Management Committee in June.	
Outcomes.	Continue to strengthen the ICT platform and ensure that ICT is able to support change and minimise business risks.	Three year review of ICT Strategy and adoption of action plan to 2020.	First (stabilisation) phase of the strategy on-going.	O6.1 N/A. F&M	N/A.	Adoption of ICT Strategy and action plan.	Achieved.	Approved by Finance and Management Committee in October 2017.	
People.	Enable people to live independently.	Provide an efficient and well-targeted adaptation service (including Disabled Facilities Grants) and make better use of previously adapted dwellings.	83%.	PE1.1 Percentage of adapted properties allocated on a needs basis is >90%. H&CS	100%.	>90%.	92%.	Excellent performance and an increase from 16/17. Five out of 63 adapted properties were let to those without a medical need. Four of these were due to homeless duty and one was advertised three times.	
			96%.	PE1.2 Percentage of residents satisfied with the quality of their new home is >88%. H&CS	100%.	>88%.	97%.	Out of the 102 surveys returned, only three negative comments were received around the overall quality.	
People	Protect and help support the most vulnerable, including those affected by financial challenges.	Maintain regular contact with tenants, with a focus on those identified as vulnerable.	286	PE2.1 Total number of tenancy audits completed (250 target). H&CS	251	1,000	1,077.00	2,132 of our tenants have received a visit and full audit by their housing officer over the last two years. Our aim by the end of 2018/19 is for all 2,974 of our tenants to receive a visit from their Housing Officer.	
			89%.	PE2.2 Number of successful introductory tenancies (target of 97%). H&CS	92.5%.	97%.	91.58%.	See Action Plan.	
Process Benefit claims efficiently		16.4 days.	PE2.3 Average time for processing new Benefit claims is <18 days. F&M	16.7.	<18 days	15.8.	Performance was considerably better than the national average which, when last published for the third quarter of 2017/18, was 22 days.		
		6.8 days.	PE2.4 Average time for processing notifications of changes in circumstances is <8 days. F&M	4.0	<8 days	5.1.	Performance was considerably better than national average, which when last published for the third quarter of 2017/8, was nine days.		
		0.3%.	PE2.5 Meet Housing Benefit Subsidy Local Authority error target threshold set by DWP (<0.48%). F&M	0.33%	<0.48%	0.33%.	Annual target met, meaning that the Council did not incur any penalties and received full subsidy in all incentivised areas.		
Provide a service for homeless applicants which is nationally recognised as delivering 'best practice'. Attain NPSS Bronze Standard for Homelessness by March 31, 2018.		Focus went into preparing for key legislative changes and the introduction of Personal Housing Plans.	PE2.6 Submit file to NPSS for review. Attain NPSS bronze standard. H&CS	See Action Plan.	Attain NPSS Bronze Standard for Homelessness by March 31, 2018.	See Action Plan.	See Action Plan.		
People.		Use existing tools and powers to take appropriate enforcement action.	Bring empty homes back into use.	Six completed.	PE3.1 Number of empty home intervention plans for dwellings known to be empty for more than two years (target is three). H&CS	Three completed (64 Bernard Street, Woodville, 81 South Drive, Newhall, 57 Main Street, Newhall).	10	12 completed.	Annual target met. Based on experience from this year's interventions we've revised our processes to improve effectiveness.

People.	Increase levels of participation in sport, health, environmental and physical activities.	Delivery of sport, health, physical activity and play scheme participations.	Rosliston 36,987. Leisure centres 249,667.	PE4.1 Throughput at Etwall Leisure Centre, Green Bank Leisure Centre and Rosliston Forestry Centre. Target for Rosliston = 45,000. Target for leisure centres = 170,404. H&CS	Rosliston = 41,612. Leisure centres = 268,881.	Rosliston = 195,000 Leisure centres = 681,616.	Rosliston 197,737 (1% above target), leisure centres 1,029,121 (34% above target).	Excellent performance for the leisure centres, which surpassed the anticipated footfall. Despite Rosliston having below expected visitor numbers for quarters three and four, annual visitor numbers were at the highest on record. See Action Plan for quarter four overview.
		Tackle physical inactivity and develop/implement a Sport, Health and Physical Activity Strategy.	Examples of targeted work includes carpet Nordic walking and a dementia walk at Oakland Village, Walking for Health across the District, the Street Games project at Midway Community Centre and Hilton Youth Club.	PE4.2 Review strategy progress. H&CS	Achieved.	Implement a Sport, Health and Physical Activity Strategy.	Achieved.	Sport, Health and Physical Activity Strategy adopted in quarter one. Targeted programme of work undertaken throughout the year. Strategy reviewed in quarter four to ensure it remains fit for purpose.
People.	Reduce the amount of waste sent to landfill.	Minimise waste sent to landfill.	93 kgs (target - <120kgs).	PE5.1 Household waste collected per head of population is <110kgs. E&DS	93 kgs (target - <120kgs). Estimated figure.	<480kgs.	402 kgs. Estimated figure.	Kgs per head of population continue to reduce year on year.
			43% (target - 47%).	PE5.2 >45% of collected waste recycled and composted. E&DS	43% (target - 47%). Estimated figure.	>50%.	48%. Estimated figure	See Action Plan.
People.	Develop the workforce of South Derbyshire to support growth.	Increase Council engagement to raise aspirations. Provide opportunities for young people to reach their potential.	Ongoing relationship management with schools continued. Marketing campaign developed.	PE6.1 Deliver renewed action plan. H&CS	Achieved.	Provide opportunities for young people to reach their potential through the RISE project.	Achieved.	Action plan finalised and underway. The plan now encompasses marketing, communication and overall delivery. RISE to become even more prevalent next year, with award-winning director Deborah Haywood to become ambassador for the project and an awards evening in the pipeline.
Place.	Facilitate and deliver a range of integrated and sustainable housing and community infrastructure.	Increase the supply and range for all affordable housing provision.	124 units delivered (year to date)	PL1.1 Increased supply of affordable homes. Annual target of >150. H&CS/E&DS	176 units delivered (year to date)	>150	176 units delivered (year to date)	The target for 2017/18 has been exceeded. This has been achieved by working collaboratively with all of our Registered Providers and has meant we have successfully delivered 33 Shared Ownership properties in the District and provided more than 140 affordable rented homes.
		Deliver an adopted South Derbyshire Local Plan, parts 1 and 2, and key supplementary documents.	Local Plan Part 2 adopted on November 2. Design Guide Supplementary Planning Document (SPD) and Affordable Housing SPD adopted on November 16.	PL1.2 Report to Council. Adopt Local Plan Part 2, Development Plan and supplementary planning documents. E&DS	Achieved.	Deliver an adopted South Derbyshire Local Plan, parts 1 and 2.	Achieved.	Local Plan Part 2 adopted on November 2 and Supplementary Planning Documents on November 16, 2018.
		Facilitate and deliver sustainable infrastructure.	N/A	PL1.3 Consider the introduction of a Community Infrastructure Levy. E&DS	See Action Plan.	Consider the introduction of a Community Infrastructure Levy.	See Action Plan.	See Action Plan.
		Deliver a programme of proactive interventions to reduce environmental crime such as fly-tipping.	150 (target - <180)	PL3.1 Downward trend in fly-tipping incidents. Quarterly target is <180. E&DS	177	<720	688	The year end figure represents a 9% reduction in fly-tipping compared to last year. A new power to deal with fly-tipping was adopted and focus on the issue was maintained.

Place.	Help maintain low crime and antisocial behaviour levels in the District.	Review, publish and deliver the Safer South Derbyshire Community Safety Partnership Plan.	Hate crime campaign delivered via social media.	PL3.2 Review and refresh Partnership plan for 2018/19. H&CS	Achieved.	Deliver the Safer South Derbyshire Community Safety Partnership Plan.	Achieved	Partnership Plan reviewed, refreshed and approved at Strategic Group. Only minor amendments made to the three year plan, including introduction from new chair and updates on action taken over the last 12 months. Highlights of the year include: 100+ young people attended the Friday Night Project every week and 1,175 young people came to the 20 summer play scheme sessions held in Swadlincote and Newhall Parks during the summer.
Place.	Support provision of cultural facilities and activities throughout the District.	Implement and manage the leisure facility capital build programme.	Significant work done to produce a development plan for Etwall Leisure Centre, but not fully completed.	PL5.1 Update play area audit and prioritise sites. H&CS	See Action Plan.	Implement and manage the leisure facility capital build programme.	See Action Plan.	See Action Plan.
Place.	Deliver services that keep the District clean and healthy.	Reduce contamination risk rating of land in South Derbyshire.	1	PL6.1 Complete one contaminated land assessment. E&DS	1 (Blakelow Farm, Hilton).	4	4	The assessments have been completed on four sites considered to have the highest risk of contamination due to their historical use.
Progress.	Work to attract further inward investment.	Showcase development and investor opportunities in South Derbyshire.	Investor prospectus designed, printed and published.	PR1.1 Publish vacant commercial property bulletin. E&DS	Achieved.	Showcase development and investor opportunities in South Derbyshire.	Achieved.	Spring 2018 edition of Vacant Commercial Property Bulletin published. Inward investments during the year included TopHat Industries attracted to Dove Valley Park to manufacture modular homes, Snap Fitness opening at The Pipeworks and construction of The Piazza at Mercia Marina.
Progress.	Unlock development potential and ensure the continuing growth of vibrant town centres.	Delivery of Swadlincote Townscape project, including Princess Diana Memorial Garden.	Many elements of the memorial garden complete, with finishing touches still to be made.	PR2.1 Tree planting at Diana Memorial Garden. All grants to be promoted. E&DS	Achieved.	Delivery of Swadlincote Townscape project, including Princess Diana Memorial Garden.	Achieved.	Required tree works undertaken in Quarter four. The memorial garden is now complete and officially opened on Sunday, April 29. The new-look light, colourful and attractive space has been enhanced by landscape architects with new paths, a landscaped seating area, spring bulbs, architectural lighting and timeline of key milestones.
		Increase attendance and participation at town centre events.	Seven events delivered and supported, including Swadlincote International Food and Drink Festival	PR2.2 One event, including Swadlincote Pancake Races. E&DS	Achieved.	10 events delivered and/or supported.	Achieved.	Swadlincote Pancake Races delivered in quarter four, with 50 organisations participating. Other events delivered during the year include the Christmas Lights Switch On, the Jobs and Skills Fair and Swadlincote Wedding Fair.
		Ensure the continuing growth of vibrant communities and town centres.	10 vacant units in Swadlincote Town Centre.	PR2.3 Vacant premises in Swadlincote town centre, Hilton and Melbourne (proxy). To be reported twice a year. E&DS	In February 2018 there were: 11 vacant units in Swadlincote Town Centre, three in Melbourne and none in Hilton. NB: this is the first time Hilton and Melbourne have been reported.	Proxy.	Proxy.	The Hilton and Melbourne local centres were surveyed for the first time in February 2018, an exercise which is to be repeated at six monthly intervals, providing time series data which will enable the Council to discern any trends in vacancy rates.
Progress.	Work to maximise the employment, training and leisure uses of The National Forest by residents and increase the visitor spend by tourists.	Support the operation and development of the tourism sector.	Monitoring data not available.	PR3.1 Number of queries handled by Swadlincote Tourist Information Centre. Target is 5,000. E&DS	*Monitoring data not available for quarters three and four due to fundamental change in methodology statement caused by the introduction of new website and interruption in electronic publisher operation. Figures would not offer a like for like comparison.	26,000 queries	*Monitoring data not available for quarters three and four due to fundamental change in methodology statement caused by the introduction of new website and interruption in electronic publisher operation. Figures would not offer a like for like comparison.	Spring 2018 edition of What's On events guide published. Tourism and Rural Business Advice event held at Swadlincote Tourist Information Centre as part of National Tourism Week initiative with representatives of business support providers. Public promotion of the sector held with tourism operators in the town centre.
		Review and procure new management for Rosliston Forestry Centre.	Bids received and evaluated, with a final decision still to be made.	PR3.2 Sign new management contract. H&CS	Achieved.	Procure new management for Rosliston Forestry Centre.	Achieved.	Further to procurement exercise, the decision was taken to bring management of the site back in house. Staff have been transferred and the site is now being operated directly by the Council.

		Work with Swadlincote TIC to attract evening visitors to the District's leisure, food and drink and retail offer.	Second feature published in What's On guide. Late night shopping event held with Swadlincote Victorian Christmas Market and Carols Evening.	PR3.3 Publish promotional materials to attract visitors. E&DS	Achieved.	Attract evening visitors to the District's leisure, food and drink and retail offer.	Achieved.	Nightlife feature published as leaflet and distributed through Swadlincote Tourist Information Centre and website in quarter four. Late night shopping event held with Swadlincote Victorian Christmas Market and Carols Evening in quarter two.
Progress.	Provide business support and promote innovation and access to finance, including in rural areas.	Food businesses with the top hygiene rating of five.	84.5%.	PR5.1 >81% food businesses which have a Food Hygiene Rating score of five. E&DS	83.4%.	>81%.	83.4%.	Improvements in food performance are indicative of the continuous work we do with our local food business community to support new businesses and provide support and guidance on hygiene conformance.
		Registered food businesses active in the District.	829	PR5.2 >810 registered food businesses active in the District. E&DS	831	>810.	831	Improvements in food performance are indicative of the continuous work we do with our local food business community to support new businesses and provide support and guidance on hygiene conformance.
		Guidance offered to businesses or people thinking of starting a business.	61 (target - 25).	PR5.3 Guidance offered to businesses or people thinking of starting a business (through the Business Advice Service). Target is 25. E&DS	51	100	221	Business breakfast held at Calke Abbey with a theme of 'Improving Productivity'. 'Thinking of Starting a Business?' workshop held at Sharpe's Pottery Museum for those contemplating self-employment

Environmental and Development Services
Strategic and Service Success Areas
2017/18

Appendix B



176 units

Target - >150

Affordable homes delivered
by working closely with
Registered Providers.



831

Target - >810

Registered food
businesses active in
the District.



221

Target - 100

People receiving
guidance through the
Business Advice Service.



83.4%

Target - >81%

Food businesses with a
Hygiene Rating score of
five.



Marina

Inward investment

Construction of 'The
Piazza' scheme at
Mercia Marina in
Willington.

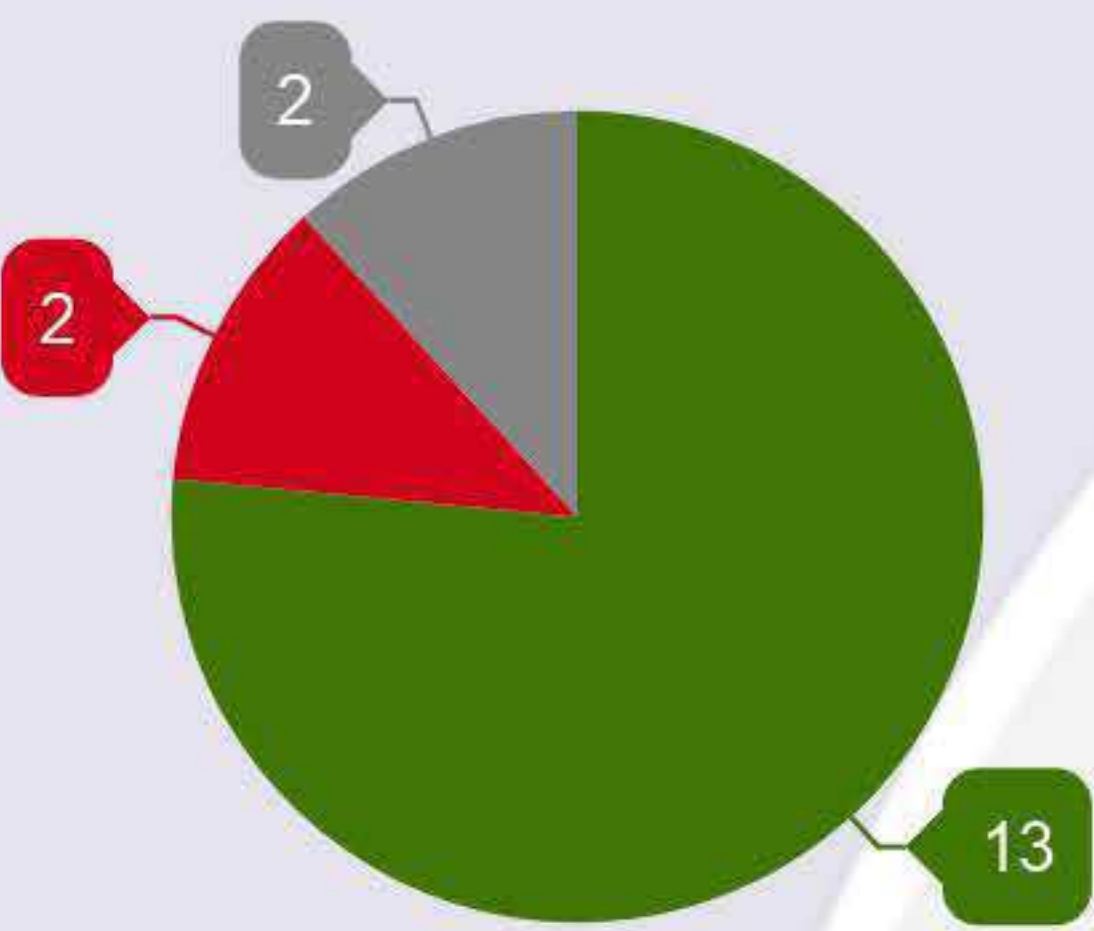


10

Events

Events delivered or
supported in
Swadlincote, including
the Jobs and Skills
Fair.

E+DS Year End Performance
Overview



Green (76.47%) Red (11.76%) Grey (11.76%)



402kgs

Target - <480kgs

Household waste collected
per head of population. This
continues to reduce year on
year.



Opened

Princess Diana

Princess Diana Memorial
Garden in Swadlincote
officially opened after
refurbishment.



Leaflet

Nightlife

Nightlife leaflet published
to attract visitors to
leisure, food and drink
and retail offer.



Local Plan

Delivered

Adopted South
Derbyshire Local Plan
parts 1 and 2, plus key
supplementary
documents, delivered.

Environmental and Development Services Performance Action Plan - Year End, 2017/18

Appendix C



48%

% of collected
waste recycled
and
composted.

Target - 50%

Theme - People. Action – PE5.2 % of collected waste recycled and composted.

Annual target: >50%

Annual performance: 48% (estimated figure)

Background – The current recycling and composting schemes have been in place since 2013 and 1996 respectively.

At the start of both schemes, recycling and composting increased significantly. Since then, performance has stabilised.

Out turn for previous years has been around 48%. The general trend nationally has been for tonnages to slightly decline.

Issues around the dry recyclable collection contract have meant that additional materials for recycling have not been introduced.

Key actions underway - We will continue to liaise with the Derbyshire Waste Partnership on promoting recycling and composting. We'll also work with our current contractor on ensuring compliance from residents on presenting acceptable materials.

Opportunities/risks: Work is set to commence on re-procuring a new recycling collection contract which supports the Council's vision to achieve higher levels of recycling and is future proofed to manage potential changes in waste management legislation.

We will also further explore joint working with other collection authorities and the waste disposal authority. Failure to meet Statutory Performance Standard could lead to intervention from the Secretary of State.



0

Consider the
introduction of
a Community
Infrastructure
Levy.

Target - 1

Theme - Place.

Action – PL1.3 Consider the introduction of a Community Infrastructure Levy.

Annual target: Elected members to be kept informed of progress in quarters two and four

Annual performance: No reports produced

Background – The Government has commissioned a further review. As reported previously, the paper is overdue.

Key actions underway - The drafting of the report has been put on hold whilst Government announcements are awaited.

An update will be provided to Elected Members once information has been received.

Opportunities/risks: The risks are unknown without details of Government policy.

Economic Development Risk Register

Theme/aim	Risk description	Likelihood	Impact	Risk Treatment	Mitigating action	Responsible officer
Progress/ Work to maximise the employment, training and leisure uses of The National Forest by residents and increase the visitor spend by tourists	Failure of National Forest & Beyond Tourism Partnership leading to an adverse impact on businesses in local visitor economy	Low	Medium	Treat	<ul style="list-style-type: none"> Proactive engagement in partnership and with individual partners Commitment of Officer time and resources to partnership activities Monitoring of projects and performance 	Mike Roylance
Progress/People/ Place	Failure of the South Derbyshire Partnership leading to non-delivery of the community's vision and priorities as set out in the Community Strategy and Action Plan	Low	Medium	Treat	<ul style="list-style-type: none"> Proactive support for partnership Commitment of Officer time and resources to Partnership facilitation Engagement of partners in policy making and project design and delivery 	Mike Roylance

Progress/ Work to attract further inward investment	Downturn in the local economy leading to a loss of jobs, business failures, and a reduction in income to the Council (e.g. Business Rate income; Take-up of commercial properties, etc)	Medium	High	Treat	<ul style="list-style-type: none"> Monitoring of economic trends Economic Development Strategy designed to increase robustness of local economy Delivery of economic development activities including provision of South Derbyshire Business Advice Service 	Mike Roylance
Progress/ Work to maximise the employment, training and leisure uses of The National Forest by residents and increase the visitor spend by tourists	Failure of Sharpe's Pottery Heritage & Arts Trust, leading to a loss of service to visitors and residents through the Tourist Information Centre	Medium	High	Treat	<ul style="list-style-type: none"> Officer advice and support available to Trust Member involvement in Trust Board Monitoring of services and performance 	Mike Roylance

Community and Planning Risk Register 2017-2018

Theme/aim	Risk description	Likelihood	Impact	Risk treatment	Mitigating action	Responsible officer
Outcomes/ Maintain Financial Health	Planning fees – income reduces to below set targets (DM1)	Low	High	Tolerate	Careful attention to forecasts/setting budgets and budget monitoring	Tony Sylvester
Outcomes/ Maintain Financial Health	Judicial review of Planning decisions (DM2)	Low	High	Treat	Weekly case review with all case officers for early identification of high-risk cases, legal opinion sought when necessary. Ongoing review of new statutory procedures, continued advice from Legal when required. Service review planned for 2017/18	Tony Sylvester
Outcomes/ Maintain Financial Health	Maladministration leading to injustice via LGO (DM3/BC4/PP2)	Very low	Low	Tolerate	Documented process of procedures Process training Close monitoring of report recommendations	Tony Sylvester
Outcomes/ Maintain Financial Health	Judicial Review of Building Control Decision (BC1)	Low	Low	Tolerate	Ongoing review of new statutory procedures, continued advice from counsel when required.	Tony Sylvester

Outcomes/ Maintain Financial Health	Loss of market share below sustainable level (BC2)	High	High	Transfer risk	Review marketing strategy. Investigate potential outsourcing of activity to a third party.	Tony Sylvester
Outcomes/ Maintain Financial Health	Negligence resulting in loss to personal property (BC3/DM4)	Low	High	Tolerate	Insurance Professional training Maintain sound procedures and act speedily to recover ground when mistakes are made.	Tony Sylvester
Outcomes/ Maintain Financial Health	Failure to collect financial contributions or to enforce the delivery of obligations within Section Agreements (DM5)	High	Very High	Treat	Implementation of new software and process review 2017/18.	Helen Frazer
Outcomes/ Maintain Financial Health	Poor application performance (DM7)	Medium	High	Treat	New planning officer structure in place, giving better capacity to monitor cases = optimum use of resources Quarterly monitoring of application performance	Tony Sylvester
Outcomes/ Maintain Financial Health	Lack of knowledge in department relating to specialist: IT solutions, Planning (DM8)	Medium	High	Treat	Specialist knowledge outside of service e.g. specialist knowledge within IT/corporately	Tony Sylvester
People/ Increase levels of participation in sport, health,	Reduction of council funding into Sport and Health service. Unable to source external funding to	High	High	Treat	Forward budget planning over a number of years. Lobby to maintain current funding contribution that	Hannah Peate

environmental and physical activities	service reserve fund being depleted for sources other than the sport and health service delivery. (SP1)				the Council makes towards the service and for an increased contribution if Elected Members want the current levels of service to be maintained. Continually seek external funding options	
Place/ Support provision of cultural facilities and activities throughout the District	Managing large capital projects (CS1)	Low	High	Treat	Ongoing dialogue with funders Support from internal and external specialists re legal, technical and financial issues Financial monitoring/attendance of CPAM meetings	Malcolm Roseburgh
Place/ Support provision of cultural facilities and activities throughout the District	Failure of contracts e.g. leisure centres (CS2)	Medium	High	Treat	Contracts in place or held over. Regular (monthly) contract monitoring meetings for main contracts Project Officer employed (RFC)	Malcolm Roseburgh
Place/ Support provision of cultural facilities and activities throughout the District	Memorial monuments falling causing injury (CS3)	Low	Medium	Treat	Informal checks undertaken and rolling programme of rolling checks reintroduced	Malcolm Roseburgh
Outcomes/ Maintain Financial Health	Accidents at play areas (CS4)	Low	High	Treat	Inspections carried out by staff. Insurance company inspect annually Park keepers on some sites	Malcolm Roseburgh

Place/ Support provision of cultural facilities and activities throughout the District	Dilapidation of Leisure/Community Facilities (CS5)	Low	Medium	Treat	Control measure in place: securing internal and external funding, supporting VCS and parish councils with funding, improving planned preventative maintenance, transferring assets where possible, improved monitoring	Malcolm Roseburgh
Place/ Support provision of cultural facilities and activities throughout the District	Failure of business plan for Rosliston Forestry Centre (CS6)	Medium	Medium	Treat	Monthly performance meetings Annual review of business plan Development and implementation of new strategy Increase involvement of Forestry Commission in business planning Contract transition arrangements underway	Malcolm Roseburgh
Place/ Support provision of cultural facilities and activities throughout the District	Urban core cemetery space running out (CS7)	High	Medium	Treat	Continued internal meetings with Planning and Property Services to identify land opportunities	Malcolm Roseburgh
Place/ Support provision of cultural facilities and activities	Failing Infrastructure at Rosliston Forestry Centre. (CS8)	High	High	Treat	Condition survey has identified extent of problem. Responsibility planned to pass to incoming contractor but cost likely to be expressed through value of management sum.	Malcolm Roseburgh

People/Protect and help support the most vulnerable, including those affected by financial challenges	Sustainability of the voluntary sector (CM1)	Very high	Medium	Treat	Service development proposal to continue community partnership scheme in future years. Continue partnership working with CVS.	Chris Smith
Place/Support provision of cultural facilities and activities throughout the District	Failure of Sharpe's Pottery Museum (CM2)	Medium	Medium	Treat	<p>Councillor representation on board</p> <p>Attendance on board meetings by officers</p> <p>Support from Community Partnership Officer when required</p>	Chris Smith

Housing and Environmental Services Risk Register

Risk Code	Theme/aim	Risk description	Likelihood	Impact	Risk Treatment	Mitigating action	Responsible officer
HES1	Maintain Financial Health	Loss of income to the Housing Revenue Account through 1% rent reduction for general needs tenancies until 2021	Low	Major	Treat	<p>Revise all income policies and procedures to ensure they are fit for purpose</p> <p>Invest in I.T. solutions to maximise opportunities to collect income and support those in financial difficulty</p> <p>Look at opportunities to raise income through service charges and other charges</p> <p>Review rents/HRA viability and produce plan to mitigate</p>	Housing Services Manager
HES2	To protect the most vulnerable including those affected by anti-social behaviour and domestic abuse.	Loss of income to the Housing Revenue Account through roll out of Universal Credit	High	Major	Treat	<p>Increase % of direct debits.</p> <p>Direct named contact with DWP to address NSP issues.</p> <p>Invest in I.T. solutions to maximise opportunities to collect income and support those in financial difficulty</p> <p>Review Allocations Policy to take into account benefit entitlements to different client groups</p>	Housing Services Manager

HES3	Keep residents happy, healthy and safe	Loss of Supporting People funding for the supported housing service	Low	Severe	Treat	<p>Undertaken a full review of supported housing service to ensure financial viability</p> <p>Increase service delivery to private customers</p> <p>Utilise BCF funding to on spend to save initiatives that prevent health problems & hospital admissions</p> <p>Establish new protocol arrangements with existing accommodation based support providers and utilise prevention budget / second homes funding to secure bed spaces</p> <p>Explore new income streams working in collaboration with healthcare partners</p>	Strategic Housing Manager
HES4	Enable people to live Independently	Loss of Supporting People funding for the sheltered housing service	Low	Severe	Treat	<p>Undertaken a full review of supported housing service to ensure financial viability</p> <p>Increase service delivery to private customers</p> <p>Explore new income streams working in collaboration with healthcare partners</p>	Strategic Housing Manager
HES5	To protect the most vulnerable including those affected by anti-social behaviour and domestic abuse.	Increase in homeless applications / presentations as Universal Credit rolls out	High	Significant	Treat	<p>Review staffing requirements in light of the implementation of the Homelessness Reduction Act 2017</p> <p>Attain National Practitioner Support Service (NPSS) standard for Homeless Service</p> <p>Increase capacity within Housing Options service. More Housing related support to prevent tenancy failure.</p>	Strategic Housing Manager

HES6	To protect the most vulnerable including those affected by anti-social behaviour and domestic abuse.	Failure to fulfil our requirements relating to the statutory homeless duty	Low	Significant	Tolerate	<p>Ensure policies and procedures are compliant with statute</p> <p>Ensure staff are well trained and briefed on changes to the Council's statutory obligations</p> <p>Review staffing requirements in light of the implementation of the Homelessness Reduction Act 2017</p>	Strategic Housing Manager
HES7	Maintain Financial Health	Failure to follow Council procedures / policies leading to Ombudsman finding of 'maladministration'	Low	Significant	Tolerate	Ensure procedures are reviewed regularly and staff are well trained	Housing Services Manager
HES8	Achieve proper Corporate Governance	Failure to fulfil Resident Scrutiny statutory duty	Very Low	Significant	Treat	Ensure Resident Scrutiny Panel in place and undertakes regular reviews of services	Housing Services Manager
HES9	Achieve proper Corporate Governance	Failure to meet statutory deadlines when reporting performance and statutory information to Government agencies	Very Low	Significant	Treat	Ensure deadlines are met and that ownership for each reporting deadline is identified and project managed	Business Support Manager
HES10	Maintain a skilled workforce	Loss of IT Systems and lack of specialist IT knowledge in department	Very Low	Significant	Treat	<p>Corporate IT disaster recovery plan is in place</p> <p>The Council has alternative options available with suppliers</p>	Business Support Manager
HES11	Maintain financial health	Failure to deliver the planned maintenance	Medium	Significant	Treat	Ensure that skilled officers are in place to manage the contracts and contractors delivering this programme.	Repairs and Improvement Team Leader –

						Undertaking a review of the stock condition survey to inform the future capital programme	
HES11	Maintain financial health	Failure to deliver the new build programme	Medium	Significant	Treat	<p>Ensure that skilled officers are in place to manage the contracts and contractors delivering this programme.</p> <p>Undertaking a review of the stock condition survey to inform the future central programme.</p>	Repairs and Improvement Team Leader
HES12	Maintain financial health	Increase in the cost of contracts	Medium	Significant	Treat	<p>Ensure procurement of goods and services deliver on the Council's objectives to deliver value for money.</p> <p>Evaluate the range of contract letting options to deliver good value for money. Consider efficiencies that can be achieved through better management of supply chains.</p>	Repairs and Improvement Team Leader
HES13	Maintain a skilled workforce	Failure to recruit and retain staff	High	Significant	Treat	<p>Ensure pay and conditions appropriately remunerates staff and ensure training and development opportunities are maximised</p> <p>Ensure existing staff are motivated and working within their remit.</p>	Housing DMT
HES14	Facilitate and deliver a range of integrated and sustainable housing and community infrastructure	Achieving the maximum delivery of affordable homes with the resources/options for delivery available	Low	Significant	Treat	<p>HCA grant programme 2017-21 (SOAHP)</p> <p>Negotiation of s106 on all new sites</p> <p>Support RP's through bidding process</p> <p>Acquisitions / delivery options report to Members</p> <p>Utilise Commuted Sums / RTB receipts</p>	Strategic Housing Manager

						where possible and HRA reserves & headroom	
HES15	Facilitate and deliver a range of integrated and sustainable housing and community infrastructure	Insufficient supply of affordable homes to meet Council needs relating to allocations and homelessness	Medium	Significant	Treat	<p>Up-to-date housing needs data.</p> <p>Ensure delivery of affordable units through planning gain.</p> <p>Work with HCA to deliver LA new builds in the future.</p> <p>Review Allocations Policy to reflect need and available stock.</p>	Strategic Housing Manager
HES16	Deliver services that keep the District clean and healthy	Major incident (disease outbreak, pollution, severe weather)	Low	Significant	Tolerate	Backfill the staff resources with agency staff	Env Health Manager/ Direct Services Manager
HES17	Maintain financial health	Loss of revenue to the Food Safety Business/ Environmental permitting	Low	Severe	Tolerate	<p>Main income streams are from export certificates. Volumes are entirely outside our control.</p> <p>Continue to support local exporting businesses</p>	Env Health Manager
HES18	Achieve proper Corporate Governance	Legal challenge over statutory function in Environmental Health	Medium	Significant	Treat	Effective governance and review of officer decisions	Env Health Manager
HES19	Deliver services that keep the District clean and healthy	Failure to deliver minimum statutory service duties in Food Safety and Pollution Control	Low	Minor	Tolerate	Continuously keep under review and deploy available resources based on areas of highest potential failure	Env Health Manager
HES20	Deliver services that keep the District clean	Temporary loss of fuel supply at depot	Medium	Minor	Treat	Contingency suppliers in place	Direct Services Manager

HES21	Deliver services that keep the District clean and healthy	National loss of fuel supply	Low	Significant	Treat	Business continuity plan, comply with emergency planning guidance	Direct Services Manager
HES22	Deliver services that keep the District clean and healthy	Loss of vehicle fleet through theft or fire	Low	Significant	Treat	Local and national vehicle hire companies on list of suppliers	Direct Services Manager
HES23	Deliver services that keep the District clean and healthy	Loss of service delivery from contractors	Medium	Significant	Treat	Contingency plans in place to deliver service internally or back-up contractors available	Direct Services Manager
HES24	Maintain financial health	Loss of revenue	Low	Severe	Tolerate	Main income from commercial waste collections cannot compel customers to use our service	Direct Services Manager

REPORT TO: ENVIRONMENTAL AND
DEVELOPMENT SERVICES

AGENDA ITEM: 8

**DATE OF
MEETING:** 31st MAY 2018

**CATEGORY:
DELEGATED**

REPORT FROM: LEADERSHIP TEAM

**OPEN
DOC:**

**MEMBERS'
CONTACT POINT:** FRANK MCARDLE (Ext. 5700)
ALLISON THOMAS (EXT. 5775)

SUBJECT: SERVICE PLANS 2018/19

**WARD (S)
AFFECTED:** ALL

**TERMS OF
REFERENCE: G**

1.0 Recommendations

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

2.0 Purpose of Report

- 2.1 To consider the Service Plans for Service Delivery, attached at **Appendix A**, and the Chief Executive's Directorate at **Appendix B**.

3.0 Detail

- 3.1 Service Plans are a key part of our Performance Management Framework, acting as an important link between high-level plans and strategies, such as the Corporate Plan and Sustainable Community Strategy, as well as performance objectives established for employees.
- 3.2 Each Service Plan contains information about:
- The Directorate
 - Its workforce and budget
 - Service performance, including key measures and projects
 - Partnerships
 - Aims and aspirations
- 3.3 The Service Plans reflect the current priority themes and outcomes within the Corporate Plan 2016-21 and Sustainable Community Strategy 2009-29.
- 3.4 The Service Plans cover a one-year period and will be reviewed in March 2019 to link in with the Corporate Plan and Sustainable Community Strategy.
- 3.5 Progress reports on Service Plans will be made to Elected Members as part of the Performance Management Framework monitoring process.

5.0 Financial and Corporate Implications

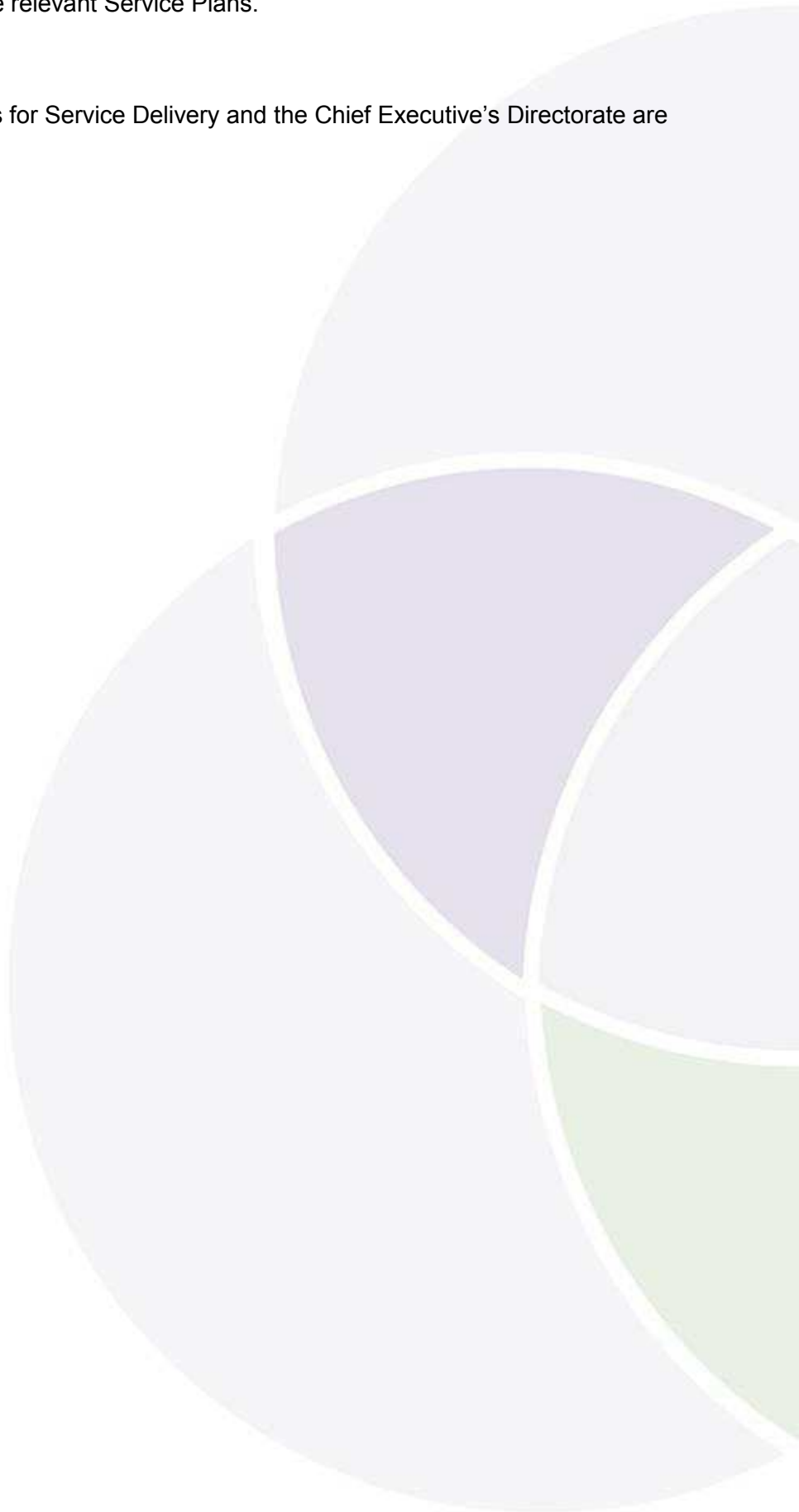
5.1 All implications are detailed in the relevant Service Plans.

6.0 Community Implications

6.1 All implications are detailed in the relevant Service Plans.

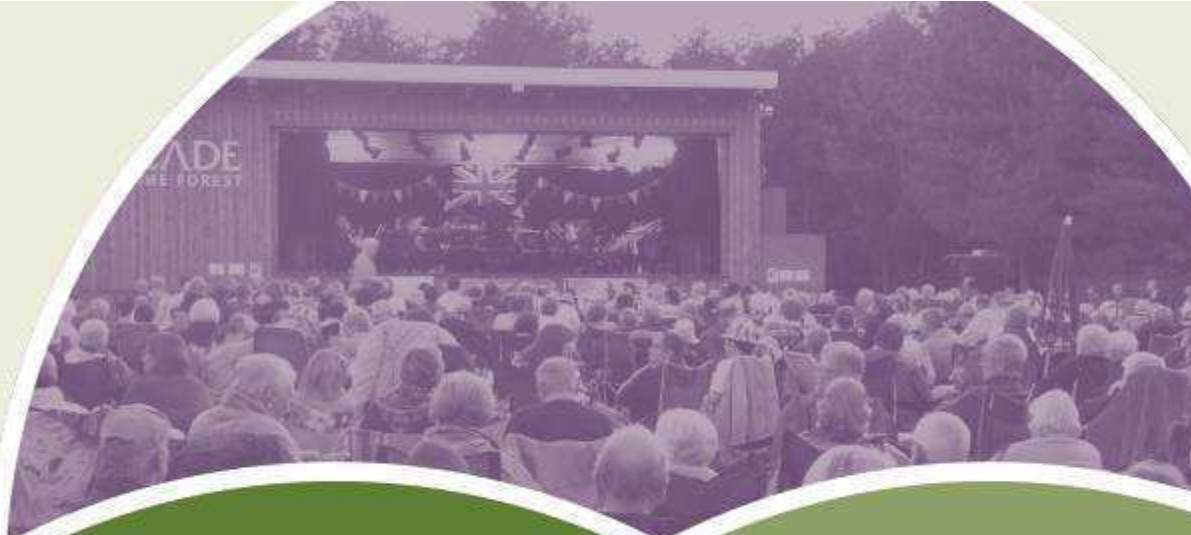
7.0 Background papers

7.1 Electronic copies of service plans for Service Delivery and the Chief Executive's Directorate are available on request.





**South
Derbyshire**
District Council



Service Plan 2018/2019

Service Delivery

Page 34 of 400

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All information presented in this Service Plan was correct at the time of publication.

Introduction

The Corporate Plan 2016-2021 forms an important part of planning for the future and leads our performance management. As well as enabling effective monitoring, it links strategic priorities and objectives directly to the activities of service areas.

As part of this, Service Plans are created for our three directorates - Corporate Resources, Service Delivery and the Chief Executive's department.

Covering the 2018-2019 financial year, the Service Plans (updated annually) align current delivery arrangements with changing patterns of demand, making the most effective use of available and future resources.

The importance of service planning

Delivery of public services occurs in an increasingly dynamic environment, with high community expectations, Government priorities and technological advances.

While the budgetary setting is constrained, there are ever-increasing pressures and demands to do more with less.

In this context, it is essential that services are well planned, with the capability to evolve in order to meet community needs.

This allows us to identify requirements and associated enabling services such as technology, workforce, funding, capital infrastructure and information management.

Performance Management Framework

The Performance Management Framework sets out what needs to be achieved, what is measured and managed and what progress we are making.

Our resources must be aligned, focusing effort in the right places and delivering maximum value for people, partners and businesses. We must proactively identify and manage any risks that might affect delivery, regularly reviewing performance and taking action where required to stay on target and inform decision-making.

The Performance Management Framework consists of three levels. The Corporate Plan sits at the top and sets out how we make South Derbyshire a better place to live, work and visit. Objectives and measures to deliver against the key aims of the Corporate Plan are defined in Service Plans and shape the objectives of all employees.

Everyone, from Officers to Managers to Elected Members, has a responsibility for delivery of the Corporate Plan. The Performance Board details our key projects for the year. Milestones for these are broken into quarters to help us monitor and manage our performance effectively and on an on-going basis.

All actions are essential if the Council is going to achieve its ambitions and aspirations. These are complemented by a set of performance measures which will help us to gauge whether we are meeting outcomes and providing excellent services.

Key aims

All priorities and activities undertaken by the Service Delivery Directorate complement our collective vision of making 'South Derbyshire a better place to live, work and visit'.

Through the Service Plan, all corporate projects and performance measures for the Directorate contribute to our corporate themes of:

People - keeping our residents happy, healthy and safe.
Place - creating vibrant communities to meet residents' needs.
Progress - encouraging inward investment and tourism opportunities.
Outcomes - work that underpins all of the Council's activities.

We have a strong understanding of our customers' needs and the Directorate performs well across a range of key measures. However, we, through our employees, constantly strive to look to develop and improve our services for the benefit of our customers.

The strategic aims for the Directorate are outlined in each service area summary.

Overview of the Service Delivery Directorate

The Service Delivery Directorate was formed towards the end of 2017 and is led by a new Strategic Director - Service Delivery. It brings together a large number of highly visible customer-facing services, including:

- Housing Services - Providing affordable housing for tenants to rent;
- Strategic Housing - Delivery of affordable housing;
- Planning Services - Determining planning applications;
- Environmental Health - Protecting the health of our communities by controlling aspects of the natural and built environment that may affect human health;
- Communities - Working in partnership with the Police and Community and Voluntary sector to keep the residents of South Derbyshire safe and to help develop and support local community initiatives;
- Cultural Services - Delivering public events across the District;
- Direct Services - Waste collection and recycling;
- Sport and Health - Delivering sport and health activities;
- Business Systems and Information - Maintaining the Local Land and Property Gazetteer

The Directorate plays a key role in helping to deliver the Council's strategic objectives of People, Place, Progress and achieving successful Outcomes.

The new Directorate will work across the District, not only making connections within the Council to improve services, but in collaboration with a wide range of partners and contractors. This is with the aim of delivering effective and efficient services which make a difference to the lives of people who live and work in the District and to visitors.

Service Operations

A significant part of the work undertaken by the Directorate is statutory. Non-statutory duties also contribute significantly to ensure the Council operates within its statutory and regulatory powers.

A breakdown of the main Directorate duties is set out below:

Statutory

- Asbestos Regulations (Housing Services)
- Building Control (Planning Services)
- Crime Reduction and Anti-Social Behaviour (Communities)
- Dangerous Structures (Planning Services)
- Development Management (Planning Services)
- Designated Waste Collection Authority (Direct Services)
- Disabled Facilities Grant (Housing Services)
- Dog control services (Environmental Health)
- Eviction of illegal encampments on SDDC owned land (Environmental Health)
- Fire Safety Regulations (Housing Services)
- Food hygiene compliance in local food businesses (Environmental Health)
- Gas Safety Checks (Housing Services)
- Homelessness Duty (Housing Services)
- Infectious disease outbreak control (Environmental Health)
- Investigation and control of environmental crime - fly tipping, litter, anti-social behaviour, dog fouling (Environmental Health)
- Investigation and resolution of public health, noise and pollution complaints (Environmental Health)
- Legionella Regulations (Housing Services)
- Maintain Council's Housing Register (Housing Services)
- Maintenance of the Local Land and Property Gazetteer (LLPG) under the Public Sector Mapping Agreement (Business Systems & Information)
- Maintenance of Vehicle Operations Licence (Direct Services)
- Monitoring and management of air quality and land contamination (Environmental Health)
- Planning Enforcement (Planning Services)
- Planning Policy (Planning Services)
- Principal Litter Authority (Direct Services)
- Regulation of health and safety legislation in lower risk businesses (Environmental Health)
- Regulation of pollution from industrial sites (Environmental Health)
- Submission of Government Returns (Strategic Housing)
- Taxi Testing (Direct Services)

Non-Statutory

- Advice on the environmental and public health impact of planning applications (Environmental Health)
- Built Conservation and Heritage (Planning Services)
- Children's Play Provision (Cultural Services and Sport and Health Partnerships)
- Civic Duties and Events (Cultural Services)
- Community Development (Communities)
- Co-ordinating the Council's environmental management systems (Environmental Health)
- Cultural/Public Events (Cultural Services)
- Delivery of Affordable Housing (Strategic Housing)
- Delivery of Health and Housing Agenda (Strategic Housing)
- Delivery of Homeless Strategy (Strategic Housing)
- Delivery of Housing Strategy (Strategic Housing)
- Delivery of New Council Housing (Strategic Housing)
- Electrical Testing (Housing Services)
- Environmental Education (Cultural Services)
- Flooding and Drainage (Cultural Services)
- Leisure, Sport, Forestry Centre and Community Facility Management and Provision (Cultural Services)
- Manage the Better Care Fund allocation (Strategic Housing)
- Maintenance of Bus Shelters (Direct Services)
- Maintenance of Public Conveniences (Direct Services)
- Maintenance of Street Furniture (Direct Services)
- Monitoring Housing needs and commissioning of related research (Strategic Housing)
- Parks, Open Space, Cemetery and Tree Management and Development (Cultural Services)
- Pest control treatments (Environmental Health)
- Providing compliance advice and support to the local business community to support business growth (Environmental Health)
- Sports and Health (Public) Provision and Development (Sport and Health Partnerships)
- Street Naming and Numbering (Business Systems and Information)
- Support for the Voluntary and Community Sector (Communities)

Further details of the work undertaken by service areas can be found from pages eight to 41 of the Service Plan.



Business Systems and Information

The unit maintains the definitive source of address data within the authority. The functions of street naming and numbering, Local Land and Property Gazetteer (LLPG) Custodian and Geographical Information Systems (GIS) all operate within this team.

Spatial Data and GIS Technology will support service delivery and underpin Corporate Plan outcomes through:

Bringing key datasets together - GIS has the capability to bring the organisation's data into one place. Spatial analysis enables users to work with data stored across the organisation as well as external data that has been purchased or collected. The LLPG unifies spatial data by giving each location a unique reference, which acts a 'golden thread', linking data sets together.

Exposing hidden relationships - Mapping and analytics platforms allow GIS users to work with layers of data. Users can instantly visualise their data sets on a map and compare against other datasets.

Sharing of Business Intelligence - GIS technology will empower staff to access real-time information, with everyone working off one version of 'truth'. Teams will be much better equipped to make informed decisions as well as respond to customer queries quickly and with accurate information. Key datasets can be published to allow customers to access data directly and facilitating channel shift.

Key aims for Business Systems and Information

Using performance management and business improvement methodologies, the unit will develop a spatial data road map setting out the long-term aims for geographical and address-based data across the Council, promoting the use of this central 'hub' of location-based data to drive efficiency and enhance customer service across all service areas.

Make Data Discoverable; enabling the sharing of information through open data channels. Including the ability to make data discoverable, by creating standard metadata and publishing this through the Government's discovery service.

Promote Data Quality; Maintain and develop an accurate Local Land and Property Gazetteer (LLPG) that provides the basis for key business intelligence used for decision making and strategic service delivery. Provide a central 'hub' of spatial data that is accurate and managed efficiently and effectively.

Enhance Business Intelligence; and embed a culture of working spatially throughout service areas to promote working collaboratively, flexibly and remotely using GIS as the single point of reference to increase efficiency.

Enhance the customer experience through use of spatial data. Ability to record, track and manage customer activities which support modern joined-up service delivery.

Communities

Community Safety:

The team is responsible for facilitating and delivering the work of the local statutory Community Safety Partnership (CSP) and the delivery of its 2017-2020 Community Safety Partnership Plan. The CSP (named the Safer South Derbyshire Partnership) brings together a number of partner agencies who work together to deliver projects and initiatives that will help prevent and reduce crime and disorder in South Derbyshire.

The priorities set out in the plan are delivered in accordance with the Derbyshire Constabulary Strategic Threat and Risk Assessment. The priorities set out in the 2017-20 Partnership Plan are:

- Anti-Social Behaviour (ASB)
- Acquisitive Crime and Offender Management
- Domestic Abuse and Serious Sexual Violence
- Creating Stronger Communities
- Protecting those most at risk
- Alcohol-Related Harm and Substance Misuse

The Communities Team also coordinates six Area Forums attended by the police and Council staff. Through these, funding is provided for local crime reduction projects.

Community Development and Support:

Provide revenue support for communities: more than £298,000 is granted to eight local organisations across the voluntary and community sector. The grants are managed through a rolling three-year service level agreement.

The Community Partnership Officer provides support and advice to the voluntary and community sectors in relation to funding (e.g. funding sources, bid writing and funding strategy) and project development. During 2018/19 there is a £250,000 Community Partnership Grant scheme open for local groups and organisations to bid into to support local capital projects.

Neighbourhood Planning and Parish Plan support is provided, along with the development of volunteering across the service.

Key Aims for Communities

The key aims of the Communities team for the coming year are:

- Enhance neighbourhoods by supporting local community projects and by working with key partners to increase service provision for local people.
- Work with statutory partners, voluntary sector organisations and local communities to tackle crime and disorder in the District.

Performance

Place

Aim	Project	Outcomes
Help maintain low crime and anti-social behaviour (ASB) levels	PL3.2 Number of ASB incidents in Swadlincote Centre (reported as a rolling figure).	<400 incidents per quarter.
Connect with our communities helping them feel safe and secure.	PL4.1 Review and update existing plan. Develop and deliver action plan.	<p>Q1 Work with schools to develop delivery plan for community safety input in schools in 2019/20.</p> <p>Q2 Support delivery of summer activities in urban core hot spot areas for young people to participate in.</p> <p>Q3 Hold Neighbourhood Watch Co-ordinators meeting. Deliver hate crime awareness campaign.</p> <p>Q4 Deliver online safety campaign as part of Safer Internet Day 2018. Review Partnership Plan and develop action plan for 2019/20.</p>

Progress

Aim	Project	Outcomes
Provide support to businesses and the not for profit sector and promote innovation and access to finance including rural areas	PR5.4 Deliver the Community Partnership Scheme and award capital funding totalling £250k to meet local need.	<p>Q1 Public launch. Workshop held to support organisations with applications.</p> <p>Q2 Hold first grants panel and further workshop. Successful applications to be reported back to committee.</p> <p>Q3 Hold second grants panel. Successful applications to be reported back to committee.</p> <p>Q4 Hold third grant panel. Successful applications to be reported back to committee.</p>

Cultural Services

Parks, open space and cemeteries: The division has responsibility for the management of three urban parks covering approximately 15 hectares, the 30 hectare Swadlincote Woodland Forest Park, public open space that currently occupies an area in the region of 60 hectares, six cemeteries, various closed churchyards, 11 football pitches, eight allotment sites and large areas of common land. There is responsibility for the development of 47 equipped play areas.

Leisure facilities: Responsibility for the contracts that cover the management of the Green Bank Leisure Centre, Etwall Leisure Centre and Swadlincote Market. Also responsible for the management of Midway Community Centre and Swadlincote Town Hall and with repair responsibilities for two directly managed village halls, several pavilions and Melbourne Assembly Rooms. We will be involved in the development of a new community facility at Stenson and its future management.

Land drainage: Responsibility for the Council's statutory and discretionary land drainage functions as the land drainage authority, ancillary services during flooding and for investigation after flooding events.

Rosliston Forestry Centre is managed in partnership with the Forestry Commission. It has attracted more than £3 million in external funding over the past 15 years and draws in around 190,000 daytime and overnight visitors per year. Management of the site has recently been taken back in-house and its future strategic direction is under review.

Events: The unit leads or supports delivery of major public events, including the Festival of Leisure, which attracts an estimated 10,000 people over a June weekend, the switching on of the Christmas Lights in Swadlincote Town Centre, Liberation Day, South Derbyshire Day, the Swadlincote Pancake Races as well as performances at the Glade, parks and other open spaces. The support for the Council Chairman and civic events is also undertaken by this unit.

Environmental Education is based at Rosliston Forestry Centre. The partnership between the Council, Rolls-Royce plc and the National Forest Company aims to develop the knowledge, understanding and respect of the environment by young people and adults. In addition to hosting school and other group visits, the team manages events, co-ordinates the District-wide Environmental Forum and Cultural Forum, leads on the local Forest School initiative and continues to deliver contracts for the Woodland Trust and Sainsbury's.

Key Aims for Cultural Services

- Ensure a successful transition to an in-house service at Rosliston Forestry Centre
- Determine the longer term future of Rosliston Forestry Centre
- Complete the joint Playing Pitch Strategy with Derby City
- Review and improve the Section 106 process as it relates to Cultural Services
- Deliver new/improved community facilities in parks, Stenson Fields and Swadlincote
- Review and improve the management of the Council's tree stock
- Create and promote Swadlincote Heritage Trail
- Deliver £70k of improvements to environmental education facilities at Rosliston
- Increase participation in outdoor activity and volunteering

Performance

People

Aim	Project	Outcomes
Increase levels of participation in sport, health, environmental and physical activities	PE4.1 Throughput at Etwall Leisure Centre, Green Bank Leisure Centre and Rosliston Forestry Centre.	<p>Rosliston:</p> <p>Q1 50,000 Q2 60,000 Q3 40,000 Q4 45,000</p> <p>Total 195,000</p> <p>Leisure centres:</p> <p>Quarterly target: 172,108, as per contract agreement.</p>

Place

Aim	Project	Outcomes
Support provision of cultural facilities and activities.	PL5.1 Promote participation in cultural activities and provide quality facilities to support communities.	<p>Q1 Increase attendance (3,000 in 2017) at 'eUReka' (sic), a mix of music, art, sport and food, for 11 to 19 year olds at Eureka Park in Swadlincote.</p> <p>Q2 Install at least 20 plaques and three lecterns as part of the Swadlincote Heritage Trail.</p> <p>Q3 Deliver an event to mark the centenary of the First World War.</p> <p>Q4 Progress construction of new Stenson Community Facility.</p>

Direct Services

Street Scene Team

The Council is a designated Principal Litter Authority and has a statutory duty to keep public open spaces, streets and footpaths free from litter, refuse, fly-tipping, weeds and detritus. In order to achieve this we have a **Street Cleansing** service which enables us to comply with the requirements of the Government's Code of Practice for Litter and Refuse. A team of nine operatives undertakes various cleansing activities, from mechanical sweeping to manual removal of fly-tipping.

We also provide a service to remove graffiti from public locations and, on request, from private property. We endeavour to remove offensive graffiti within 24 hours. The team also undertakes repairs to or replacement/provision of street name plates, bus shelters, public conveniences, litter bins and street furniture.

We undertake **Grounds Maintenance** services as the Council's main contractor. Our primary internal clients are Leisure and Housing Services and our main external clients are Derbyshire County Council and local Parish Councils.

We provide maintenance services on the Council's main parks, one of which currently holds Green Flag status. We work closely with our clients to deliver a wide range of soft landscaping services, including general grass cutting, weed control, sports pitch maintenance, fine turf maintenance, grave digging and cemetery maintenance, playground equipment inspections and repairs, as well as arboriculture services.

We perform our services on public open spaces, highway verges, play areas, parks and recreation grounds, housing open plan areas and sheltered housing schemes.

Waste and Transport Team

We are a designated **Waste Collection Authority** and have a statutory duty under the Environmental Protection Act 1990 to arrange for the collection of household waste and the collection of commercial waste if requested. Furthermore, statutory duties include the need to provide for the collection of a minimum of four different waste streams for the purposes of recycling, these being paper, glass, metals and plastics. We have a statutory duty to recycle and/or compost >50% of all household waste collected by 2020. It is likely that this figure will be increased to 65% by 2030.

We provide a three bin collection service for most households. This is made up of a green bin for the collection of dry recyclable waste; a brown bin for the collection of garden and food waste and a black bin for the collection of residual waste. We provide a service for the collection of bulky household waste items, for which an extra charge is made, and an additional service for the collection of health care waste for residents being treated at home.

We provide eight sites throughout the District where householders can deliver excess recyclable materials and deposit them in recycling banks.

Our commercial waste service is provided to more than 500 local businesses. We offer a range of bin sizes and a number of recycling options. This is a chargeable service for which we maintain competitive rates.

We are required to maintain an operating licence for all vehicles over 3.5 tonnes. We currently have 15 vehicles. These vehicles are subject to specific operating and maintenance regimes and we must satisfy the Traffic Commissioner that we implement and comply with all requirements of our licence. We have two mechanics that repair, service and maintain the **Transport Fleet** made up of 76 vehicles and 40 items of small plant, used by eight different service areas within the Council.

Key Aims for Direct Services

Over the next five years, Direct Services will invest time in planning service delivery so that it is able to continue delivering services that people want and use against a backdrop of increased expectations and a fast-growing population. The service will continue to evolve to meet the challenges faced within the local authority sector, keeping the communities and residents of the District at the heart of what it does and aims to achieve.

We will aim to:

- Reduce the amount of waste going to landfill
- Deliver increased recycling and composting of the waste generated
- Provide clean streets and improve the built environment
- Improve the aesthetics of the District through soft landscaping and grounds maintenance

Performance

People

Aim	Project	Outcomes
Reduce the amount of waste sent to landfill.	PE5.1 Household waste collected per head of population (kg).	Q1 <130kgs Q2 <110kgs Q3 <100kgs Q4 <100kgs Annual <440kgs
Reduce the amount of waste sent to landfill.	PE5.2 % of collected waste recycled and composted.	Q1 >55% Q2 >53% Q3 >47% Q4 >45% Annual >50%

Place

Aim	Project	Outcomes
Deliver services that keep the District clean and healthy.	PL6.1 Invest additional resources in street scene services and maintain and improve standards as the District grows.	Q1 Adopt policies and gain approval for additional resources. Q2 Propose and agree enhanced standards and performance measures. Q3 and Q4 New performance monitoring in place.

Environmental Health

The **Commercial Team** undertakes food safety, health and safety and infectious disease control in accordance with the Council's duties under UK and EU law. This involves checking legal compliance in local businesses as well as offering advice to help compliant businesses achieve their maximum potential. We also investigate disease outbreaks, accidents at work and complaints about unsafe business practices.

The **Pollution Team** carries out the Council's legal duties to prevent and control environmental pollution from all of its different sources. The team investigates complaints about many forms of environmental pollution with the aim of finding a lasting solution, as well as proactively monitoring local environmental conditions such as air quality, land contamination and noise levels to influence local decision-making in a way which maintains environmental standards.

The **Safer Neighbourhood Warden Team** is on the front line of making our streets safer and cleaner by enforcing laws and changing behaviour around anti-social behaviour, dog control and environmental crime. The team investigates incidents of possible environmental crime, such as fly-tipping and dog fouling. They also work closely with the Police to directly prevent and intervene in incidents of anti-social behaviour as well as offering a reassuring uniformed presence in parks and open spaces.

The **Private Sector Housing Team** works closely with owner-occupiers and private landlords to raise housing conditions, improve domestic energy efficiency and ensure that legal standards are being met in all private stock. The team uses a mixture of legal interventions, grants and other funds to help home owners make their own houses safe as well as making sure that landlords are keeping rented houses fit to live in.

Key Aims for Environmental Health

Much of our work in Environmental Health is driven by national and international law and from statutory guidance issued by various Government departments and agencies. Our work over the next five years will, therefore, largely be determined by changes at this level. In addition, based on our knowledge of local demands and need, we have identified aspirational targets and projects which we would like to take forward over the term of this service plan. These will form projects in future revisions of this Service Plan. We will aim to:

- Raise awareness of the nature and extent of regulatory work across the Council;
- Utilise 'behavioural economics' to improve the effectiveness of our regulatory interventions;
- Direct excess food produced at festivals towards local charities rather than disposal;
- Implement compulsory licensing of houses in multiple occupation (HMO);
- Continue to improve the effectiveness of our environmental crime prevention and detection;
- Implement the Energy Efficiency (Private Rented Property) Regulations 2015;
- Minimise the public health impact of exposure to environmental noise;
- Take positive steps to reduce airborne respirable particles;
- Increase income through Primary Authority agreements and other work for third parties;

- Maintain good governance through a full review of procedures, GDPR and data retention practices;
- Seek to promote local economic growth through supporting the D2N2 Local Enterprise Partnership Better Business Regulation three-year plan;
- Enhance economic and environmental conditions by improving our offering through the planning process;
- Improve the services we offer in order to support vulnerable people or prevent residents falling into vulnerability to reduce the cost burden on the NHS.

Performance

Outcomes

Aim	Project	Outcomes
Enhance environmental standards.	O3.1 Uphold strong environmental management standards	<p>Q1. Produce an options appraisal of environmental management systems.</p> <p>Q2. Internal consultation on the environmental management options (e.g. internally managed/externally inspected/externally audited). Produce an energy consumption report for 2017/18.</p> <p>Q3. Seek approval for the agreed environmental management option.</p> <p>Q4. Implement the approved environmental management option</p>

People

Aim	Project	Outcomes
Use existing tools and powers to take appropriate enforcement action	PE3.1 Number of empty home intervention plans for dwellings known to be empty for more than two years.	<p>Q1 ≥ 0</p> <p>Q2 ≥ 2</p> <p>Q3 ≥ 4</p> <p>Q4 ≥ 4</p> <p>Total ≥ 10</p>

Person

Place

Aim	Project	Outcomes
Help maintain low crime and anti- social behaviour (ASB) levels	PL3.1 Downward trend in fly-tipping incidents.	Q1 <172 Q2 <344 Q3 <516 Q4 <688

Progress

Aim	Project	Outcomes
Provide support to businesses and the not for profit sector and promote innovation and access to finance, including in rural areas	PR5.1 Food businesses which have a Food Hygiene Rating score of five.	<83%
Provide support to businesses and the not for profit sector and promote innovation and access to finance, including in rural areas	PR5.2 Registered food businesses active in the District.	≥810

Housing

Housing Operations Team

The key aims for the Housing Operations team are to allocate and manage Council-owned properties in a fair and transparent manner, providing landlord services that are both compliant with regulation and offer customers and tenant services that are considered to be best practice in the region.

We will do this by delivering:

- Transparent allocation of Council properties;
- Housing advice and homelessness services that allow greater engagement with our customers;
- Supported housing services for vulnerable people through the Careline and other support services;
- Community engagement services to establish the needs of our customers and to develop community cohesion and resilience;
- Housing management services to help sustain tenancies and make the best use of our stock;
- Maximising our income from rent.

Housing Services Team (Improvement and Repairs)

The Repair and Improvement Team is responsible for the repair and improvement of Council-owned properties for rent and the provision of services to other residents who require their property to be adapted for their use.

We will do this by:

- Developing a modern day-to-day repairs service that responds to customer needs;
- Developing a long-term evidence-based property improvement plan;
- Ensuring buildings and land are safe, secure and compliant with all safety regulations;
- Maximising our income by minimising the time property is vacant;
- Improving our services to the public who require their homes to be adapted;
- Ensuring that repair and maintenance services are delivered in an efficient manner to maximise value for money.

Strategic Housing Team

The Strategic Housing Team is responsible for the delivery of new affordable housing through the planning process, the Council's new-build programme, and the direct acquisition of new-build homes for use as social housing.

The function overarches all tenures (social housing, private housing and private rented sector) within the District and through research and partnership working delivers new schemes and initiatives that raise housing standards and improve the thermal comfort of homes and the quality of life for residents across the District.

Strategic Housing services are summarised below:

- Delivery of affordable housing
- Negotiation of Section 106 agreements and planning conditions to ensure the appropriate mix of new housing is built within the District
- Commissioning of research to inform future investment and policy decisions
- Responsibility for utilising the Better Care Fund allocation to promote independence and prevent hospital admissions
- Establishing schemes that tackle homelessness and its root causes
- Ensuring funding opportunities are maximised to deliver the front-line housing services
- Compiling and co-ordinating the delivery of the Housing Strategy
- Provision of the Council's allocation policy and housing register
- Working with our Registered Provider partners to ensure a consistent approach to the development and management of social housing is maintained across the District.

Business Support Team

The Business Support unit provides administrative support to Housing Services to deliver a high quality of service to our tenants and provides system administration and development skills to enhance our key business systems.

Performance and Projects co-ordinates service improvement and performance management by researching best practice, analysing and reporting performance data and driving through change to reach or maintain top quartile performance and improve the service received by our customers. The function also provides support across a range of short and long-term projects aimed at improving services for tenants and maintaining high levels of satisfaction.

Former tenant and sundry debt, such as garages, is collected by our **Income Officer**. This service is critical to maximise the income from tenants. This post also co-ordinates our offer to leaseholders, managing the process of billing and ensuring that all monies owed are collected.

Key Aims for Housing

Over the next five years, Housing will face a number of challenges including changes brought about by Welfare Reform and other legislative issues coming from the Housing and Planning Act and the Housing Green Paper. To meet housing demand, we need to increase the supply of affordable housing across the District against a backdrop of a reduction in income through rent reduction and lower Government grants. To manage this we need to ensure that we maximise our income through rent collection and that the services we deliver are efficient and effective and meet the increased expectations of our customers. We are also seeing a channel shift towards online delivery of services and need to modernise how we deliver our services to meet expectations.

To address these we aim to:

- Explore methods of delivering new affordable homes, including working in partnership with others;
- Continue our proactive approach to preventing homelessness, extending our advisory services and fulfilling our obligations under the Homelessness Reduction Act;
- Maximise rent collection through the full roll-out of Universal Credit;
- Provide tenants with easy access to services by modernising systems and mobilising the workforce;
- Improve the use of digital technology to enhance service delivery;
- Deliver against the objectives set out in the Housing Strategy;
- Deliver against the objectives set out in the Asset Management Strategy;
- Develop a new model for delivering our Supported Housing Services;
- Introduce a range of measures to obtain customer data and gather feedback to inform our future service delivery;
- Work in conjunction with health and social care partners to deliver joined up services that tackle health and housing inequality;
- Deliver more adapted housing, supported housing and extra care housing to meet the needs of the aging population.

Performance

Outcomes

Aim	Project	Outcomes
Maintain financial health	01.2 Rent arrears as a % of the rent due.	<2.5%.
Maintain customer focus	05.3 To gather customer satisfaction data in a cost-effective way and use the data to manage and improve services.	<p>Q1 Review the method of collection for all satisfaction across Housing Services. Finalise Survey of Tenants and Residents (STAR) Survey.</p> <p>Q2 Investigate alternative methods of collecting satisfaction across Housing Services. Carry out the Star survey.</p> <p>Q3 Present satisfaction review findings to Elected Members. Collate Star Survey results and share with the Performance and Scrutiny Panel.</p> <p>Q4 Implement the new satisfaction data collection method. Submit report to H&CS Committee sharing the Star Survey results and key actions. Incorporate into Corporate Action Plan for 2019/20.</p>

People

Aim	Project	Outcomes
Enable people to live independently	PE1.1 % of residents satisfied with the quality of their new home.	>90%
Enable people to live independently	PE1.2 Average time taken to re-let Council homes (excluding major voids).	<21 days
Enable people to live independently	PE1.3 Average length of time for current voids.	<21 days
Protect and help support the most vulnerable, including those affected by financial challenges.	PE2.1 Total number of tenancy audits completed.	250 Quarterly target
Protect and help support the most vulnerable, including those affected by financial challenges.	PE2.2 Number of successful introductory tenancies.	97%
Protect and help support the most vulnerable, including those affected by financial challenges.	PE2.5 Successful roll out of Universal Credit in South Derbyshire.	<p>Q1 Infrastructure put in place for shared roll out. Publicise in partnership with Derby City. Contact all affected tenants, explore auto- payment options and promote transactional bank accounts.</p> <p>Q2 Commence shared postcode roll out in July. Monitor progress and impact.</p> <p>Q3 Publicise and commence roll out on remaining cases.</p>

		<p>Monitor and maintain tenant engagement in line with initial rollout.</p> <p>Q4 Monitor progress and impact on throughputs, rent arrears and resources.</p>
<p>Protect and help support the most vulnerable, including those affected by financial challenges.</p>	<p>PE2.6 Deliver the Pilot Hospital Discharge Scheme.</p>	<p>Q1 Identify two units and gain approval for scheme suitability. Gain approval at April Better Care Fund board for use of funding.</p> <p>Q2 Compile and agree service level agreement joint protocol with Adult Social Care and NHS to deliver project. Furnish units in preparation for handover.</p> <p>Q3 Incorporate support delivery and seek approval from Secretary of State to take two units outside Housing Revenue Account (2013 Housing Consents).</p> <p>Q4 Launch Hospital Discharge Scheme in South Derbyshire and sign and seal lease agreements.</p>

Place

Aim	Project	Outcomes
Facilitate and deliver a range of integrated and sustainable housing and community infrastructure	PL1.1 Total number of affordable dwellings delivered.	>150 (annual target).
Facilitate and deliver a range of integrated and sustainable housing and community infrastructure	PL1.2 Number of new homes added to the HRA (this indicator incorporates new builds and also acquired properties into the HRA).	Proxy

Planning Services

As a result of the population growth, the Planning Service has experienced significant increases in the volume and complexity of planning applications over the last five years. In addition, the planning profession continues to see considerable change as national expectations and customer demand increases. As such, a review of Planning Services is underway to ensure that best and most efficient use of resources is made.

Preparing and monitoring the statutory **Local Plan** sets out the long-term growth strategy for South Derbyshire. This includes identifying how essential infrastructure will be provided and funded. The policy team works closely with adjacent authorities in the wider Derby Housing Market Area (HMA) on strategic issues such as housing, employment, transport and the Green Belt. Specialist advice and support is provided in relation to more than 700 listed buildings and 22 conservation areas and on the quality of design of major proposals to secure design excellence. The Council now has an adopted Local Plan to cover development in the District through to 2028.

The **Development Management** team dealt with more than 1,000 planning applications in 2017/18. The diverse nature of the District means that a wide variety of applications are received. Officers, under the scheme of delegation, determine approximately 90% of applications. The remainder are determined by Elected Members at Planning Committee. Free, informal advice is provided to developers and householders. Development Management also deals with planning appeals, along with Tree Preservation Orders and consent for works to trees.

An average of 300 **Planning Enforcement** complaints regarding potential contravention of planning and associated legislation are investigated each year.

In terms of **Building Control**, officers appraise schemes and monitor building works that require building regulation approval. This work is won in competition with approved inspectors in the private sector. The unit is recently showing a decline in market share and therefore fee income. As such, in the interests of economy, the service will join South Staffordshire Building Control Partnership in the coming year to provide the service for South Derbyshire going forward.

Key Aims for Planning Services

The key aims of Planning Services for the coming year are:

- Ensure the transfer of Building Control to the SSBC Partnership;
- Implement the recommendations of the Planning Service Review;
- Deliver key supplementary planning and development plan documents;
- Improve the management of Section 106 agreements;
- Increase the proactive monitoring and support of housing delivery;
- Further improve the design quality of development in the District.

Performance

Place

Aim	Project	Outcomes
Facilitate and deliver a range of integrated and sustainable housing and community infrastructure	PL1.3 Relevant supplementary documents to Local Plan delivered and adopted.	Q1 Committee approval of draft Statement of Community Involvement and Local Green Spaces Document for consultation.
Facilitate and deliver a range of integrated and sustainable housing and community infrastructure	PL1.4 Number of planning decisions made in time over number of decisions made.	90%
Facilitate and deliver a range of integrated and sustainable housing and community infrastructure	PL1.5 Maximise delivery of housing units.	<p>Q1 Housing survey completed.</p> <p>Q2 Review of progress on all 'major' housing sites. Commence proactive intervention.</p> <p>Q3 Continuing intervention and formulating action plans where necessary.</p> <p>Q4 Report to E&DS committee on progress of housing delivery.</p>
Facilitate and deliver a range of integrated and sustainable housing and community infrastructure	PL1.6 Proportion of good quality housing development schemes (defined using Build for Life criteria) approved.	90% (annual target)

Progress

Aim	Project	Outcomes
Work to attract further inward investment.	PR1.1 Net additional commercial/employment floor space created	Number of square metres. (Proxy). Annual target, to be reported in quarter two.
Unlock development potential and ensure the continuing growth of vibrant town centres.	PR2.1 Undertake a five-year progress review of Swadlincote Town Centre Vision and Strategy.	Q1 Undertake review of actions/achievements. Q2 Consult with stakeholders. Q3 Update E&DS Committee on current position. Q4 Implement committee decisions.
Unlock development potential and ensure the continuing growth of vibrant town centres.	PR2.2 Vacant premises in Swadlincote, Hilton and Melbourne (proxy).	Proxy. To be reported twice a year.

Sport and Health Partnerships

Active Community Development: This involves developing an infrastructure, through partnership working, to enable local people to become involved in physical activity, sport and recreation as a vehicle for health improvement, social inclusion and community development. This is principally undertaken through the Council's membership of Active South Derbyshire and Active Derbyshire. This area of work supports capital projects to ensure that site development plans achieve funder outcomes, along with maximising opportunities of new and existing facilities to improve and deliver physical health and wellbeing opportunities.

Play Development and Provision: This work involves delivering a range of outreach provision for young people in the District throughout the holiday periods with numerous participations being achieved annually. This is made possible by working in partnership with Parish Councils and key partners such as Safer South Derbyshire to have a comprehensive offer, particularly over the Summer Holidays.

Public Health Development and Improvement: This area of work leads on health promotion and further improving the overall wellbeing of residents. It also delivers a range of Public Health Contracts including the Live Life Better Scheme locally and works with Public Health to manage the local Health and Wellbeing Group.

Get Active in the Forest is a project which has engaged local people in activities including walking, cycling, outdoor pursuits and archery. The project oversees the Walking for Health Scheme across the District and also manages the National Forest Walking Festival with a range of partners including the National Forest Company and Economic Development Unit. The Get Active Projects aim is to engage our least active into increasing their physical activity levels. It also delivers social and community cohesion through a wide range of volunteers.

Active Schools Partnership: The unit is commissioned by the primary and secondary schools in the District to deliver the school sport agenda. This includes sport competitions, curricular and extra-curricular activity, leadership and volunteering, physical activity programmes and teacher training.

Key Aims for Sport and Health Partnerships

The key aims of Sport and Health Partnerships (Active Communities and Health Team) for the coming year are:

- Ensure the team is aligned to our new strategic direction to support the communities of South Derbyshire to lead active and healthy lifestyles
- Continue to deliver the Physical Activity, Sport and Recreation Strategy
- Enable partners of Active South Derbyshire and the South Derbyshire Partnership to maximise opportunities for the residents of South Derbyshire.

Performance

People

Aim	Project	Outcomes
Increase levels of participation in sport. health, environmental and physical activities	PE4.2 Delivery of the Physical Activity, Sport and Recreation Strategy.	<p>Q1 Increased participation in the National Forest Walking Festival.</p> <p>Q2 Increased participation in the summer activity programme.</p> <p>Q3 Delivery of awards evening to recognise individual, club and community contributions.</p> <p>Q4 Increase number of volunteers through Active South Derbyshire.</p>
Develop the workforce of South Derbyshire to support growth.	PE6.1 Deliver the RISE project to help young people to flourish and achieve their potential.	<p>Q1 Officially launch project with ambassador and award-winning film director Deborah Haywood.</p> <p>Q2 Establish internal project board to shape direction and activity for RISE.</p> <p>Q3 Ascertain levels of aspiration via consultation with secondary school pupils in South Derbyshire.</p> <p>Q4 Critically evaluate project and reach. Set action plan for 2018/19.</p>

Workforce of Service Delivery Directorate

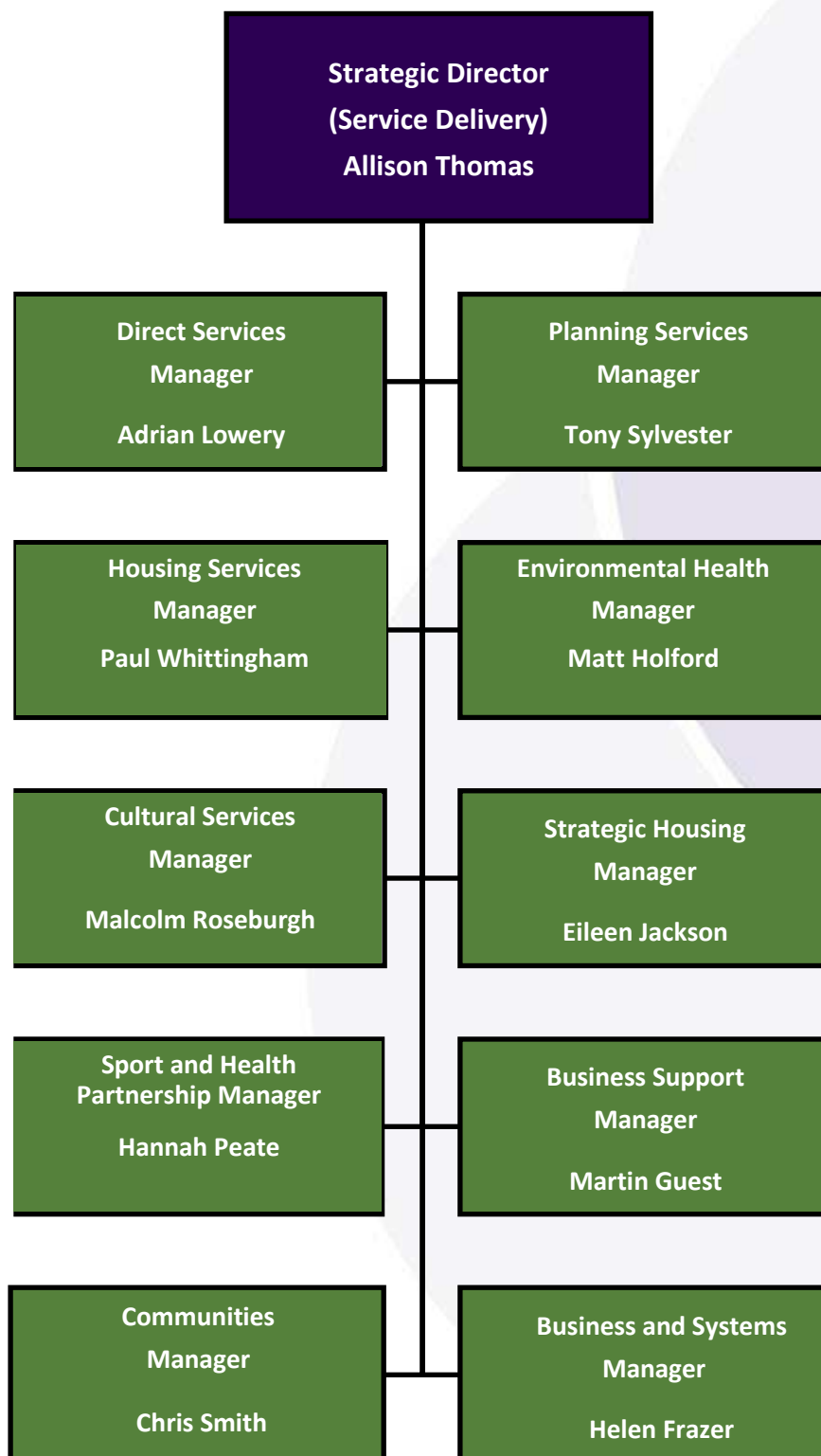
In terms of workforce development, an annual training and development plan is produced after Performance Development Reviews are held. Some homeworking opportunities are provided and flexible working is considered crucial to motivate and engage high-performing staff.

As of March 31, 2018, 216 (FTE) employees work in Service Delivery, including the Director. This can be broken down as follows:

Service area	Employee (FTE)
Business Systems & Information	5.62
Communities	3.81
Cultural Services	16.6
Direct Services	78.6
Environmental Services	14.3
Housing Services	54.1
Housing Business Support	8
Housing Strategy	3
Planning Services	22.9
Sport and Health Partnerships	8.07
Service Delivery Director	1
Total	215

Service Structure

The structure of the directorate, showing each service area, is detailed below:



Budgets

Revenue budget 2018/19

The directorate's budget for 2018/19 is outlined in the following table. The amounts represent the **net revenue cost** to the Council of delivering these services, including staffing, supplies and services etc.

Service Area	Fund	Expenditure	Income	Net Revenue Budget 2018/19
Business Systems & Information	General	231,942	-38,000	193,942
Communities	General	505,397	-88,068	417,329
Cultural Services	General	1,814,105	-728,513	1,085,592
Direct Services	General	5,387,921	-2,082,094	3,305,827
Environmental Health	General	703,368	-169,500	533,868
Housing Services	HRA	4,300,852	-329,362	3,971,490
Housing Services	General	1,205,978	-404,583	801,395
Housing Business Support	HRA	3,221,731	-12,341,351	-9,119,620
Housing Business Support	General	30,908	-7,200	23,708
Housing Strategy	HRA	74,526	0	74,526
Housing Strategy	General	105,187	0	105,187
Planning Services	General	1,413,588	-1,084,848	328,740
Sport and Health	General	534,068	-333,436	200,632
Total		19,529,571	-17,606,955	1,922,617

Capital budget 2018/19

The directorate's capital budget for 2018/19 is outlined in the following table:

Project	Fund	Capital budget
Major Improvements under Self-financing	HRA	1,743,000
Council New Build Lullington Road	HRA	751,513
Major Disabled Adaptations (Council Houses MRA)	HRA	375,000
Disabled Facility Grants and other Works	General	836,000
Strategic Housing Market Assessment	General	50,000
Private Sector Stock Condition Survey	General	60,000
Swadlincote Woodlands Nature Reserve	General	37,000
Rosliston Forestry Centre - Play Project	General	130,000
Community Partnership Scheme	General	250,000
Swadlincote Heritage Opportunities project	General	268,948
Vehicle Replacements	General	633,040
Total		£5,134,501

Partnerships

Our significant partnerships are outlined below:

Partnership	Main purpose
Active Schools Partnership	Partnership approach to delivering the National, County and Local outcomes for young people's health and wellbeing across the Schools network and beyond.
Active South Derbyshire	Partnership of bodies having an interest in promoting physical activity, sport, recreation and health in the District.
D2N2 Better Business Regulation Partnership	Collaboration of businesses and regulatory authorities to promote economic growth through positive regulatory outcomes.
Derbyshire County Council	Delivery of the Derbyshire Waste Management Strategy
Derbyshire Police	Respond effectively to crime and ASB
Derbyshire Traveller Issues Working Group	Co-ordinating a county wide approach to dealing with Gypsies and Travellers.
East Staffordshire Borough Council	Compostable waste processing contract
Emergency Planning	Shared service delivery with Derbyshire County Council to ensure civil resilience.
Etwall Joint Management Committee	Partnership between SDDC, John Port School and County Council to operate the Leisure Centre.
External contractors	Delivery of planned and responsive service contracts and capital improvements
HIA (Home Improvement Agency)	Provide support to vulnerable households to improve house conditions.
Homes England	SDDC has investment partner status with Homes England to deliver new build council housing across the District
LEAP (Local Energy Area Partnership)	Provide advice and guidance on a range of carbon reduction initiatives.
Melbourne Sporting Partnership	Sports club, Parish and District Council partnership that is developing facilities and opportunities at the Cockshut Lane Recreation Ground.

Nottinghamshire Consortium	Refuse vehicle procurement framework
Out of Hours Dangerous Building Service	A service provided in partnership with East Staffordshire Borough Council.
P3	Provision of homelessness temporary accommodation
Registered providers	Working with housing organisations to develop affordable housing across the District
Rosliston Forestry Centre Executive	Partnership between SDDC and Forestry Commission to operate the Forestry Centre.
Safer South Derbyshire Partnership	Statutory partnership to reduce the level of crime and disorder
South Derbyshire CAB	Debt advice for tenants
South Derbyshire CVS	Support on community projects and welfare reform
South Derbyshire Partnership	Statutory partnership of public, private and voluntary sector to promote the District. The Partnership has theme groups which focus on health, community safety and sustainable development.
Swadlincote Cultural Partnership	Partnership of public, private and voluntary sector organisations that work to promote the heritage and environment of Swadlincote.

Additional considerations

Business Change

In order for the Directorate to positively meet opportunities and challenges, it will create and develop innovative solutions which will help to deliver the outcomes that communities need and want at a cost the Council can afford. This includes embracing the corporate approach to Business Change and constantly reviewing working practices and use of technology to improve the efficiency and effectiveness of services.

Environmental impact

By implementing the requirements of ISO 14001 across all significant environmental aspects associated with Community and Planning Directorate, this Service Plan seeks to ensure continual improvement of our environmental performance.

Further information can be found at: <http://sddcintranet/index.php/essentials/83-ems>

Managing risks

The process set out in our Risk Management Strategy has been adhered to. The risk registers are reported back to committee on a quarterly basis.

Monitoring and review

This Service Plan will be monitored on a quarterly basis as part of our Performance Management Framework and will be used throughout the year to manage service delivery.



Service Plan 2018/2019

Chief Executive's Directorate

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All information presented in this Service Plan was correct at the time of publication.

Introduction

The Corporate Plan 2016-2021 forms an important part of planning for the future and leads our performance management. As well as enabling effective monitoring, it links strategic priorities and objectives directly to the activities of service areas.

As part of this, Service Plans are created for our three directorates - Corporate Resources, Service Delivery and the Chief Executive's.

Covering the 2018-2019 financial year, the Service Plans (updated annually) align current delivery arrangements with changing patterns of demand, making the most effective use of available and future resources.

Key aims

All priorities and activities undertaken by the Chief Executive's Directorate complement our collective vision of making 'South Derbyshire a better place to live, work and visit'.

We will:

- positively contribute towards Council policies and procedures
- deliver continuous improvements in performance
- ensure compliance with relevant legislation
- maintain a strong customer focus
- ensure a widespread understanding of core values, key aims and performance measures and encourage participation in their development
- communicate clearly, effectively and decisively
- ensure that data quality principles are applied
- encourage a positive health and safety culture

All of these contribute to the main themes running through the Corporate Plan of People, Place, Progress and Outcomes.

The importance of service planning

Delivery of public services occurs in an increasingly dynamic environment, with high community expectations, Government priorities and technological advances.

While the budgetary setting is constrained, there are ever increasing pressures and demands to do more with less.

In this context, it is essential that services are well planned, with the capability to evolve in order to meet community needs.

This allows us to identify requirements and associated enabling services such as technology, workforce, funding, capital infrastructure and information management.

Performance Management Framework

The Performance Management Framework sets out what needs to be achieved, what is measured and managed and what progress we are making.

Our resources must be aligned, focusing effort in the right places and delivering maximum value for people, partners and businesses.

We must proactively identify and manage any risks that might affect delivery, regularly reviewing performance and taking action where required to stay on target and inform decision making.

The Performance Management Framework consists of three levels. The Corporate Plan sits at the top and sets out how we make South Derbyshire a better place to live, work and visit.

Objectives and measures to deliver against the key aims of the Corporate Plan are defined in Service Plans and shape the objectives of all employees.

Everyone, from Officers to Managers to Elected Members, has a responsibility for delivery of the Corporate Plan.

Scene setting

Overview of the Directorate

The Chief Executive's Directorate plays a key role in meeting our strategic objectives for supporting People, Place, Progress and successful Outcomes.

The department is made up of seven service areas:

- Legal Services
- Democratic Services
- Elections
- Licensing
- Economic Development
- Communications
- Human Resources

The directorate provides a wide range of services to internal and external customers, including Elected Members, officers, the electorate, businesses, partners, central Government, all levels of local Government and the general public.

Below is a breakdown of statutory and non-statutory duties undertaken by each service area:

Functions of the Monitoring Officer

The Legal and Democratic Services Manager is also appointed to carry out the statutory role of Monitoring Officer in accordance with the Local Government and Housing Act 1989 and Local Government Act 2000.

The Monitoring Officer's responsibilities include:

- Maintaining the Constitution
- Ensuring lawfulness and fair decision making and specifically the Council, its Officers and Elected Members maintain the highest standards of conduct at all times
- Maintaining the Registers of Disclosable Pecuniary Interests for Elected Members
- Receiving/determining Elected Member Code of Conduct complaints
- Proper Officer for access to information
- Providing advice and assistance on matters such as illegality, maladministration, Elected Member conduct, registers of interest, declarations of interest at meetings, Constitution
- Corporate governance

Legal Services

Work is undertaken in relation to a broad range of Council functions. The demands placed upon the section require officers to demonstrate a broad base of legal knowledge and a considerable degree of flexibility in their work.

Contentious work:

- Civil litigation
- Criminal litigation
- Enforcement
- Tribunals and inquiries

Non-contentious work:

- Conveyancing
- Contracts
- Miscellaneous agreements

Legal advice:

- Probity
- Compliance
- Powers and duties
- Statutory powers
- Procedure and decisions
- Civil and criminal litigation

Democratic Services

Democratic Services is responsible for the management and administration of the Council's modernised committee process, delivering an effective and impartial decision-making mechanism for the Council, its Elected Members, officers and the public.

The structure consists of:

- Three policy committees (Finance and Management, Housing and Community Services, Environmental and Development Services)
- Two regulatory committees (Planning and Licensing and Appeals)
- Overview and Scrutiny Committee
- Standards Committee
- Audit Sub-Committee

There is also responsibility for the following:

- Preparation and despatch of reports, agendas and minutes for the Council and its various committees, sub-committees, working panels and other ad hoc meetings
- Arrangement of all Council and committee meetings, including the preparation of the annual cycle of meetings
- The provision of advice to ensure compliance with the Council's Constitution and the law and procedure of meetings
- Administering the Elected Member Allowances Scheme
- Ensuring access to information of agendas and minutes on the Council's website

Elections

Areas of responsibility include the following:

- Maintain and update the Register of Electors on a rolling basis
- Administer Parish, District, County, Parliamentary, European elections and Referenda
- Carrying out a canvass of the District and compiling, publishing and maintaining a Register of Electors on December 1 each year
- Enabling the register to be updated on a continual basis
- Promoting Individual Electoral Registration (IER) in order to maximise registration
- Registering special category electors
- Processing and determining applications for absent voters

Licensing

The Licensing section is responsible for the administration, compliance and enforcement of the following areas of legislation:

- Licensing Act 2003
- Gambling Act 2005
- Private hire licensing
- Pet shops
- Animal boarding establishments
- Dog breeding
- Zoos
- Dangerous wild animals
- Riding establishments
- Street trading
- Sex establishments
- Tattooists, electrolysis, acupuncture, semi-permanent skin colouring, piercing
- Scrap metal dealers
- House to house and street collections

Economic Development

(All non-statutory duties)

The Economic Development service leads on the implementation of the Economic Development Strategy for South Derbyshire. The strategy's ambitions for 2016-2021 are as follows:

BUSINESS: Business support, access to finance and innovation

1. To attract new **inward investment**, plus reinvestment by existing businesses
2. To provide **business support**, advice and signposting (including financial, exporting, innovation and other assistance)
3. To promote the development of the area's **key sectors**, such as manufacturing and tourism

SKILLS: Recruitment, employment and skills

4. To work with businesses to meet their **workforce needs**, raising skill levels and productivity
5. To address **employability** barriers, such as work-readiness, and the accessibility of work and training
6. To equip young people with the skills and resources to realise their potential, promoting entrepreneurship and matching their **aspirations** with knowledge of the local economy

INFRASTRUCTURE: Infrastructure for economic growth

7. To provide a range of **employment sites** and premises, and pursue associated infrastructure improvements
8. To seek improvements to access and **connectivity** - both transport links, sustainable travel modes and services, and superfast broadband and mobile telephone coverage
9. To support vibrant **town centres** as commercial, community and service centres

The Economic Development service is responsible for:

- Working in partnership with local, sub-regional and regional agencies and partnerships to develop the local economy and the workforce.
- Promoting inward investment - attracting business and employment to the District through the marketing of the area and available sites and premises, together with the provision of assistance to potential UK and overseas investors.
- Supporting business development - providing advice and support to new and existing businesses directly and through the development of structures and support networks. This includes delivery of the South Derbyshire Business Advice Service.
- Developing and securing funding for projects, which contribute to the economic development of the area.

- Ensuring that the skills of the area's workforce meet the needs of local businesses.
- Promoting and developing tourism - attracting visitors from the UK and overseas to South Derbyshire and The National Forest through marketing and promotion and the development of the tourism 'product' (attractions, accommodation, activities etc).
- Providing information to visitors and local residents about events, attractions and accommodation through the operation of the Swadlincote Tourist Information Centre
- Supporting the continued revival of the town centres through marketing, development, events and festivals. This includes contributing to the Swadlincote Town Centre Vision and Strategy.
- Monitoring trends in the local economy and undertaking research to support the development of projects and proposals.
- The service also supports the South Derbyshire Partnership, in particular the Board and Sustainable Development theme group.

Communications

The work of the Communications team is central to keeping residents, customers, employees, stakeholders and other parties informed. As per our Communications Strategy 2016-2021, our priorities are as follows:

- Effectively engage residents and encourage two-way conversation
- Uphold and strengthen the Council's excellent reputation
- Utilise a digital approach to reach a wider audience
- Promote opportunities for partnership working
- Develop and maintain trust and raise customer satisfaction
- Help us achieve our organisational objectives and vision against the Corporate Plan
- Work across multi channels appropriate to different stakeholders
- Ensure people understand what we do
- Demonstrate the success of our work
- Raise awareness of how the Council continues to deliver value for money

News about our initiatives, campaigns and services reaches the public in a variety of ways. The Communications Team plays a key part in making sure that correct, up to date and relevant information is available. This is done using a range of channels to make information accessible, engaging and interesting to different audiences.

Examples include:

- social media (including Twitter, Facebook, YouTube)
- Website
- media releases/queries, broadcast interviews, journalist briefings, photocalls

- carefully planned consultation exercises with residents, businesses, staff and community groups
- annual reports and promotional materials
- brand management - making sure that Council services and property are clearly designed in the corporate style
- Better online (the intranet)
- Internal communications including staff newsletter, focus groups and briefings

The Communications Team supports all services to develop communications plans for specific issues and to provide service information and literature in plain, clear language. Other areas of responsibility include:

- Achievement of actions contained within the Council's Communications, Social Media and Consultation strategies
- Production of quarterly performance information for all Council Services. Host quarterly Performance Board meetings with unit managers
- Continuously review, co-ordinate and produce the Corporate Plan, Service Plans and Performance Management Framework in line with the timetable set
- Co-ordinate the Corporate Equalities and Safeguarding Group and ensure services are accessible to all
- Run media and social media training for officers and Elected Members

Human Resources

The Human Resources team provides professional advice and support for the effective management, deployment, control and continuous improvement of the workforce and services. It is responsible for:

Organisational strategy and development

To promote workforce planning and ensure the Council has a suitably skilled workforce now and in the future, supporting organisational change and improvement and identifying opportunities to work with partners to build capacity for the provision of services.

Learning, training and development

To increase the skills and capacity within the workforce through promoting learning opportunities, providing effective employee development programmes and working towards competencies and qualifications that are relevant to job roles and individual needs.

To work with any trade union learning representatives and other partners to maximise resources and develop alternative methods to address training needs.

Health and safety

To provide advice, support and training to ensure the Council maintains effective management arrangements in relation to health and safety. This involves ensuring compliance with legislation and statute and actively promoting safe working practices within the Council and by any third party undertaking work on our behalf.

Pay and rewards

The development and maintenance of a fair, competitive and affordable pay and benefits structure that promotes the effective recruitment and retention of staff and is free from any inequality.

Recruitment and selection

The continuous improvement of recruitment and selection practices to promote the Council as an employer of choice locally and nationally and ensuring equality of opportunity for existing and potential employees.

Employee relations

Working in partnership with employees and representatives through effective consultation mechanisms and procedures to promote a positive employee relations culture.

Employment

Establishing fair and transparent employment practices to ensure the Council remains compliant with legislation and statute and is seen to promote best employment practice. This includes the development of options to ensure that employees can achieve an appropriate work/life balance.

Human Resources advice and guidance

Supporting managers, Elected Members and partners through the provision of advice on key employment policies and changes in legislation/ best practice. We also offer support on matters of discipline, capability, grievance, attendance, employee welfare and any other employment related matter.

Human Resources administration

To provide accurate and complete employment documentation and ensure that appropriate controls are in place to support the effective management of the Council's establishment.

Workforce

As of April 1, 2018, 22 employees work across the Chief Executive's Directorate. Of these, 10 are based in Legal and Democratic Services, three in Economic Development, three in Communications and five in Human Resources. The other is the Chief Executive.

In terms of workforce development, an annual training and development plan is produced after Performance Development Reviews are held. Some homeworking opportunities are provided and flexible working is considered crucial to motivate and engage high performing staff.

Budgets

Details of the budgets for the Chief Executive's Directorate for 2018/19 are outlined below:

Revenue budget 2018/19

Service Area	Revenue budget 2018/19
Legal and Democratic Services	£723,338
Economic Development	£245,686
Communications	£149,658
HR (including Health and Safety)	£250,332
Procurement	£15,207
Total	£1,384,220

Performance

The Performance Board details our key projects for the year. These are broken into quarters where possible to help us monitor and manage our performance effectively.

All actions are essential if the Council is going to achieve its ambitions and aspirations. These are complemented by a set of performance measures which will help us to gauge whether we are meeting outcomes and providing excellent services.

In some instances, proxy measures will be used. These are outside of the Council's control but provide an indication of the overall health of the District.

All projects and measures for the Chief Executive's Directorate are listed below under the themes of People, Place, Progress and Outcomes. Projects and measures with a reference number before them are classed as strategic.

People measures

Aim	Project	Outcomes
Develop the workforce of South Derbyshire to support growth	Maintain unemployment below UK average	Unemployment rate (proxy)

People projects

Aim	Project	Outcomes
Using existing tools and powers to take appropriate enforcement action	Improve standard of vehicles within South Derbyshire through initiatives	Undertake 3 x multi-agency private hire initiatives and one private hire operator initiative
Using existing tools and powers to take appropriate enforcement action	Identify unlicensed premises/operators within the District	Identify any unlicensed premises/operators through various channels and take steps to ensure they are licensed
Using existing tools and powers to take appropriate enforcement action	Ensure compliance with licences	Undertake inspections of private hire operators, scrap metal and animal licences
Using existing tools and powers to take appropriate enforcement action	Quarterly report on enforcement activity to Overview and Scrutiny Committee	Provide enforcement activity information for production of report

Progress measures

Aim	Project	Outcomes
Work to maximise the employment, training and leisure uses of The National Forest by residents and increase the visitor spend of tourists.	Operate Swadlincote Tourist Information Centre, together with associated business, event and destination marketing activity.	<p>Q1 Number of enquiries: Well Dressing Guide.</p> <p>Q2 Number of enquiries; Publish What's On; Accommodation Guide on Council website.</p> <p>Q3 Number of enquiries; Publish What's On.</p> <p>Q4 Number of enquiries; Publish What's On; Food and Drink Guide.</p>
Provide business support and promote innovation and access to finance, including in rural areas	PR5.3 Guidance offered to businesses or people thinking of starting a business (through the South Derbyshire Business Advice Service)	<p>Quarter 1 40</p> <p>Quarter 2 30</p> <p>Quarter 3 30</p> <p>Quarter 4 40</p>

Progress projects

Aim	Project	Outcomes
Work to attract further inward investment	Showcase developments and investor opportunities in South Derbyshire.	Publish two editions of vacant commercial property bulletin and market vacancies on social media. Promote town centre opportunities.
Unlock development potential and ensure the continuing growth of vibrant town centres.	Support organisations staging town centre events, working with partners such as Swadlincote Town Team.	<p>Q1 Swadlincote Wedding Fair, Festival of Transport (funding only).</p> <p>Q2 Ay Up Me Duck Day; Hello Heritage/Heritage Open Days.</p> <p>Q3 Christmas/Small Business Saturday.</p> <p>Q4 Pancake Races.</p>
Unlock development potential and ensure the continuing growth of vibrant town centres.	Engage the public and businesses in celebrating local history and maintaining an attractive environment.	Implement the heritage lectern project. Work with businesses and the local community to tidy-up the public realm.

Unlock development potential and ensure the continuing growth of vibrant town centres.	PR2.1 Undertake a five-year progress review of Swadlincote Town Centre Vision and Strategy.	<p>Q1 Undertake review of actions/achievements.</p> <p>Q2 Consult with stakeholders.</p> <p>Q3 Update E&DS Committee on current position.</p> <p>Q4 Implement committee decisions.</p>
Unlock development potential and ensure the continuing growth of vibrant town centres.	PR2.3 Pursue the development of transport solutions for a West Link (Swadlincote, Newhall, Ashby, Melbourne, East Midlands Airport) in collaboration with East Midlands Enterprise Gateway.	<p>Q1 N/A.</p> <p>Q2 Seek approval for involvement and potential investment from Elected Members and set project milestones accordingly.</p>
Work to maximise the employment, training and leisure uses of The National Forest by residents and increase the visitor spend of tourists	PR3.1 Promote entrepreneurial opportunities to improve employability skills and raise awareness of self-employment.	<p>Q1 Increase participation in Love Your Local Market Enterprise Fortnight.</p> <p>Q2 Develop a Heritage Trail App with college students.</p> <p>Q3 Deliver Thinking of Starting a Business workshops.</p> <p>Q4 Develop and implement a workshop for educational institutions to explore setting up a tourism business/activity as part of Tourism Week.</p>
Work to maximise the employment, training and leisure uses of The National Forest by residents and increase the visitor spend of tourists.	Enhance the online promotion of public events.	Evaluate options and pursue chosen solution.
Work to maximise the employment, training and leisure uses of The National Forest by residents and increase the visitor spend of tourists.	Explore the feasibility of a Business Improvement District.	Seek approval for involvement and support the project Steering Group accordingly.
Provide support to businesses and the not for profit sector and promote innovation and access to finance.	Promote business development, including links with Toyota City.	Q1 Marketing workshop; Meet the Buyer (Construction) event. Exporting event with Toyota Manufacturing UK.

		<p>Q2 Toyota City Trade Fair. Toyota City visit to UK.</p> <p>Q3 Business Awards. Toyota City visit to UK.</p> <p>Q4 Tourism and Rural Business Advice Fair.</p>
Provide support to businesses and the not for profit sector and promote innovation and access to finance, including in rural areas.	Review and enhance data resources, including Tractivity company database.	Improve the quality and quantity of data, ensuring GDPR compliance.
Work with partners to address shared challenges.	Support the South Derbyshire Partnership, including Board, SCG and SDG, plus associated initiatives.	Facilitate the operation of the Partnership, including reviewing the budget and updating the constitution.
Bring together employers, educational institutions and training providers in pursuit of a workforce that will meet future needs.	Increase employer engagement with educational institutions to improve employability skills and raise aspirations, working with the Skills and Employment Group.	<p>Q1 Encourage businesses to participate in mock interviews.</p> <p>Q2 Explore a mentoring pilot.</p> <p>Q3 Explore tools to promote work placement opportunities.</p> <p>Q4 Devise a programme of activities for 2019/20.</p>
Bring together employers, educational institutions and training providers in pursuit of a workforce that will meet future needs.	Bridge the skills gap by improving knowledge of the local economy, aligning aspirations and raising awareness of opportunities, careers and independent advice.	<p>Q1 Deliver Jobs and Skills Fair.</p> <p>Q2 Develop a local labour market guide.</p> <p>Q3 Explore an online solution to promote careers.</p> <p>Q4 Promote National Careers Week.</p>

Outcomes measures

Aim	Measure	Outcomes
Maintain a skilled workforce	Ensure ongoing training and development for individuals and groups of employees where applicable.	<p>04.1 95% of all employees to complete mandatory training</p> <p>04.2 95% of employees to have an annual performance appraisal</p>

Maintain a skilled workforce	04.1 The average working days lost per employee.	Q2 To complete analysis of 2017/18 outturn and recommend actions to improve attendance Q4 Less than eight days per year (two days per quarter). To be broken down into short and long term sickness absence.
Maintain a skilled workforce	Raise awareness of the internal rolling news channel and promote success stories on Better online	Attract more than 1,250 hits per month
Maintain customer focus	Provide functionality for greater transactions and interactions online.	Maintain accurate information on the Council's website with new content edited and published within two working days. Online forms to be created within agreed timeframes.
Maintain customer focus	Response to media and social media enquiries to provide insight and better inform PR activity.	Approved response given to all media enquiries within two working days. Social media requests to be dealt with in one working day (unless otherwise stated to customer).
Maintain customer focus	Enhance the Council's reputation and sell its vision	Minimum of 10 press releases delivered per month
Maintain customer focus	Build brand identity and recognition	Standard design requests, such as changes to existing templates, will be completed in 10 working days. Non-standard requests, such as completely new projects, will be finalised in 20 working days.

Outcomes projects

Aim	Project	Outcomes
To encourage people to register to vote	Highlight the importance of registering to vote	Publication of revised register
Promote and enable active democracy	Organise a canvass to produce revised register of electors in December.	Electors are registered in accordance with their franchise and the new register is published by the deadline.

Promote and enable active democracy	Organise and deliver by-elections.	Ensure any by-elections are conducted in accordance with the law.
Promote and enable active democracy	Encourage active involvement in local democracy.	Raise awareness of educational visits/work experience placements to the Civic Offices.
Promote and enable active democracy	Encourage active involvement in local democracy.	Visits out to educational establishments as part of Local Democracy Week.
Maintain proper corporate governance	02.1 Compile and publish an Annual Governance Statement in accordance with statutory requirements.	An unqualified opinion in the Annual Audit Letter.
Maintain proper Corporate Governance	Maintain a proper Risk Management Framework.	Strategic and service risk registers reviewed, updated and reported to policy committee on a quarterly basis.
Maintain proper Corporate Governance	Audit of Risk Management Framework	Work with internal audit to ensure the framework preserves the Council's assets and enhances safety and productivity for residents, service users and employees.
Maintain proper Corporate Governance	Develop and implement Regarding Procedure	Ensure all posts are evaluated and graded in accordance with the Council's pay structure.
Maintain proper Corporate Governance	Ensure the Corporate Plan continues to evolve.	Review, co-ordinate and produce the Corporate Plan in line with the timetable set. Production of quarterly performance information for all Council services.
Maintain customer focus	Develop the use of technology to increase electronic communication channels for customers.	Q3 Roll out of new e-recruitment solution in partnership with Derbyshire County Council. Q3 Move on to MyView dashboard and develop the use of the Expenses Module Q4 Provide new Display Screen Equipment (DSE) on-line training and monitoring solution for all DSE users
Maintain customer focus	Provide functionality for greater processing online.	Q1 Establish Financial Transactions Project Board.

		<p>Q2 Engage departments and undertake full audit of transactions carried out by the authority, processes and risks/ opportunities</p> <p>Q3 Submit business case to standardise financial transactions across website, payment machines and automated telephony system</p> <p>Q4 Select solution and devise action plan</p>
Maintain customer focus	Provide greater options and flexibility for residents to transact and interact with the Council online	<p>Q1. Update data privacy notice and online forms to ensure website and other channels are GDPR compliant.</p> <p>Q2. Wide ranging review of all content and structure.</p> <p>Q3. Wide ranging review of all content and structure.</p> <p>Q4. Outline action plan for 2019/20.</p>
Maintain customer focus.	Develop a Social Media Strategy and increase use of video to provide easy and innovative options for residents to engage with the Council.	<p>Q1 Finalise strategy, evidence base and action plan.</p> <p>Q2 Adopt strategy following approval at Full Council meeting.</p> <p>Q3 Delivery of action plan. Explore ad campaigns and video content.</p> <p>Q4 Delivery of action plan. Update to reflect latest trends and best practice.</p>
Maintain customer focus	Build brand identity and recognition	Undertake an audit of Council branding to coincide with new website domain. Devise action plan based on findings.
Maintain customer focus	Deliver the Equalities and Safeguarding Action Plan to demonstrate its principles are embedded in service delivery.	<p>Q1 Deliver a campaign around Mental Health Awareness Week.</p> <p>Q2 Devise action plan for gender pay gap and Workforce Profile</p>

		<p>Q3 Ascertain levels of aspiration (for RISE project) via consultation with secondary school pupils in South Derbyshire.</p> <p>Q4 Create Equalities and Safeguarding annual report and agree action plan</p>
Maintain customer focus and a skilled workforce	Deliver the Council's Communication, Internal Communications and Consultation Strategies.	<p>Achievement of actions.</p> <p>Produce SDDC annual report for 2017/18 and gain all relevant approvals by August 31, 2018.</p> <p>Create new look communications dashboard to capture analytics.</p>
Maintain a skilled workforce	<p>O4.2 Use the decision-making methodology identified by the Local Government Association review.</p>	<p>Q1: Report approved by the Council on proposed changes to the current staffing structure.</p> <p>Q2: Full consultation completed with staff and trade unions.</p> <p>Q3: Revised structure in place and employment issues resolved.</p> <p>Q4: Commence Local Government Association Peer Review.</p>
Maintain a skilled workforce	To commence a review of terms and conditions employment	<p>Q2 To identify and commence discussions with Trade Unions on changes to current terms and conditions</p> <p>Q4 To have agreement on revised terms and conditions of employment and implement across the workforce.</p>
Maintain a skilled workforce	Deliver the Council's Health and Safety Action Plan to maintain an effective H&S management framework	<p>Q3 Attainment of RoSPA accreditation</p> <p>Q4 Achievement of action plan</p>
Maintain a skilled workforce	To review and implement a corporate approach for reducing risk to staff who visit premises and/or lone working	<p>Q2 Potentially Violent Persons Policy adopted</p> <p>Q2 Lone working solution implemented and training provided to staff (SoloProtect)</p>

		Q3 Corporate warning marker system in place
	To complete a review of annual PDR process	Agreed revisions to PDR process to be implemented
Maintain a skilled workforce	To complete a review of the mandatory training programme	Revised programme in place
	To develop and provide Customer Care Training	Increased awareness of effective customer service and consistency of service provided to customers
Maintain a skilled workforce	Disclosure and barring	To move all checks for employment onto the on-line self-service system.
		Q1 Finalise action plan.
Maintain a skilled workforce	Deliver phase II of Better online (the Intranet)	Q2 Submit business case and undertake wide ranging review of documents.
		Q3 Restructure Intranet and modernise design
		Q4 Increase volume of online forms and introduce room booking system

Partnerships

Our significant partnerships are outlined below:

Partnership	Main purpose
Derbyshire Constabulary	Joint working for promotion of licensing objectives
Derbyshire Trading Standards	Joint working for promotion of licensing objectives
Derbyshire Licensing Group	Support, advice and guidance and sharing of best practice
South Derbyshire Partnership	Partnership of public, private and voluntary/community sector organisations focusing on health and wellbeing, safer communities and sustainable development.
National Forest and Beyond Partnership	Forest-wide partnership aiming to develop the destination and increase visitor spend.
Derbyshire Economic Partnership	County-wide partnership to promote economic development.
D2N2 Local Enterprise Partnership	Derby, Derbyshire, Nottingham and Nottinghamshire partnership to promote economic development.
Sharpe's Pottery Heritage and Arts Trust Ltd	Delivery of Tourist Information Centre and related activities.
Derbyshire County Council	County-wide solution for e-recruitment

Key considerations

Service transformation

In order for the Directorate to positively meet opportunities and challenges, it will create and develop innovative solutions which will help to deliver the outcomes communities need and want at a cost the Council can afford. This includes embracing the corporate approach to Business Change and constantly reviewing working practices and use of technology to improve the efficiency and effectiveness of services.

Environmental impact

By implementing the requirements of ISO 14001 across all significant environmental aspects associated with the Chief Executive's Department, this Service Plan seeks to ensure continual improvement of our environmental performance.

Further information can be found at: <http://sddcintranet/index.php/essentials/83-ems>

Managing risks

The process set out in our Risk Management Strategy has been adhered to. The risk registers are reported back to committee on a quarterly basis.

Monitoring and review

This Service Plan will be monitored on a quarterly basis as part of our Performance Management Framework and will be used throughout the year to manage service delivery.

REPORT TO:	ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE	AGENDA ITEM: 9
DATE OF MEETING:	31st MAY 2018	CATEGORY: DELEGATED/ RECOMMENDED
REPORT FROM:	CHIEF EXECUTIVE	OPEN/EXEMPT PARAGRAPH NO:
MEMBERS' CONTACT POINT:	EMMA MCHUGH 01283 595716 emma.mchugh@south- derbys.gov.uk	DOC:
SUBJECT:	KEY PERFORMANCE INDICATORS – LICENSING DEPARTMENT	REF:
WARD(S) AFFECTED:	ALL	TERMS OF REFERENCE:

1. Recommendations

- 1.1 That Members note the performance of the Licensing Department in relation to the Key Performance Indicators

2. Purpose of Report

- 2.1 To provide Members with an update on the Licensing Department and the Key Performance Indicators

3. Detail

- 3.1 As part of the audit of the Licensing Department held in 2014, service standards were put in place with regards to target times for the processing of complete applications and dealing with any complaints received by the Department.
- 3.4 The Licensing Department will provide a quarterly update as to the Department's performance against the service standards. The results for the previous quarter are:

Private Hire Licensing

Type of Licence Application	February 2018 to April 2018
Private Hire Vehicles (5 days)	100%
Private Hire Drivers (10 days)	No applications received
Private Hire Operators (5 days)	No applications received

Licensing Act 2003

Type of Licence Application	February 2018 to April 2018
Personal licence (10 days).	100%
Grant of premises licence (15 days after grant)	100%
Variation of designated premises supervisor (15 days after grant)	95%
Transfer of premises licence holder (15 days after grant)	100%
Variation of premises licence (15 days after grant)	100%
Minor variation of premises licence (15 days after grant)	100%
Temporary event notice (1 day)	100%

Enforcement

Type of Application	February 2018 to April 2018
Acknowledgement of complaint within 2 days	100%
Letter detailing works required within 10 days	100%
Notify complainant of outcome of investigation within 10 days	100%

4. Financial Implications

- 4.1 There are no financial implications to the Council.

5. Corporate Implications

- 5.1 The service standards demonstrate that we support local businesses whilst protecting local residents which contribute directly to the corporate vision to make South Derbyshire a better place to live, work, and visit, and to the theme of sustainable growth and opportunity and safety and security.

REPORT TO:	ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE	AGENDA ITEM: 10
DATE OF MEETING:	31ST MAY 2018	CATEGORY: DELEGATED/ RECOMMENDED
REPORT FROM:	CHIEF EXECUTIVE	OPEN/EXEMPT PARAGRAPH NO:
MEMBERS' CONTACT POINT:	EMMA McHUGH 01283 595 716 emma.mchugh@south-derbys.gov.uk	DOC:
SUBJECT:	CHARITABLE COLLECTIONS POLICY – REQUEST FOR EXCEPTION	REF:
WARD(S) AFFECTED:	ALL	TERMS OF REFERENCE:

1. Recommendations

- 1.1 That Members consider a request for an exception to the Charitable Collections Policy (attached at **Appendix 1**) by allowing Phoenix Children's Foundation to have Shetland ponies accompanying their collectors during a street collection.

2. Purpose of Report

- 2.1 To provide Members with the necessary information to be able to give full consideration to the recommendation contained in paragraph 1 of this report.

3. Detail

- 3.1 Street collections are governed by the Police, Factories, Etc (Miscellaneous Provisions) Act 1916 and require permits to be in place which are issued by the Licensing Authority for any charitable collection held in any street or public place.
- 3.2 A Charitable Collections Policy was approved by this Committee on 14th April 2016 and ratified by Full Council on 19th May 2016 following an 8 weeks consultation with all persons who have been granted a permit previously, any relevant organisations and members of the public via the Council's website. Phoenix Children's Foundation were consulted as a body who had held a permit previously. No response was received from Phoenix Children's Foundation during the consultation period.
- 3.3 Paragraph 5.6 of the Charitable Collections Policy states 'No animals are permitted to accompany collectors during the collection without prior written approval of the Licensing Authority.' This was introduced at the request of Cultural Services, prior to the consultation exercise, due to the number of negative comments received by

the Town Centre Manager, Cultural Services and the Licensing Section from members of the public when animals have accompanied collectors during street collections.

- 3.3 On 7th February 2018, an application was received from Phoenix Children's Foundation for a street collection to be held in Swadlincote and Melbourne. The application form requested permission that Shetland ponies accompany the street collectors. In line with current Policy, written approval was not provided for the Shetland ponies to accompany the street collectors after consultation with the Cultural Services. As the street collection was permitted without the Shetland ponies, Phoenix Children's Foundation made an official complaint.
- 3.4 As the Policy was approved by this Committee, Members are asked whether they wish to allow Shetland ponies to accompany street collections carried out by Phoenix Children's Foundation.
- 3.5 Phoenix Children's Foundation have submitted a letter with supporting documentation in relation their request (attached at **Appendix 2**).
- 3.6 Members are reminded; allowing an exception to the Policy may invite applications from other organisations requesting permission to have animals accompany their collectors.

4. Financial Implications

- 4.1 There are no financial implications to the Council.

5. Corporate Implications

- 5.1 There are no corporate implications to the Council.



SOUTH DERBYSHIRE DISTRICT COUNCIL

Charitable Collections Policy

Version 1: 19th May 2016

1. INTRODUCTION

HOUSE TO HOUSE COLLECTIONS

- 1.1 House to house collections are governed by the House to House Collections Act 1939 ('the 1939 Act') and the House to House Collections Regulations 1947, as amended.
- 1.2 As a general rule, house to house collections for charitable, benevolent or philanthropic purposes, whether or not the purpose is charitable within the meaning of the rule of law, are required to be licensed by the Licensing Authority which is South Derbyshire District Council.
- 1.3 The definition of 'collection' extends beyond requests for money, to include the sale of magazines, requests for unwanted clothing and household items, visits to persuade persons to buy goods etc where any part of the proceeds may go to charity.
- 1.4 The only exception to the general rule is organisations that have been granted an Exemption Certificate by the Home Office under the provisions of the 1939 Act. This Certificate allows an organisation to collect in the District without applying for a licence from the Licensing Authority. The organisation will not be exempted from the regulations or provisions of the 1939 Act and the organisation must inform the Licensing Authority of the dates and areas of any planned collections.

STREET COLLECTIONS

- 1.5 The Licensing Authority is empowered under Section 5 of the Police, Factories, Etc (Miscellaneous Provisions) Act 1916 ('the 1916 Act') to license collections made in 'any street or public place' for 'charitable or other purposes'.
- 1.6 'Street' is defined as including any highway and any public bridge, road, lane, footway, square, court, alley, or passage, whether a thoroughfare or not.
- 1.7 The definition of a 'public place' will include the entranceways to shops. Although the foyer of a supermarket could be considered to be behind 'closed doors' and subject therefore only to the discretion and approval of the manager, any collector straying outside and/or into the car park would require a licence.
- 1.8 The Charitable Collections (Transitional Provisions) Order 1974 sets out model street collections regulations which have been adopted by the Licensing Authority.

2. AIMS

- 2.1 The aims of the Licensing Authority in respect of the licensing of charitable collections are to:

- Safeguard the interests of both public donors and beneficiaries;
- Facilitate well organised collections by bona fide charitable institutions and to ensure that good standards are met; and
- Prevent unlicensed collections from taking place.

3. OBJECTIVES

- 3.1 In order to achieve its aims in respect of licensing of charitable collections, the Licensing Authority has identified the major issues and sought to tackle them through this Policy with the intention of:
- Ensuring impartiality and fairness in determining applications;
 - Accommodating all eligible requests, subject to capacity, and bearing in mind that certain days and locations are especially sought after;
 - Providing equality of opportunity for would-be collectors;
 - Avoiding undue nuisance to the public;
 - Setting fair maximum limits for one applicant;
 - Achieving a fair balance between local and national causes;
 - Forming links and improving communications with other organisations with a direct or indirect involvement in the licensing and administration of charitable collections such as the Police, Trading Standards, the Charity Commission, parish councils and local charitable institutions, etc.
- 3.2 This Licensing Authority recommends that all organisations adhere to the Institute of Fundraising's Code of Fundraising Practice. A copy of this code of practice can be found at www.institute-of-fundraising.org.uk

4. HOUSE TO HOUSE COLLECTIONS

GENERAL PRINCIPLES

- 4.1 Charities must be registered with the Charity Commission or be a charitable organisation based within the District of South Derbyshire.
- 4.2 Wherever possible, only one organisation shall be permitted to collect per day. More than one organisation will be permitted if the collection is taking place in different areas of the District. Applications will be dealt with on a first come first served basis.
- 4.3 In general, organisations shall not be permitted to hold more than two collections throughout the District or part thereof during one calendar year. This shall be at the discretion of the Senior Licensing Officer.
- 4.4 Where further requests are received from charities that hold a Home Office exemption to collect on dates which have already been allocated, a formal request will be made for them to consider an alternative date.
- 4.5 Applications will only be accepted for charitable collections to be held in the current or next calendar year.
- 4.6 The Licensing Authority appreciates that expenses/costs will be incurred by organisations when carrying out clothing collections and that, through the process of collecting and sorting the clothes, value is added. However, expenses/costs deducted by the organisation must still be reasonable.

- 4.7 With regards to clothing collections, it is very difficult to determine applications based on the percentage of proceeds that are given to the charities as every organisation works differently and percentages might not reflect the true amount given to charities. Trustees of a charity have the legal duty to ensure that they act in the best interests of the charity including any contract entered into with a commercial operator. On this basis, this Licensing Authority will ask all charities to provide a declaration stating that they have performed due diligence and are happy with the remuneration going to charitable objectives. This will place the onus on the charities streamlining the application process for all parties involved.
- 4.8 The applicant must forward a financial return form to the Licensing Authority within one month of the date of the collection showing details of the monies collected. No permit will be issued to any applicant that has failed to forward the financial return form in respect of previous collections.

APPLICATION PROCEDURE

- 4.9 The Licensing Authority operates a diary system to log in collections therefore the applicant is encouraged to contact the Licensing Authority before submitting an application in order to check the available dates for any collection.
- 4.10 Applications are to be made in writing on the form provided together with the information requested. Where possible, the use of electronic forms will be encouraged.
- 4.11 Applications must be received at least one month before the date of the proposed collection. In order for the necessary checks to be carried out and to leave time for the necessary prescribed badges and certificates to be ordered and received from Her Majesty's Stationary Office (HMSO), it is advised that applications are submitted a minimum of 3 months before the proposed date of collection. Any applications received less than the 28 days before the proposed first date of collection will be declined. This requirement may be waived in exceptional circumstances at the discretion of the Senior Licensing Officer.
- 4.12 If an application is to be made by a commercial organisation collecting on behalf of a charity, the following information must be submitted with the application:
- Literature about the charity benefitting from the collection;
 - Copy of published accounts for the last two years;
 - Copy of statement of accounts from the last three or four collections carried out (including collections held in other Licensing Authority areas);
 - Declaration from the charity that they are happy with the remuneration from the collection;
 - Letter from the charity authorising the promoter to undertake a collection on their behalf, if the promoter is not an official of the charity; and
 - An agreement or contract details with any registered charity or individual benefiting from this collection.

This information will not be required if a charity is collecting on their own behalf or if the application is from a voluntary organisation.

- 4.13 Applications will be considered on receipt and, where appropriate, additional information may be requested from the applicant to assist in determining the application. The failure to provide adequate information in the application form or upon request will result in a refusal or a delay in consideration until any outstanding information has been provided.
- 4.14 No collection should take place until the organisations is in receipt of the permit. To collect, before the determination of the application, would be an offence under the 1939 Act.
- 4.15 Applications will be considered by the Licensing Authority on their respective merits and the Licensing Authority will either:
- (a) Issue a permit specifying the requested date and location; or
 - (b) Refuse to issue a permit on the grounds detailed below.
- 4.16 The Licensing Authority can refuse or revoke a permit for various reasons including:
- To limit the number of collections in line with this Policy at the discretion of the Senior Licensing Officer;
 - If too high a proportion of the proceeds is likely to be spent on expenses;
 - If not enough of the proceeds are to be given to the charity or cause;
 - If incorrect information was provided on the application form;
 - If no return was received in relation to a previous collection;
 - If the promoter or any other person involved in the collection has breached the legislation or regulations in relation to previous collections;
 - If the promoter or any other person involved in the collection has been convicted of certain criminal offences i.e. burglary, blackmail or fraud or any offence committed under the Act.

This list is not exhaustive.

- 4.18 There is a right of appeal to the Secretary of State against the refusal or revocation of a permit within 14 days from the date on which the notice is given of the refusal or revocation.
- 4.19 During the collection, the promoter must ensure that collectors are 'fit and proper' persons and that they comply with the regulations. A copy of the house to house regulations is attached to this Policy at Appendix 1.
- 4.20 The promoter must forward to the Licensing Authority a financial return form showing details of the monies collected within one month of the collection.

5. STREET COLLECTIONS

GENERAL PRINCIPLES

- 5.1 Charities must be registered with the Charity Commission or be a charitable organisation based within the District of South Derbyshire.
- 5.2 Wherever possible, only one organisation shall be permitted to collect per day. More than one organisation will be permitted if the collection is taking place in different areas of the District. Applications will be dealt with on a first come first served basis.
- 5.3 Organisations shall not be permitted more than one permit per year to carry out charitable street collections within the same location on a Friday or Saturday.
- 5.4 In general, organisations shall not be permitted to hold more than two collections throughout the District or part thereof during one calendar year. This shall be at the discretion of the Senior Licensing Officer.
- 5.5 No payment must be made to any collector, or to any other person connected with the promotion or conduct of the collection, indirectly or directly, out of the proceeds of the collection without the approval of the Licensing Authority. In general, payments to collectors are discouraged as it is contrary to the objective of maximising income to charitable institutions. Reimbursement of reasonable expenses is generally accepted provided that it is within an acceptable overall proportion of the total collected. All collections will be considered on an individual basis but all payments will be subject to agreement with the Licensing Authority in advance.
- 5.6 No animals are permitted to accompany collectors during the collection without prior written approval of the Licensing Authority.

APPLICATION PROCEDURE

- 5.7 The Licensing Authority operates a diary system to log in collections therefore the applicant is encouraged to contact the Licensing Authority before submitting an application in order to check the available dates for any collection.
- 5.8 Applications are to be made in writing on the form provided together with the information requested. Where possible, the use of electronic forms will be encouraged.
- 5.9 Applications shall be received at least one month before the proposed date of the collection. This requirement may be waived if there are special reasons for doing so as decided by the Senior Licensing Officer.
- 5.10 The application will be considered on receipt and, where appropriate, additional information may be required from the applicant to assist in determining the application. The failure to provide adequate information in the application form or upon request will result in a refusal or a delay in consideration until any outstanding information has been provided.
- 5.11 No collection should take place until the organisations is in receipt of the permit. To collect, before the determination of the application, would be an offence under the Act.

- 5.12 Applications will be considered by the Licensing Authority on their respective merits and the Licensing Authority will either:
- (a) Issue a permit specifying the requested date and location; or
 - (b) Refuse to issue a permit.
- 5.13 There are no restrictions as to the grounds for refusing an application for a street collection permit however, in determining an application; the Licensing Authority will consider the past conduct of the applicant in particular with regards to the applicant's compliance with the legislation and regulations. There is currently no right of appeal against a decision of the Licensing Authority to refuse or revoke a permit for a collection.
- 5.14 There shall be no more than 5 collectors at any one time during the collection. The number of collectors can be increased with the written approval of the Licensing Authority.
- 5.15 During the collection, the promoter must not allow anyone to collect money, or sell goods, unless they have been given written authority. The promoter must ensure that all people acting as collectors are fit and proper persons and comply with any appropriate legislation. A copy of the street collections regulations are attached to this Policy as Appendix 2.
- 5.16 The promoter must forward to the Licensing Authority a financial return form showing details of the monies collected within one month of the date of the collection. No permit will be issued to any applicant that has failed to forward the financial return form in respect of previous collections.

6. UNLICENSED COLLECTIONS

- 6.1 The Licensing Authority takes breaches of both Acts very seriously and will take the necessary legal action against any organisation that operates within the District without the correct permit.
- 6.2 Information will be posted on the Council's website for members of the public in relation to unlicensed or fraudulent collections. This information will include how to report any such activity to the Licensing Authority for enforcement action to be taken. An up to date list of current collections will be available on the Council's website for the benefit of the public and any potential applicants.

7. DIRECT DEBITS

- 7.1 In relation to street collections, the collection of direct debits for charitable purposes does not need to be licensed by way of a street collection permit.
- 7.2 With regards to house to house collections, many organisations do not believe that direct debits fall under the remit of the 1939 Act however the 1939 Act defines collection as 'an appeal to the public, made by means of visits from houses to house, to give, whether for consideration or not, money or other property.'
- 7.3 It is the view of this Licensing Authority that direct debits can be classed as the 'giving of money' and therefore direct debit collections would fall under the

remit of the 1939 Act. This Licensing Authority requires that all direct debit collections are licensed by way of a house to house collection permit.

8. CONTACT DETAILS

Anybody wishing to contact the Licensing Authority with regard to this Policy can do so as follows:

In writing to South Derbyshire District Council
 Licensing Department
 Civic Way
 Swadlincote
 Derbyshire
 DE11 0AH

By email to licensing@south-derbys.gov.uk

By telephone 01283 595716

DOCUMENT HISTORY

Issue 1 – May 2016



**South
Derbyshire
District Council**

HOUSE TO HOUSE COLLECTION ACT 1939
AND
HOUSE TO HOUSE COLLECTION REGULATIONS 1947

1. Every promoter of a collection shall exercise all due diligence
 - (a) to secure that persons authorised to act as collectors for the purposes of the collection are fit and proper persons; and
 - (b) to secure compliance on the part of persons so authorised with the provisions of these Regulations.
2. No promoter of a collection shall permit any person to act as a collector, unless he has issued or caused to be issued to that person:-
 - (a) a prescribed Certificate of Authority duly completed and signed by or on behalf of the chief promoter of the collection;
 - (b) a prescribed badge which must state a general indication of the purpose of the collection; and
 - (c) if money is to be collected, a collecting box or receipt book marked with a clear indication of the purpose of the collection and a distinguishing number, which indication and number shall, in the case of a receipt book, also be marked on every receipt contained therein in addition to the conservative number of the receipt.
3. Every promoter of a collection shall exercise all due diligence to secure:-
 - (a) that no prescribed certificate of authority, prescribed badge collecting box or receipt book is issued, unless the name and address of the collector to whom it is issued have been entered on a list showing in respect of any collecting box or receipt book the distinguishing number thereof; and
 - (b) that every prescribed certificate of authority, prescribed badge, collecting box or receipt book issued by him or on his behalf is returned when the collection is completed or when for any other reason a collector ceases to act as such.
4. In the case of a collection in respect of which a licence has been granted:-
 - (a) every prescribed Certificate of Authority shall be given on a form obtained from H.M. Stationery Office, and every prescribed Badge shall be so obtained; and

- (b) every prescribed certificate of authority shall be authenticated, and the general indication on every prescribed badge of the purpose of the collection shall be inserted therein or annexed thereto, in a manner approved by the local authority for the area in respect of which the licence was granted.
5. No person **under the age of 16 years**, shall act or be authorised to act as a collector of money.
6. No collector shall importune any person to the annoyance of such person, or remain in, or at the door of, any house if requested to leave by any occupant thereof.
7. The promoter of a collection must furnish an account of the collection in the form prescribed to the Licensing Authority within one month of the expiry of the licence.

DEFINITIONS

8. **"Charitable Purpose"** means any charitable, benevolent, or philanthropic purpose.
- "Collection"** means an appeal to the public, made by means of visits from house to house to give **whether for consideration or not, money or other property**.
- "Collector"** means a person who makes the appeal in the course of such visits.
- "House"** includes a place of business.
- "Proceeds"** means, in relation to a collection, all money **and all other property given, whether for collection or not**, in response to the appeal.
- "Promoter"** means a person who causes others to act as collectors for the purpose of the collection.

ENVELOPE COLLECTIONS

Envelope collections may not be carried out unless the promoter has the express permission of the Secretary of State.

FOR FURTHER INFORMATION

9. For further information, reference should be made to the Act and Regulations which are obtainable from H.M. Stationery Office, P.O. Box 569, London, SE1 9NH, or through any bookseller.
10. Enquiries in connection with these matters may also be addressed to:

**South Derbyshire District Council
Civic Way
Swadlincote
Derbyshire, DE11 0AH**



POLICE, FACTORIES, & C. (MISCELLANEOUS PROVISIONS) ACT 1916

STREET COLLECTION REGULATIONS

1. In these Regulations, unless the context otherwise requires:-
 - “collection” means a collection of money or sale of articles for the benefit of charitable or other purposes and the word “collector” shall be construed accordingly;
 - “promoter” means a person who causes others to act as collectors;
 - “the licensing authority” means South Derbyshire District Council;
 - “permit” means a permit for a collection;
 - “contributor” means a person who contributes to a collection and includes a purchaser of articles for sale for the benefit of charitable or other purposes;
 - “collecting box” means a box or other receptacle for the reception of money from contributors.
2. No collection, other than a collection taken at a meeting in the open air, shall be made in any street or public place within the South Derbyshire District unless a promoter shall have obtained from the licensing authority a permit.
3. Application for a permit shall be made in writing not later than one month before the date on which it is proposed to make a collection:
 - Provided that the licensing authority may reduce the period of one month if satisfied that there are special reasons for doing so.
4. No collection shall be made except upon the day and between the hours stated on the permit.
5. The licensing authority may, in granting a permit, limit the collection to such streets or public places or such parts thereof as it thinks fit.
6. (i) No person may assist or take part in any collection without the written authority of a promoter.

(ii) Any person authorised under paragraph (i) above shall produce such written authority forthwith for inspection on being requested to do so by a duly authorised officer of the licensing authority or any constable.

7. No collection shall be made in any part of the carriageway of any street which has a footway:

Provided that the licensing authority may, if it thinks fit, allow a collection to take place on the said carriageway where such collection has been authorised to be held in connection with a procession.

8. No collection shall be made in a manner likely to inconvenience or annoy any person.
9. No collector shall importune any person to the annoyance of such person.
10. While collecting:-

- (i) a collector shall remain stationery; and
- (ii) a collector or two collectors together shall not be nearer to another collector than 25 metres:

Provided that the licensing authority may, if it thinks fit, waive the requirements of this Regulation in respect of a collection which has been authorised to be held in connection with a procession.

11. No promoter, collector or person who is otherwise connected with a collection shall permit a person under the age of 16 years to act as a collector.
12.
 - (i) Every collector shall carry a collecting box.
 - (ii) All collecting boxes shall be numbered consecutively and shall be securely closed and sealed in such a way as to prevent them being opened without the seal being broken.
 - (iii) All money received by a collector from contributors shall immediately be placed in a collecting box.
 - (iv) Every collector shall deliver, unopened, all collecting boxes in his possession to a promoter.
13. A collector shall not carry or use any collecting box, receptacle or tray which does not bear displayed prominently thereon the name of the charity or fund which is to benefit nor any collecting box which is not duly numbered.
14.
 - (1) Subject to paragraph (2) below a collecting box shall be opened in the presence of a promoter and another responsible person.
 - (2) Where a collecting box is delivered unopened, to a bank, it may be opened by an official of the bank.
 - (3) As soon as a collecting box has been opened, the person opening it shall count the contents and shall enter the amount with the number of the collecting box on a list which shall be certified by that person.

15. (1) No payment shall be made to any collector.
- (2) No payment shall be made out of the proceeds of a collection, either directly or indirectly, to any other person connected with the promotion or conduct of such collection for, or in respect of, services connected therewith, except such payments as may have been approved by the Licensing Authority.
16. (1) Within one month after the date of any collection the person to whom a permit has been granted shall submit to the licensing authority:
- (a) a statement in the form set out in the Schedule to these Regulations, or in a form to the like effect, showing the amount received and the expenses and payments incurred in connection with such collection, and certified by that person and a qualified accountant;
- (b) a list of the collectors;
- (c) a list of the amounts contained in each collecting box;
- and shall, if required by the licensing authority, satisfy it as to the proper application of the proceeds of the collection.
- (2) The said person shall also, within the same period, at the expense of that person and after a qualified accountant has given his certificate under paragraph (1)(a) above, publish in such newspaper or newspapers as the licensing authority may direct a statement showing the name of the person to whom the permit has been granted, the area to which the permit relates, the name of the charity or fund to benefit, the date of the collection, the amount collected, and the amount of the expenses and payments incurred in connection with such collection.
- (3) The licensing authority may, if satisfied there are special reasons for doing so extend the period of one month referred to in paragraph (1) above.
- (4) For the purposes of this Regulation "a qualified accountant" means a member of one or more of the following bodies:-
- the Institute of Chartered Accountants in England and Wales;
the Institute of Chartered Accountants in Scotland;
the Association of Certified Accountants;
the Institute of Chartered Accountants in Ireland.
17. These regulations shall not apply:-
- (a) in respect of a collection taken at a meeting in the open air; or
- (b) to the selling of articles in any street or public place when the articles are sold in the ordinary course of trade.
18. Further information may be obtained from:-

- (i) The Charity Commission Direct, PO Box 1227, Liverpool, L69 3UG – 01823 345096
- (ii) The Stationery Office, TSO Publications, 85 Buckingham Gate, London, SW13 6PD – 0333 2025070



Phoenix
Children's Foundation
Charity No: 1117115

Dear Committee Members,

The Phoenix Children's Foundation Ponies

This letter will give you a little more information about our ponies; how they fit into our organisation, and how well we care for them.

We are a local registered children's charity; our miniature Shetland ponies are used as fundraising mascots and as therapeutic petting ponies when we visit care homes schools or hospices. They are loved by everyone who meets them and help us enormously in all areas of our charitable work so, understandably, their welfare is paramount to us.

When visiting Swadlincote, we would bring between two and four miniature Shetland ponies, each accompanied by one of our trained volunteer handlers (all of whom have a minimum of four years' experience) and on lead rope at all times.

Our ponies are very used to having the public around them, and are selected for their temperament. They are almost exclusively bred at the well-respected Moor Joy Stud which specialises in breeding the finest quality animals. The Stud very kindly donates the majority of our ponies. The other ponies come from excellent homes and are also selected for their temperament.

When not working, our ponies live in their own stables in Packington. We are confident that they are amongst the best looked-after ponies in this country; indeed anyone is welcome to visit our stables to see them.

We travel to all venues in modern, well equipped horseboxes that ensure the animals have minimum stress and arrive ready for a gentle walk to their collection area.

During a collection, we always have water and food available for the animals. All handlers carry antiseptic wipes and hand gel for use by themselves and the public. We also always clean up after the ponies.

We have in place an Animal Welfare Policy which is overseen by our Honorary Vet; Kit Heawood BSc (Hons). Several of our Trustees are involved with horses (one is an owner, another was a farrier). The Charity also employs a lady who has over twenty years' experience of working with horses and a retired mounted policeman (with over 20 years' service) who is also heavily involved with Riding for the Disabled Association (RDA).



The Charity was set up in 2006. Since then we have continued to grow and to support children throughout England and Wales with resounding success. We do this with the help of our miniature Shetland ponies, and a huge amount of support from the public.

We are invited to numerous events throughout the year, and a large part of the charitable work we are able to do is based around the goodwill that our ponies help to generate.

We feel it is very beneficial for children to interact with an animal, particularly those who may not otherwise have the chance to. We do a lot of work around inner-city Birmingham for this very reason.

Within Swadlincote we have a fantastic working relationship with a large number of people and places. In the last twelve months, we have been invited to:

- Just for Pets
- TW Wholesale
- Morrisons Swadlincote
- Nether Hall Care Home
- Sainsburys Swadlincote

We've visited a variety of children's groups and receive annual invites to local shows. Our Foundation has been chosen as Charity of the year by M&S Ashby, Just for Pets Swadlincote amongst others.

We receive tremendous support from members of the public and organisations alike. For example, Next, Amazon, DHL, UPS, M&S and West Bromwich Building Society have conferred sponsorships.

A large portion of our volunteers are drawn from Swadlincote. Without these people we simply couldn't exist. Without our miniature Shetland ponies we would not be able to do nearly as much worth as we do in the City and County.

Our collections are only ever undertaken when we have received the relevant permissions and paperwork, and liaised with the relevant officials. The rest of this information pack contains more information on our ponies, more information on who as a charity we have helped, and some official paperwork for you.

We feel that, with even one visit to Swadlincote a year, we would be able to make a massive impact on the children of Swadlincote, the people of Swadlincote, and the positive image of the Charity.

I trust that this answers any queries you may have about our ponies. If you require any more information please feel free to contact us.

REPORT TO:	ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE	AGENDA ITEM: 11
DATE OF MEETING:	31st MAY 2018	CATEGORY: DELEGATED/ RECOMMENDED
REPORT FROM:	CHIEF EXECUTIVE	OPEN/EXEMPT PARAGRAPH NO:
MEMBERS' CONTACT POINT:	EMMA McHUGH 01283 595 716 emma.mchugh@south-derbys.gov.uk	DOC:
SUBJECT:	ADOPTION OF SECTION 27 OF THE POLICING AND CRIME ACT 2009 - LICENSING OF SEXUAL ENTERTAINMENT VENUES	REF:
WARD(S) AFFECTED:	ALL	TERMS OF REFERENCE:

1. Recommendations

- 1.1 That Members resolve to adopt section 27 of the Policing and Crime Act 2009 (the '2009 Act') and reaffirm adoption of the Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 (the '1982 Act') to come into effect from 1st August 2018.
- 1.2 That Members authorise Officers to take the necessary steps to confirm the resolution to adopt the 2009 Act and reaffirmation of the 1982 Act.
- 1.3 That Members approve the Sex Establishments and Sexual Entertainment Venue Policy to come into effect from 1st August 2018.
- 1.4 That the proposed fees for sex establishments are approved.

2. Purpose of Report

- 2.1 To provide Members with the necessary information to be able to give full consideration to the recommendations contained in this report.

3. Detail

- 3.1 Schedule 3 of the 1982 Act gives local authorities power to regulate sex establishments which include sex cinemas and sex shops. This Council adopted Schedule 3 on 1st March 1983.

- 3.2 The 2009 Act came into force on 6th April 2010 and section 27 reclassified lap dancing clubs and similar venues as sexual entertainment venues giving local authorities to power to regulate such venues as sex establishments under the 1982 Act. Local authorities must adopt section 27 in order to regulate these types of venues under the 1982 Act.
- 3.3 Currently, venues that provide sexual entertainment do so by having a premises licence granted under the Licensing Act 2003. This means that the Council must grant a licence to applicants if they comply with the licensing objectives detailed under the 2003 Act. The Council cannot refuse an application for a licence if the objection to it is based solely on the number of such premises already in operation, or because it may be considered to be an inappropriate location (close to a school for example).
- 3.4 Adoption of the Policing and Crime Act 2009 will enable the Council to consider applications for sexual entertainment venues in accordance with the 1982 Act and to impose conditions on any licence to ensure the safe and responsible management of the premises in question. The adoption of the 2009 Act will enable the local community to have a wider say over the regulation of lap dancing clubs and similar venues in South Derbyshire District Council.
- 3.5 In order to adopt the 2009 Act, the Council must consult local people about whether to make such a resolution. Officers conducted a 12 week consultation with all interested parties and members of the public via the Council's website. No comments were received in relation to the adoption of the 2009 Act.
- 3.6 On adoption of the resolution, notices shall be published in the Burton Mail and Derby Telegraph for two consecutive weeks notifying the public that the resolution to adopt the 2009 Act and reaffirm the adoption of the 1982 Act.

Sex Establishments and Sexual Entertainment Venue Policy

- 3.7 To assist the Licensing Authority, the community, applicants and other relevant organisations in applying for and determining an application for a sex establishment and/or a sexual entertainment venue licence, a Sex Establishment and Sexual Entertainment Venue Policy has been drafted for Members approval.
- 3.8 Officers conducted a 12 weeks consultation exercise on the draft Policy with all interested parties and members of the public via the Council's website. Representations were received from, Councilor Harrison, Councilor Hewlett, Hilton Parish Council and Trading Standards. A summary of the points received can be found at **Appendix 1**. No changes have been made to the Policy.
- 3.9 During the consultation period, it has come to light that the Policy should include reference to the Public Sector Equality Duty. This has been included at paragraph 15 of the Policy. A copy of the proposed Policy is attached as **Appendix 2**.

Fees

- 3.10 Under the 1982 Act, the Council may charge such fees as they consider reasonable. The current fee of £2249 does not reflect the actual cost to the Council therefore the fees have been reviewed and the following fees are proposed:

Type of Application	Fee
Grant/renewal	Application Fee -£1980 Licence Fee - £630
Variation	Application fee - £1825 Licence fee - £393
Transfer	Application fee - £1680 Licence fee - £235
Change of Details	Application fee - £28

In compliance with the Provision of Services Regulations 2009, the cost of the licence has been split between an application fee and a licence fee. The application fee is payable on application and is non-refundable if the application is refused. The licence fee is payable if the application is granted prior to the issuing of the licence.

4. Financial Implications

- 4.1 There are no financial implications to the Council.

5. Corporate Implications

- 5.1 These proposals will provide a clear framework for anyone wishing to start their own business which will contribute directly to the corporate vision to make South Derbyshire a better place to live, work, and visit, and to the theme of sustainable growth and opportunity.

Consultation Responses Log

Response	Summary of points raised	Amendment to Draft Policy
Trading Standards	Positive response to the Policy with no issues.	No amendment made
Councillor Hewlett	Typo in paragraph 11.1 at line 2	Amendment made to remove the word 'licence' as a typo.
Councillor Harrison	Typo in paragraph 2.1 at line 2	Amendment made to amend 'principal' to 'principle'.
Hilton Parish Council	<p>Paragraph 6.4 to be enhanced to include an obligation on the local authority to validate the application and to publish such application along with the application.</p> <p>Paragraph 8.10 should include a requirement that the operator carries out checks on potential employees to ensure that they are not trafficked persons.</p>	<p>No amendment made to the Policy as all applications are only accepted if they are valid. Incomplete applications are not accepted until all outstanding documentation has been received.</p> <p>No amendment made to the Policy as it is a legal requirement for employers to check employees' right to work. However, this will be included as part of an Officers' inspection.</p>



SOUTH DERBYSHIRE DISTRICT COUNCIL

Sex Establishments and Sexual Entertainment Venue Policy

**Local Government (Miscellaneous Provisions)
Act 1982**

Policing and Crime Act 2009

Version 1: #

1. INTRODUCTION

- 1.1 This Policy sets out how South Derbyshire District Council intends to administer the licensing scheme for sex establishments including sexual entertainment venues.
- 1.2 In developing this Policy, the Council has undertaken consultation with the groups set out below:
- Members of the Council;
 - Parish Councils;
 - Derbyshire Constabulary;
 - Trading Standards;
 - Fire Authority;
 - Environmental Health Department;
 - Planning and Building Control Departments;
 - East Midlands Chamber;
 - Economic Development Department.
- 1.3 Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 (the '1982 Act') gives local authorities power to regulate sex establishments which include sex cinemas and sex shops. The Policing and Crime Act 2009 (the '2009 Act') came into force on 6th April 2010 and section 27 reclassified lap dancing clubs and similar venues as sexual entertainment venues giving local authorities to power to regulate such venues as sex establishments under the 1982 Act.
- 1.4 This Licensing Authority adopted Schedule 3 of the 1982 Act on 1st March 1983 but adoption was reaffirmed to include sexual entertainment venues on #.

2. AIMS

- 2.1 This Policy is intended to set out clear and concise guidance, procedure and principles for the benefit of the Licensing Authority, the community, applicants and other relevant organisations.
- 2.2 The Policy also includes standard conditions for the different types of sex establishments that will be attached to any licence granted.
- 2.3 This Policy aims to ensure that the licensing regime in relation to sex establishments promotes the:
- licensing of premises which are suitable for the activity which it is intended to carry on there;
 - proper management of premises so as to protect the public and persons employed;
 - management of the premises by persons who are fit and proper and that the business is not run for the benefit of an unsuitable third party;
 - licensing of premises in a location of suitable character;
 - licensing of an appropriate number of premises in specific locations;
 - licensing of premises which do not adversely affect other neighbouring premises;
 - licensing of premises which do not detract from the image of the District or reduce the potential for successful regeneration;
 - licensing of premises with an external appearance which is appropriate given the locality in which they are situated.

3. SEX CINEMAS AND SHOPS

- 3.1 The legislation defines a 'sex cinema' as 'any premises, vehicle, vessel or stall used to a significant degree for the exhibition of moving pictures, by whatever means produced, which are concerned primarily with the portrayal of, or primarily deal with or relate to, or are intended to stimulate or encourage sexual activity, acts of force or restraint which are associated with sexual activity or genital organs or urinary or excretory functions.' This will not include a dwelling house to which the public are not admitted.
- 3.2 The legislation defines a 'sex shop' as 'any premises, vehicle, vessel or stall used for a business which consists to a significant degree of selling, hiring, exchanging, lending, displaying or demonstrating (a) sex articles; or (b) other things intended for use in connection with, or for the purpose of stimulating or encouraging (i) sexual activity; or (ii) acts of force or restraint which are associated with sexual activity.' Typically, this will include the sale or hiring of magazines, videos, sex toys and fetish/fantasy articles.
- 3.3 The legislation defines 'sex articles' as 'anything made for use in connection with, or for the purpose of stimulating or encouraging (i) sexual activity; or (ii) acts of force or restraint which are associated with sexual activity; and anything to which sub-paragraph (4) below applies.
- (4) This sub-paragraph applies (a) to any article containing or embodying matter to be read or looked at or anything intended to be used, either alone or as one of a set, for the reproduction or manufacture of any such article; and (b) to any recording vision or sound, which (i) is concerned primarily with the portrayal of, or primarily deals with or relates to, or is intended to stimulate or encourage, sexual activity or acts of force or restraint which are associated with sexual activity; or (ii) is concerned primarily with the portrayal of, or primarily deals with or relates to, genital organs or urinary or excretory functions.'
- 3.4 Due to the inclusion of the words 'significant degree' in the definition of sex shops, this means that shops can sell a small proportion of sex articles without needing a licence. It will for the Licensing Authority to decide what constitutes 'significant degree' and will consider the following:
- The ratio of sex articles to other aspects of the business;
 - The absolute quantity of sales;
 - The character of the remainder of the business;
 - The nature of the displays in the business;
 - Turnover;
 - Other factors which appear to be materially relevant.

4. SEXUAL ENTERTAINMENT VENUES

- 4.1 The 2009 Act came into force on 6th April 2010 and section 27 reclassified lap dancing clubs and similar venues as sexual entertainment venues giving local authorities the power to regulate such venues as sex establishments under the 1982 Act.
- 4.2 The purpose of the 2009 Act was to give local people a greater say over where and how many lap dancing clubs open and operate in their neighbourhoods.

- 4.3 A sexual entertainment venue is defined as 'any premises at which relevant entertainment is provided before a live audience for the financial gain of the organiser or the entertainer'.
- 4.4 Relevant entertainment is defined as 'any live performance or live display of nudity which is of such a nature that, ignoring financial gain, it must reasonably be assumed to be provided solely or principally for the purpose of sexually stimulating any member of the audience (whether verbal or other means)'.
- 4.5 A premises includes any vessel, vehicle or stall but does not include a private dwelling to which the public are not admitted.
- 4.6 Audience includes an audience of one.
- 4.7 Display of nudity means:
- in the case of a woman, exposure of her nipples, pubic area, genitals or anus; and
 - in the case of a man, exposure of his pubic area, genitals and anus.
- 4.8 This Licensing Authority determines that these definitions will apply to the following forms of entertainment:
- Lap dancing;
 - Pole dancing;
 - Table dancing;
 - Strip shows;
 - Peep shows;
 - Live sex shows.
- 4.9 Premises that are not sexual entertainment venues include:
- Sex shops and cinemas;
 - Premises which provide relevant entertainment on an infrequent basis. These are defined as premises where
 - a) no relevant entertainment has been provided on more than 11 occasions within a 12 month period;
 - b) no such occasion has lasted for more than 24 hours; and
 - c) no such occasion has begun within a period of one month beginning with the end of the previous occasions;
 - Any premises or types of performances or displays exempted by an order of the Secretary of State.

5. GENERAL PRINCIPLES

- 5.1 A licence must not be granted:
- To a person under the age of 18;
 - To a person who is for the time being disqualified due to the person having had a previous licence revoked in the area of the appropriate authority within the last 12 months;
 - To a person, other than a body corporate, who is not resident in an European Economic Area (EEA) State, or was not so resident throughout the period of 6 months immediately preceding the date when the application was made;
 - To a body incorporate which is not incorporated in an EEA State; or

- To a person who has, within a period of 12 months immediately preceding the date when the application was made, been refused the grant or renewal of a licence for the premises, vehicle, vessel, or stall in respect of which the application is made, unless the refusal has been reversed on appeal.

5.2 The 1982 Act allows the Licensing Authority to waive the requirement for a licence if it is deemed unreasonable or inappropriate to require a licence. This Licensing Authority does not consider that it would be appropriate to grant any such waivers except in exceptional circumstances namely to allow a temporary re-location of a business following damage to licensed premises.

6. APPLICATION PROCEDURE

6.1 Applications are to be made in writing on the Council's application form together with the fee, a sufficient plan of the premises to be licensed and basic criminal record certificate for every person named on the application. Documents confirming the identities of all people included on the application form will be required. Two pieces of identification will be required; one must be photographic ID and the other must confirm the address of the person. Passport and/or driving licences are accepted.

6.2 In the cases of sexual entertainment venues, the plan must outline the area that relevant entertainment will take place.

6.3 Applicants must, at the time of submission of a grant or variation application, provide a scheme showing the exterior design for consideration by the Licensing Authority before the premises are open for business in order to ensure that the exterior design of the premises shall be such so that the interior of the premises is invisible to passers-by.

6.4 The applicant must send a copy of the application to the Chief Officer of Police not later than 7 days after the date of the application. If the application is submitted electronically, the Licensing Authority will be responsible for sending a copy of the application to the Chief Officer of Police within 7 days. On receipt of the application, the Licensing Authority will also consult with the Planning Department, Environmental Health Department, Fire Authority and ward and parish councillors. The Licensing Authority will publish a copy of the application on the Council's website.

6.5 To advertise the application, the applicant is required to:

- display a notice on or near the premises subject to the application, where it can be conveniently read by the public, for a period of 21 days beginning with the date of the application; and
- publish a public notice in a local newspaper, no later than 7 days after the application is made, publicising the application.

A copy of the public notice, including the date of publication and name of the newspaper, is to be provided to the Licensing Authority. The public notice is prescribed by the Licensing Authority. It is preferred that the public notice is published in the Burton Mail or Derby Telegraph.

6.6 If the application is for the renewal of a licence, the premises can continue to operate past the expiry date of the licence provided that the renewal application has been submitted to the Licensing Authority before the expiry of the licence.

7. REPRESENTATIONS

- 7.1 There will be a 28 days representation period starting from the first working day after the application is accepted by the Licensing Authority for any persons to raise objections to the grant of the application. Representations must be submitted in writing to the Licensing Authority within the 28 days period and state the grounds on which the representation is made.
- 7.2 Persons making representations can include residents/tenants associations, community associations and trade associations, businesses or any member of the public. Councillors and the MP may also make a representation.
- 7.3 Any representations made should not be based on moral grounds or values as these will not be considered. Any representations should be limited to matters which are relevant to the statutory grounds for refusal as set out in the 1982 Act as detailed in paragraph 8.5 below. Any representations received that are not relevant to the statutory grounds will not be considered by the Licensing Authority.
- 7.4 If any representations are received, the Licensing Authority will provide the grounds of the objection to the applicant prior to the determination of the application. The Licensing Authority will not consider any representation that does not contain the name and address of the person making the representation. However, the name and address will not be revealed to the applicant unless the person making the representation consents to their details being disclosed.
- 7.5 The Licensing Authority does have the discretion to consider representations received after the expiry of the 28 days period but this will be assessed on a case by case basis. The applicant will be given the opportunity to deal with any late representations accepted by the Licensing Authority.

8. DETERMINATION OF APPLICATIONS

- 8.1 Following the expiry of the representation period, the application will be considered by the Licensing and Appeals Sub-Committee who will determine the application on its own individual merits. The hearing procedure in place to determine applications under the Licensing Act 2003 will be followed in determining sex establishment applications.
- 8.2 Persons who have made representations about the application will be entitled to speak at the hearing as well as the applicant.
- 8.3 The Licensing and Appeals Sub-Committee will take into account the written representations from people including those who do not wish to attend the hearing.
- 8.4 When determining the application, the Licensing and Appeals Sub-Committee can either grant the application or refuse to grant. If the decision is to grant the application, the licence will be granted for one year and the relevant standard conditions will be attached to the licence unless they have been expressly excluded or varied. Additional conditions may be imposed on a licence if the Licensing and Appeals Sub-Committee decides that this is required. The standard conditions can be found at Appendix 1 of this Policy.
- 8.5 Paragraph 12 of Schedule 3 of the 1982 Act sets out the grounds for refusing an application which are:

- The applicant is unsuitable to hold a licence by reason of having been convicted of an offence or for any other reason;
 - If the licence were to be granted, renewed or transferred, the business to which it relates would be managed by or carried on for the benefit of a person, other than the applicant, who would be refused the grant, renewal or transfer of such a licence if he made the application himself;
 - The number of sex establishments, or of sex establishments of a particular kind, in the relevant locality at the time the application is made is equal to or exceeds the number which the Licensing Authority consider is appropriate for that locality;
 - That the grant or renewal of the licence would be inappropriate, having regard to the character of the relevant locality, or to the use to which any premises in the vicinity are put or to the layout, character or condition of the premises, vehicle, vessel or stall in respect of which the application is made.
- 8.6 In determining the application, the Licensing Authority must have regard to any rights the applicant may have under Article 10 (right to freedom of expression) and Article 1, Protocol 1 (protection of property) of the European Convention of Human Rights.
- 8.7 Any decision to refuse a licence must be relevant to one or more of the above grounds. Full reasons for the refusal of the application will be provided to the applicant within 7 days of the date of the Licensing and Appeals Sub-Committee.
- 8.8 In determining the application, the Licensing Committee is likely to take into account the following matters:
- The proximity and position of the premises in relation to any schools, or other establishments for the education, training or care of young persons;
 - The proximity and position of the premises in relation to leisure centres used for sporting and similar activities, parks and play areas;
 - The proximity and position of the premises in relation to any youth club or similar establishment;
 - The proximity and position of the premises in relation to any residential dwellings and any residential and sheltered accommodation;
 - The proximity and position of the premises in relation to any establishments for religious worship;
 - The proximity and position of the premises in relation to community centres and similar establishments;
 - The general nature and character of the locality;
 - The number of any licensed sex establishments already in the locality and what maximum number of such establishments might be permitted in the locality.
- This list is intended for guidance only and does not restrict the Licensing and Appeals Sub-Committee from taking into account any other matters which it considers relevant to the application.
- 8.9 The Licensing Committee will also consider the suitability of the applicant and may refuse an application if it considers that the applicant is unsuitable to hold a licence by reason of having been convicted of an offence or for any other reason.
- 8.10 When determining whether the applicant is suitable, the Licensing Committee will give consideration as to whether the applicant:
- Is honest;

- Has any relevant convictions detailed on their criminal record certificate;
- Has sufficient appropriate experience of running a sex establishment;
- Understands the conditions that will be attached to the licence;
- That the operator is proposing a credible management structure and operating plan that will ensure compliance with all conditions and legal requirements;
- Can be relied upon to protect the public;
- Does not operate as an agency for unsuitable controllers or beneficiaries.

8.11 This Licensing Authority will treat each case on its own merits but it is unlikely to approve applications for sex establishments in areas that are predominately residential or close to 'sensitive premises' such as schools or places of worship.

8.12 Any appeal must be made to the local Magistrates Court within 21 days, starting from the date the applicant is notified of the Licensing Authority's decision. The decision notice will detail the appeal process. A right of appeal against a refusal of an application is only permitted on the first two grounds detailed at paragraph 8.5 above.

9. TRANSFER OF LICENCES

9.1 A licence can be transferred to one person/company to another. An application form, fee and basic criminal record check is required for every person named on the application form.

9.2 The applicant must send a copy of the application to the Chief Officer of Police not later than 7 days after the date of the application. If the application is submitted electronically, the Licensing Authority will be responsible for sending a copy of the application to the Chief Officer of Police within 7 days. On receipt of the application, the Licensing Authority will also consult with the Planning Department, Environmental Health Department, Fire Authority and ward and parish councillors. The Licensing Authority will publish a copy of the application on the Council's website.

9.3 The application must be advertised by the applicant in the same way as a grant or renewal application. Details of the advertisement requirements can be found at paragraph 6.5.

9.4 Representations can be made for a period of 28 days. Representations must state the grounds on which the representation is made.

9.5 The application will be determined by the Licensing and Appeals Sub-Committee. The Licensing and Appeals Sub-Committee will determine the application in line with the details provided at paragraph 8.

9.6 If the application for the transfer of the licence is made before the date of the expiry of the licence, the premises can continue to operate with any necessary modifications whilst the application is being determined.

10. VARIATION OF LICENCES

10.1 The licence holder may at any time apply for the variation of the licence. A variation can relate to the terms, conditions or restrictions on the licence. The application procedure for the variation is the same as a grant application.

10.2 In determining a variation application, the Licensing Authority may grant the variation application, make such variations as they think fit or refuse the application. The

Licensing Authority may determine to impose addition terms, conditions and restrictions on the licence. The Licensing Authority will determine each application on its own merits.

11. CHANGES TO LICENCES

- 11.1 Any changes to the company directors, company secretary and/or management of the licence holder must be notified to the Licensing Authority in writing within 14 days of the change. A basic criminal record certificate will be required for every new person. A fee is payable.
- 11.2 Any changes to the plan of the premises must be notified to the Licensing Authority before any changes. Changes will include alterations to the interior and exterior of the premises. The request must be made in writing with the proposed changes. A fee is payable.

12. REVOCATION OF LICENCES

- 12.1 A sex establishment licence may be revoked by the Licensing Authority in relation to any of the reasons set out in paragraph 8.5 above.
- 12.2 Where a local resident, a person with interest in a business in the vicinity of the premises, a police officer or an officer of the District Council considers that any of the grounds referred to above are relevant, they may request that the Licensing Authority considers revocation of the licence.
- 12.3 Before revoking a licence for a sex establishment, the Licensing Authority will hold a hearing to consider the matter. At the Licensing and Appeals Sub-Committee, the holder of the licence and any person who has requested revocation of the licence will be entitled to be heard.
- 12.4 Full reasons for the decision made by the Licensing and Appeals Sub-Committee will be provided to the applicant within 7 days of the date of the hearing.
- 12.5 If the licence is revoked then the licence holder will be disqualified from holding or obtaining a licence in the District for a period of 12 months beginning with the date of revocation.

13. FEES

- 13.1 The appropriate fee for an application can be found on the Council's website. The application fee must be paid in full at the time of submission of the application.

14. THE PROVISIONS OF SERVICES REGULATIONS 2009

- 14.1 The Provision of Services Regulations 2009 requires that applications are processed as quickly as possible and within a reasonable period. The Licensing Authority aims to deal with applications within a period of 3 calendar months from the date of application to allow for consultation, consideration of any representations, preparation of documents for a hearing, arrangement of a hearing and determination of an application at hearing.
- 14.2 The Regulations also specify that in the event of a failure to process the application within the period set or extended in accordance with the preceding provisions of this regulation, authorisation is deemed to have been granted by a competent authority.

The Licensing Authority considers that it would not be in the public interest for applications of sex establishments to be deemed granted due to the potential impact on communities and because persons who wish to make representations would be denied the opportunity to have their representations considered. If the application cannot be dealt with within 3 calendar months, the Licensing Authority will notify the applicant of the reason for this and give a revised deadline by which it intends to have determined the application.

15. EQUALITY ACT 2010

15.1 This Act legally protects people from discrimination in the workplace and wider society. This includes the Public Sector Equality Duty (PSED) which means that the Licensing Authority must thoroughly consider, in the discharge of its licensing functions, the need to:

- Promote equality of opportunity;
- Eliminate unlawful discrimination, harassment and victimisation; and
- Promote good relations.

This applies to this Policy and to the consideration and determination of applications for sex establishments.

15.2 It is not considered likely that the equalities obligations are at risk as there is no perceivable risk of unequal access to the services between different equality groups, save for those under 18.

16. EXCHANGE OF INFORMATION

16.1 The Licensing Authority may from time to time exercise its powers under section 115 of the Crime and Disorder Act 1998 to exchange data and information with the Police and other persons to fulfil its statutory objective of reducing crime in the area.

17. CONTACT DETAILS

17.1 Anybody wishing to contact the Licensing Authority with regard to this Policy can do so as follows:

In writing to Licensing Department:

South Derbyshire District Council
Civic Way
Swadlincote
Derbyshire
DE11 0AH

By email: licensing@south-derbys.gov.uk
By telephone: 01283 595716/890

DOCUMENT HISTORY

Issue 1 – August 2018



**South
Derbyshire**
District Council

Appendix 1

South Derbyshire District Council

Local Government (Miscellaneous Provisions) Act 1982

Standard Conditions for Licences for Sex Shops and Sex Cinemas

1. The licence or a certified copy shall be prominently displayed at all times so as to be readily and easily seen by all persons using the premises. The licence or a certified copy shall be available for inspection by the Police and by an Authorised Officer of the Council.
2. The premises shall not be used under the terms of the licence unless until any necessary permission and/or consents have been obtained pursuant to the Town and Country Planning Act 1990 and the Building Act 1984 or any legislation amending or replacing the same.
3. The licence holder, or appointed deputy, shall be on duty at the premises at all times that the premises are open for business to exercise general supervision and control of the premises.
4. The licence holder shall maintain a daily register in which shall be recorded the name and address of any person who is made responsible for managing the premises in the licence holder's absence and the names and addresses of all other persons employed in the premises. The register is to be completed each day within 30 minutes of the premises being opened for business and be updated as additional staff arrive. The register shall be made available for inspection by the Police and by an Authorised Officer of the Council.
5. Where the licence holder is a body corporate or an incorporated body, any change of director, company secretary or other person responsible for the management of the body shall be notified in writing to the Council within 14 days of such change and such written details as the Council may require in respect of the change of personnel shall be furnished within 14 days of a request in writing from the Council.
6. The name of the person responsible for the management of the premises, whether the licence holder or the appointed deputy, shall be prominently displayed within the premises throughout the period during which they are responsible for the conduct of the premises.
7. The licence holder shall retain control over all parts of the premises and shall not let, licence or part with possession of any part. The licence holder shall notify the Council within 7 days in the event that any part of the premises is affected by the termination of a lease or other event affecting the licence holder's control of the premises.

8. The licence holder shall ensure that the public is not admitted to any part of the premises that has not been licensed, other than toilet facilities where provided for customers.
9. There must be no activities designed to obtain custom by means of personal solicitation, touting or distribution of printed matter anywhere outside or in the locality of the premises.
10. All members of staff shall wear appropriate identification whilst on duty on the premises indicating that they are members of staff.
11. The premises shall not, without written consent of the Council, be opened and used for the purposes for which the licence is granted except during the following hours:

Monday to Saturday – 9am to 6pm
Sunday – 11am to 4pm
12. The premises shall not, without written consent of the Council, be opened and used for the purposes for which the licence is granted on Christmas Day, Easter Sunday or Good Friday.
13. No change from a sex cinema to a sex shop or a sex shop to a sex cinema shall be made without the written consent of the Council.
14. No sex articles or other things intended for use in connection with, or for the purposes of stimulating or encouraging sexual activity or acts of force or restraint which are association with sexual activity shall be displayed, sold, hired, exchanged, loaned or demonstrated in a sex cinema.
15. A sex shop shall be conducted primarily for the purpose of the sale of goods by retail.
16. All sex articles and other things displayed for sale, hire, exchange or loan within the premises shall be clearly marked to show the price being charged.
17. All printed material offered for sale, hire, exchange or loan shall be available for inspection prior to purchase and a notice to this effect shall be displayed in a prominent position within the premises.
18. No film or video recording (or computer game or other formats capable of storing readable/viewable material) shall be exhibited, sold or supplied unless it has been passed by the British Board of Film Classification and bears a certificate to that effect.
19. No person under the age of 18 shall be admitted to any part of the premises and a clear notice to that effect shall be displayed at the entrance in a prominent position so that it can be easily read by persons entering the premises.
20. The licence holder shall adopt the Challenge 25 policy on admissions and there shall be adequate, documented training for staff on its implementation. The training shall be repeated every 12 months, in order to retain focus, and records of the training shall be provided on request to the Police and an Authorised Officer of the Council.

21. Under the Challenge 25 policy, identification shall be required of anyone who appears to be under 25. Photographic identification is required. Current passport, driving licence or the PASS card shall only be accepted. Entry shall be refused to any person failing to provide the relevant identification.
22. No person under the age of 18 shall be employed at the premises. The licence holder shall maintain adequate records of the names, address and date of birth of each member of staff. The licence holder shall carry out an identification check of the information provided.
23. The windows and openings of the premises shall be of a material or covered with a material which will render the interior of the premises invisible to passers-by.
24. External doors shall be closed at all times other than when persons are entering or leaving the premises. The external doors shall be fitted with a device to provide for their automatic closure and such devices shall be maintained in good working order.
25. No access shall be permitted through the premises to any other premises adjoining or adjacent except in the case of an emergency.
26. No items shall be stored on the premises so that they can be viewed from any external window or door.
27. Alterations or additions, either internal or external, shall not be made to the premises without prior consent from the Council.
28. The windows, doors, fascia board, walls and all external parts of the premises including the roof shall not contain any form of writing, sign or display save for:
 - (i) the licensed name of the premises unless the Council determines that the name is of a profane or sexual nature or gives other cause for concern;
 - (ii) the warning notice required to be displayed by condition 29 below;
 - (iii) a notice stating the opening hours of the premises;
 - (iv) The wording 'PRIVATE SHOP' or 'ADULT SHOP' but no other indication as to the nature of the business carried on at the premises.
29. The licence holder shall prominently display a notice at the entrance to the premises with the title 'Warning' and the following wording:

'Persons passing beyond this notice will find material on display which they may consider indecent. No admittance to persons under 18 years of age'.
30. No other words or signs, or any displays or advertisements, shall be displayed on the outside of the premises or in the vicinity of the premises.
31. Any facilities for previewing films, video recordings or other similar material shall be physically separated from the display area of the shop in such a manner that no material being displayed by way of preview shall be visible or audible outside the preview area.

32. The licence holder shall take all reasonable precautions for the safety of the public and employees.
33. All areas of the premises, externally and internally, must be adequately monitored by either security staff or CCTV to ensure that the licence conditions are complied with.
34. CCTV shall be installed and maintained in accordance with the following:
- CCTV shall be of a type to be approved by the Council. The CCTV shall be professionally installed to the satisfaction of the Council and be capable of consistently producing pictures clearly showing the identity of persons frequenting the premises and in the vicinity of the premises. The CCTV shall operate continuously during the permitted hours.
 - A minimum of one camera shall be fitted to each public entrance and exit.
 - Lighting in the inside and the outside of the premises shall be of sufficient brightness to enable camera images to be recorded to the required quality.
 - All recordings shall be retained for a period of 28 days with date and time stamping and shall be made available to the Police or an Authorised Officer of the Council on reasonable request. Failure to comply with a request shall be regarded as a serious breach of this condition.
 - Notices shall be clearly displayed inside the premises indicating that a CCTV system is in operation.
 - A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open to the public and this staff member shall be able to show, the Police or Authorised Officer of the Council, recent date and footage with the absolute minimum of delay on reasonable request.
 - The CCTV system must be maintained and checked every 12 months to ensure that the system is operating correctly. Confirmation of the maintenance should be obtained to confirm that the system is fully functional and meets the specified requirements.
35. The licence holder, or appointed deputy, shall be able to demonstrate that they operate a recording management system that prevents recordings being tampered with, stolen or misplaced. This shall include a backup system to ensure that there is no failure to record. Recording equipment shall be housed in a secure room/cabinet where access and operation is strictly limited to authorised persons.
36. In the event of a malfunction of the CCTV system, the licence holder shall notify the Council and the Police immediately. Details of such malfunction shall be recorded in the premises' incident book. Arrangements for its repair must be made without

delay. The Council and Police must be notified when the operation of the system is restored.

37. Only door supervisors who hold a valid relevant licence issued by the Security Industry Authority (SIA) shall be employed.

DRAFT



**South
Derbyshire
District Council**

South Derbyshire District Council

Local Government (Miscellaneous Provisions) Act 1982

Standard Conditions for Licences for Sexual Entertainment Venues

1. The licence or a certified copy shall be prominently displayed at all times so as to be readily and easily seen by all persons using the premises. The licence or a certified copy shall be available for inspection by the Police, or an Authorised Officer of the Council.
2. The premises shall not be used under the terms of the licence unless until any necessary permission and/or consents have been obtained pursuant to the Town and Country Planning Act 1990 and the Building Act 1984 or any legislation amending or replacing the same.
3. The licence holder, or appointed deputy, shall be on duty at the premises at all times that the premises are open for business to exercise general supervision and control of the premises.
4. The licence holder shall maintain a daily register in which shall be recorded the name and address of any person who is made responsible for managing the premises in the licence holder's absence and the names and addresses of all other persons employed in the premises, including entertainers, door supervisors and security staff. The register is to be completed each day within 30 minutes of the premises being opened for business and be updated as additional staff arrive. The register shall be made available for inspection by the Police and by an Authorised Officer of the Council.
5. Where the licence holder is a body corporate or an incorporated body, any change of director, company secretary or other person responsible for the management of the body shall be notified in writing to the Council within 14 days of such change and such written details as the Council may require in respect of the change of personnel shall be furnished within 14 days of a request in writing from the Council.
6. The name of the person responsible for the management of the premises, whether the licence holder or the appointed deputy, shall be prominently displayed within the premises throughout the period during which they are responsible for the conduct of the premises.
7. The licence holder shall retain control over all parts of the premises and shall not let, licence or part with possession of any part. The licence holder shall notify the Council within 7 days in the event that any part of the premises is affected by the

termination of a lease or other event affecting the licence holder's control of the premises.

8. The licence holder shall ensure that the public is not admitted to any part of the premises that has not been licensed.
9. There must be no activities designed to obtain custom by means of personal solicitation, touting or distribution of printed matter anywhere outside or in the locality of the premises.
10. The licence holder shall take all reasonable precautions for the safety of the public and employees.
11. The licence holder shall ensure that a suitable and sufficient number of trained staff are employed to supervise the interior of the premises to ensure that the conditions of licence are complied with, in particular the no touching conditions and to ensure the safety of performers.
12. No person under the age of 18 shall be admitted to any part of the premises and a clear notice to that effect shall be displayed at the entrance in a prominent position so that it can be easily read by persons entering the premises.
13. The licence holder shall adopt the Challenge 25 policy on admissions and there shall be adequate, documented training for staff on its implementation. The training shall be repeated every 12 months, in order to retain focus, and records of the training shall be provided on request to the Police and an Authorised Officer of the Council.
14. Under the Challenge 25 policy, identification shall be required of anyone who appears to be under 25. Photographic identification is required. Current passport, driving licence or the PASS card shall only be accepted. Entry shall be refused to any person failing to provide the relevant identification.
15. No person under the age of 18 shall be employed at the premises. The licence holder shall maintain adequate records of the names, address and date of birth of each member of staff. The licence holder shall carry out an identification check of the information provided.
16. All areas of the premises, externally and internally including private booths, must be adequately monitored by either security staff or CCTV to ensure that the licence conditions are complied with and to ensure that safety and security of performers and other persons within the premises.
17. CCTV shall be installed and maintained in accordance with the following:
 - CCTV shall be of a type to be approved by the Council. The CCTV shall be professionally installed to the satisfaction of the Council and be capable of consistently producing pictures clearly showing the identity of persons frequenting the premises and in the vicinity of the premises. The CCTV shall operate continuously during the permitted hours.
 - A minimum of one camera shall be fitted to each public entrance and exit.

- Lighting in the inside and the outside of the premises shall be of sufficient brightness to enable camera images to be recorded to the required quality.
 - All recordings shall be retained for a period of 28 days with date and time stamping and shall be made available to the Police or an Authorised Officer of the Council on reasonable request. Failure to comply with a request shall be regarded as a serious breach of this condition.
 - Notices shall be clearly displayed inside the premises indicating that a CCTV system is in operation.
 - A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open to the public and this staff member shall be able to show, the Police or Authorised Officer of the Council, recent date and footage with the absolute minimum of delay on reasonable request.
 - The CCTV system must be maintained and checked every 12 months to ensure that the system is operating correctly. Confirmation of the maintenance should be obtained to confirm that the system is fully functional and meets the specified requirements.
18. The licence holder, or appointed deputy, shall be able to demonstrate that they operate a recording management system that prevents recordings being tampered with, stolen or misplaced. This shall include a backup system to ensure that there is no failure to record. Recording equipment shall be housed in a secure room/cabinet where access and operation is strictly limited to authorised persons.
 19. In the event of a malfunction of the CCTV system, the licence holder shall notify the Council and the Police immediately. Details of such malfunction shall be recorded in the premises' incident book. Arrangements for its repair must be made without delay. The Council and Police must be notified when the operation of the system is restored.
 20. Only door supervisors who hold a valid relevant licence issued by the Security Industry Authority (SIA) shall be employed.
 21. The licence holder shall ensure that neither they nor any person promoting or providing entertainment on the premises (nor any person acting on behalf of any such person) shall display advertisements promoting the entertainment or the premises in any unlawful manner.
 22. Where the Council have given notice in writing to the licence holder objecting to an advertisement on the grounds that, if displayed, it would offend against good taste or decency or be likely to encourage or incite to crime or to lead to disorder or to be offensive to public feeling, that advertisement shall not be displayed.

23. Relevant entertainment may only be provided during the hours permitted by an authorisation under the Licensing Act 2003 unless a specific condition on the Sex Establishment Licence permits otherwise.
24. No change from a sex entertainment venue to either a sex cinema or a sex shop (including a mail-order shop), or a sex shop to either a sex cinema or sex entertainment venue, or from a sex cinema to either a sex shop or sex entertainment venue, shall be made without the approval of the Council.
25. No sex articles or other things intended for use in connection with, or for the purpose of stimulating or encouraging sexual activity or acts of force or restraint which are associated with sexual activity shall be displayed, sold, hired, exchanged, loaned or demonstrated in a sexual entertainment venue.
26. The exterior design of the premises shall be such that the interior of the premises is not visible to passers-by.
27. The windows and openings of the premises shall be of a material or covered with a material which will render the interior of the premises invisible to passers-by. At no time shall performers or persons working in the premises be visible from outside of the premises, with the exclusion of door supervisors.
28. The licence holder shall not permit the display outside of the premises of photographs or other images which indicate or suggest that relevant entertainment takes place on the premises.
29. External doors shall be closed at all times other than when persons are entering or leaving the premises. The external doors shall be fitted with a device to provide for their automatic closure and such devices shall be maintained in good working order.
30. No access shall be permitted through the premises to any other premises adjoining or adjacent except in the case of an emergency.
31. Alterations or additions, either internal or external, shall not be made to the premises without prior consent from the Council.
32. No fastenings of any description shall be fitted upon any room used for relevant entertainment.
33. A secure changing room shall be made available for performers. The door to the changing room shall be locked using a combination lock. The changing room shall be provided with suitable refreshment facilities for performers including a supply of drinking water. No members of the public shall be allowed in the changing room at any time.
34. There shall be an adequate separation between stage areas and the audience and the performer shall be able to leave the stage area without the need to walk through the audience.
35. Routine monitoring shall be carried out to ensure that drugs are not being used by performers. Written records shall be retained of all monitoring to be carried out.
36. The licence holder shall arrange for performers to be escorted by security staff from the premises to the performer's vehicle or secure transport at the end of their shift.

37. The licence holder shall adopt and implement a code of conduct for performers, a code of conduct for customers and a formal complaints procedure.
38. Performers shall only perform on the stage area, or to seated customers, or in such other areas of the premises as specified on the licence.
39. There must be no displays of nudity except during performances in areas specified on the licence.
40. There must be no exchange of personal information or contact details between performers and members of the public.
41. The following shall not be allowed as part of any performance on the premises:
- Any physical contact between a performers and a member of the audience (other than brief incidental contact of hands during payment);
 - Any physical contact between performers;
 - The use of sex toys or other props, other than clothing;
 - Audience participation;
 - Photography or video recording;
 - Mixed gender performances;
 - The performance or simulation of any sex act or masturbation;
 - Straddling of a member of the audience by a performer.
42. Any departure from the above condition must be agreed in writing with the Council before any departure takes place.

REPORT TO:	ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE	AGENDA ITEM: 12
DATE OF MEETING:	31st MAY 2018	CATEGORY: RECOMMENDED
REPORT FROM:	STRATEGIC DIRECTOR SERVICE DELIVERY	EXEMPT PARAGRAPH NO: NOT EXEMPT
MEMBERS' CONTACT POINT:	MATT HOLFORD – ENVIRONMENTAL HEALTH MANAGER	DOC:
SUBJECT:	ENFORCEMENT AND COMPLIANCE REPORT	REF:
WARD(S) AFFECTED:	ALL	TERMS OF REFERENCE: EDS14, HCS10

1. Recommendations

- 1.1 That the Committee note the contents of the report, that the Council is using its regulatory powers in a way proportionate to the demands for all regulatory services it provides.
- 1.2 That in future, the Committee receive an annual report summarising the use of the Councils regulatory powers.

2. Purpose of Report

- 2.1 To provide the Committee with details of the Council's use of its tools and powers to take appropriate enforcement action.

3. Background

- 3.1 One of the key objectives of the 'People' theme of the 2016-21 Corporate Plan is that the Council will *"Use existing tools and powers to take appropriate enforcement action"*.
- 3.2 The Council is authorised to use in excess of 100 different statutes to regulate and ensure compliance in areas of work as diverse as planning, food hygiene, licensing, pollution control, anti-social behaviour, building control, public health, waste and dog control.
- 3.3 The way in which the Council utilises these powers is governed by law, statutory guidance and previous legal precedent. Some services (notably many of the functions of Licensing and Environmental Health) also have a duty to have regard to the five governing principles of the Legislative and Regulatory Reform Act 2006, namely that all regulatory interventions are transparent, accountable, proportionate and consistent and should be targeted only at cases in which action is needed.

- 3.4 This report provides a high level summary of the regulatory action over the past year and provides a comparison against historical levels of regulatory action.

Demands for services

- 3.5 The demand for our services this year is illustrated by Figure 1 in the report appendix.
- 3.6 During 2017/18 there was a 54% reduction in complaints about dogs (fouling and dangerous dogs) and a 23% reduction in noise complaints compared to last year.
- 3.7 Complaints about abandoned vehicles remain very high compared to historical levels. Also public health complaints, covering problems such as waste in gardens, filthy properties and vermin infestations continue to remain high.
- 3.8 Having increased for the last three years, there was a fall in the recorded number of fly tipping incidents in 2017/18. The underlying causes of fly tipping are many and varied. Over the past 18 months the Safer Neighbourhoods Wardens have devoted a significant proportion of their time towards investigating incidents in pursuit of the corporate plan priority to reduce fly tipping. It is hoped that the reduction in incidents is a direct reflection of the work of the Wardens, although this is only likely to become apparent when comparative national data for fly tipping incidents is released at the end of this calendar year.

Demands for Inspections of Businesses

- 3.9 Food hygiene law require that businesses are risk assessed and then inspected with a frequency based on national legal guidance. Figure 2 in the appendix to this report illustrates the number of inspections carried out.
- 3.10 83.4% of food businesses have been awarded the top score for their food hygiene. This is slightly lower than last year (84%), but represents a solid and consistent improvement from three years ago (76.1%) and a significant step change from six years ago (58%). By the law of diminishing returns it is anticipated that this performance is unlikely to continue to improve at the same rate. The 16% of food businesses who are yet to meet the top score are the toughest group to positively influence. The Commercial team, which delivers food hygiene inspections, is looking at various forms of behavioural change interventions as well as direct legal action on the rare occasions it is appropriate, to improve the Council's influence on this hard to change group.
- 3.11 Over 98% of food businesses are defined as 'broadly compliant', which means that our food inspectors are satisfied that they can be left to manage their own hygiene practices until their next programmed inspection. This is unchanged from last year.

Legal Interventions

- 3.12 The Council has published an enforcement policy which explains how it will use the various tools and powers to help the business community and residents to meet the various laws the Council is tasked with regulating. When the Council is unable to ensure compliance through persuasion it may be necessary to resort to use of more formal means. The Council has powers in the form of various compliance notices which can be issued requiring some form of action to be taken (or to be stopped) by the recipient in order to more formally require compliance than through advice and guidance.

3.13 Figure 3 in the appendix to this report illustrates the numbers of formal notices issued and in broad terms the nature of the problem which led to the notice being served.

Punitive Outcomes from Offences

3.14 In a small number of cases, the Council is required to resort to the courts or other forms of judicial punishment in order to seek restitution for confirmed offences. This restitution can be in one of three forms:

- For a limited number of offences and where the offender admits to the offence a fixed penalty notice can be issued;
- Where the offender admits the offence and there is no fixed penalty notice option available, but prosecution is not deemed to be proportionate then the offender may be given the option to sign a formal caution;
- The most severe form of intervention is a prosecution.

3.15 Table 1 below summarises the recent numbers of each of these punitive outcomes compared to historical levels.

Table 1 – Summary of Punitive Outcomes following Offences

	2013-14	2014-15	2015-16	2016-17	2017-18
Total Fixed Penalty Notices	3	6	34	91	79
Dog offences	0	1	23	9	6
Fly tipping & waste offences	1	1	0	7	7
Litter	2	4	8	65	54
Community Protection Notice / PSPO breach	0	0	3	10	12
Formal Cautions	0	3	3	1	3
Prosecutions	0	0	3	1	5

3.16 Overall the Council is making significantly greater use of fixed penalty notices for low level offences than has previously been the case.

3.17 In 2015-16 Safer Neighbourhood Wardens focused on using FPNs to improve the control of dogs within the District's parks and open spaces. Anecdotal feedback from park users is that the increase in enforcement activity in 2016 resulted in a significant improvement in dog stewardship in the parks. In 2016/17 significantly more FPNs were issued for littering offences - mainly relating to material being left illegally at the recycling sites at Hatton and Willington. The Council has also increased its use of the new anti-social behaviour laws which enables fixed penalty notices to be issued for breaches of Community Protection Notices and Public Spaces Protection Orders.

3.18 Fixed Penalty Notices are issued where the recipient admits to the offence and agrees to pay the fine to discharge their liabilities. If the recipient of an FPN subsequently fails to pay the fine then the Council should be considering the need to prosecute for the offence. To date no prosecutions have been taken for failure to pay an FPN.

Matters of Particular Note

- A man from Derby has been prosecuted and fined over £2,500 for dumping household waste near to Findern. For the first time the courts also took the unprecedented action of banning him from driving for 6 months. The Safer Neighbourhood Warden team brought the prosecution despite the man initially

denying any knowledge of the incident and claiming that the vehicle identified as responsible was not in his possession at the time of the incident.



- A man formerly of Overseal has been fined over £12,000 for illegally burning waste. The waste consisted of a mix of plastics, rubber and other materials being burned in a large skip on his property in May 2017. This exposed residents to potentially high levels of air pollution. The man had been given previous verbal advice and warnings about how to dispose of waste properly.



- A man from Hilton has been issued with an Injunction which prohibits any banger racing on land under his control and prevents the burning of any waste on the land. He has also been instructed by the court to remove large quantities of controlled waste which has been brought onto the land.
- Environmental Health Officers oversaw the voluntary surrender of nearly 20 tonnes of meat from a food business near Foston on the advice of the Food Standards Agency.
- The Council is currently consulting on the use of a Public Spaces Protection Order to ban access into a short stretch of land off Staker Lane, Findern. The

secluded location is being used as a regular fly tipping spot and location for other forms of anti-social behaviour and criminality.

- Managing anti-social behaviour in Swadlincote Town Centre has been a priority over the course of the year. Joint action by the Council and Police resulted in 19 Community Protection Notice warnings being issued to young people engaging in anti-social behaviour and their parents. 8 of these were escalated to Community Protection Notices and 3 Fixed Penalty Notices were issued as a result of town centre anti-social behaviour.

4. Financial Implications

- 4.1 None to minor adverse. Most forms of actions to achieve compliance have a cost implication. In case of prosecutions the Council will always seek to recover costs, and in the cases described above court has approved that relevant costs have been awarded to the Council.

5. Corporate Implications

- 5.1 The report has been produced to provide the Committee with details of how officers are delivering the “People” themed objective of “Keeping Residents Safe and Happy” in the 2016-21 Corporate Plan and in particular the aim to “Use existing tools and powers to take appropriate crime enforcement action”.

6. Community Implications

- 6.1 Beneficial. Proportionate regulation is an important feature of ensuring community cohesion and economic growth.

7. Conclusion

- 7.1 That Members note and endorse the work that officers are undertaking, using the tools and powers available, to take appropriate enforcement action where necessary.

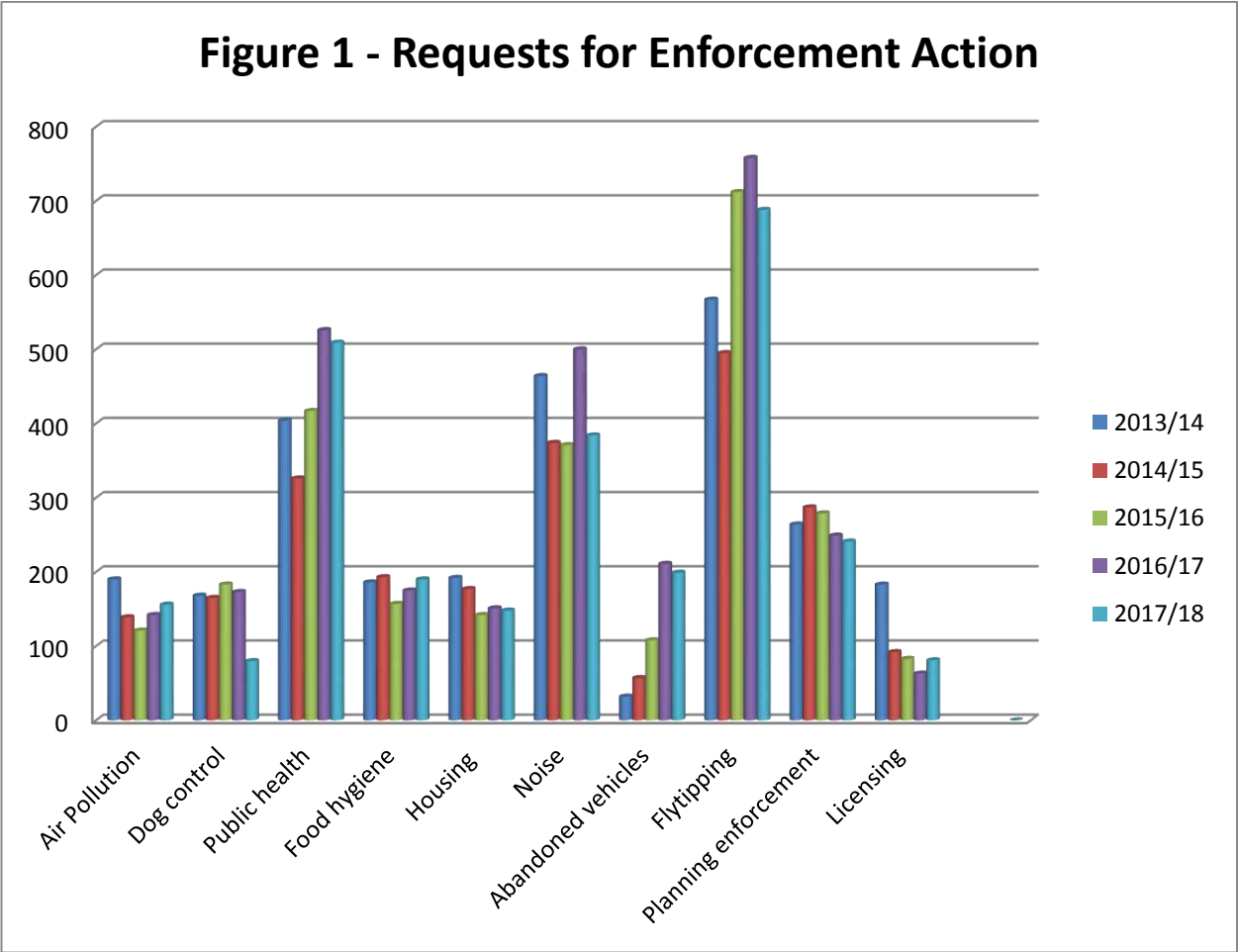


Figure 2 - Proactive Inspections of Businesses

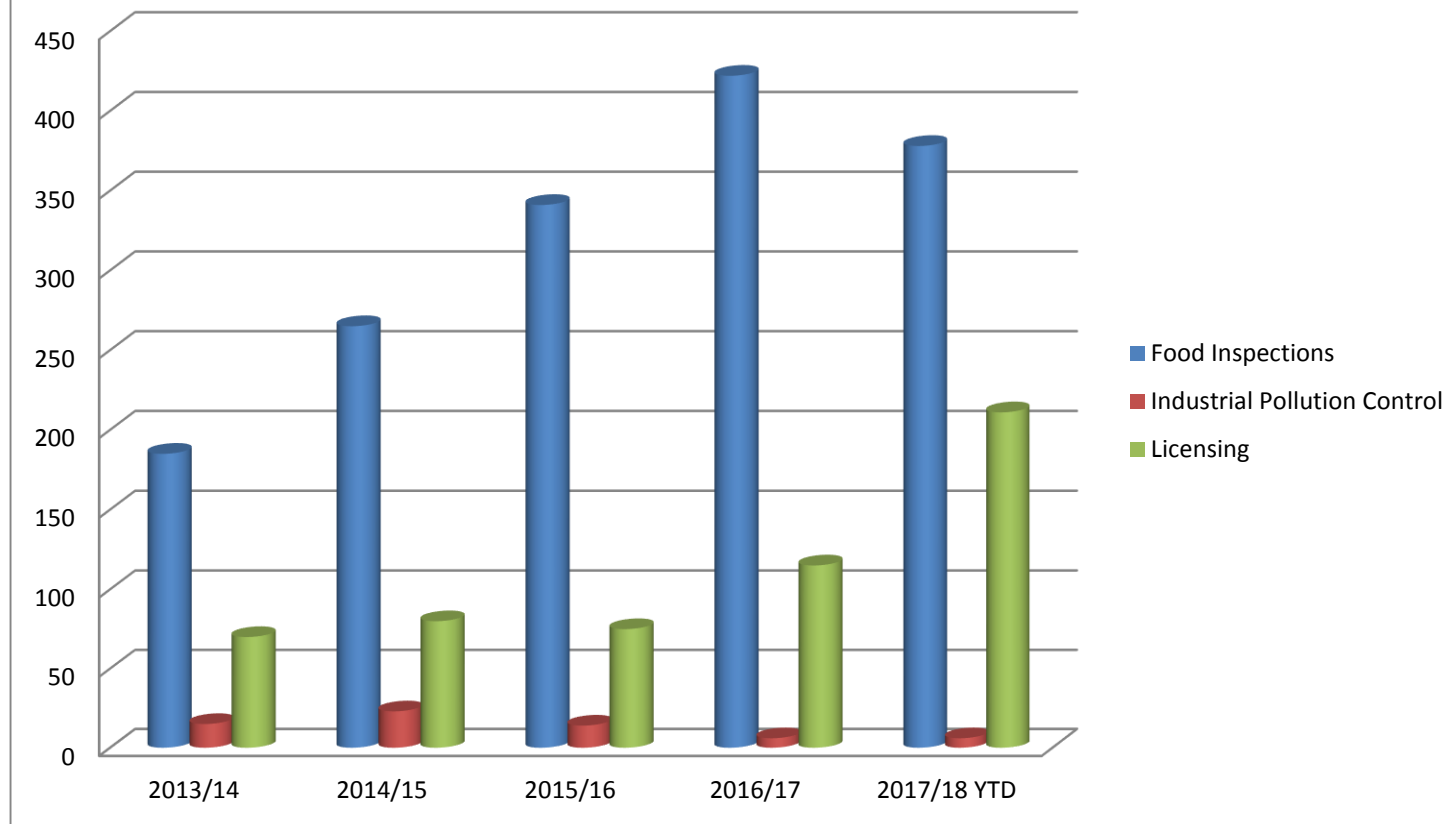
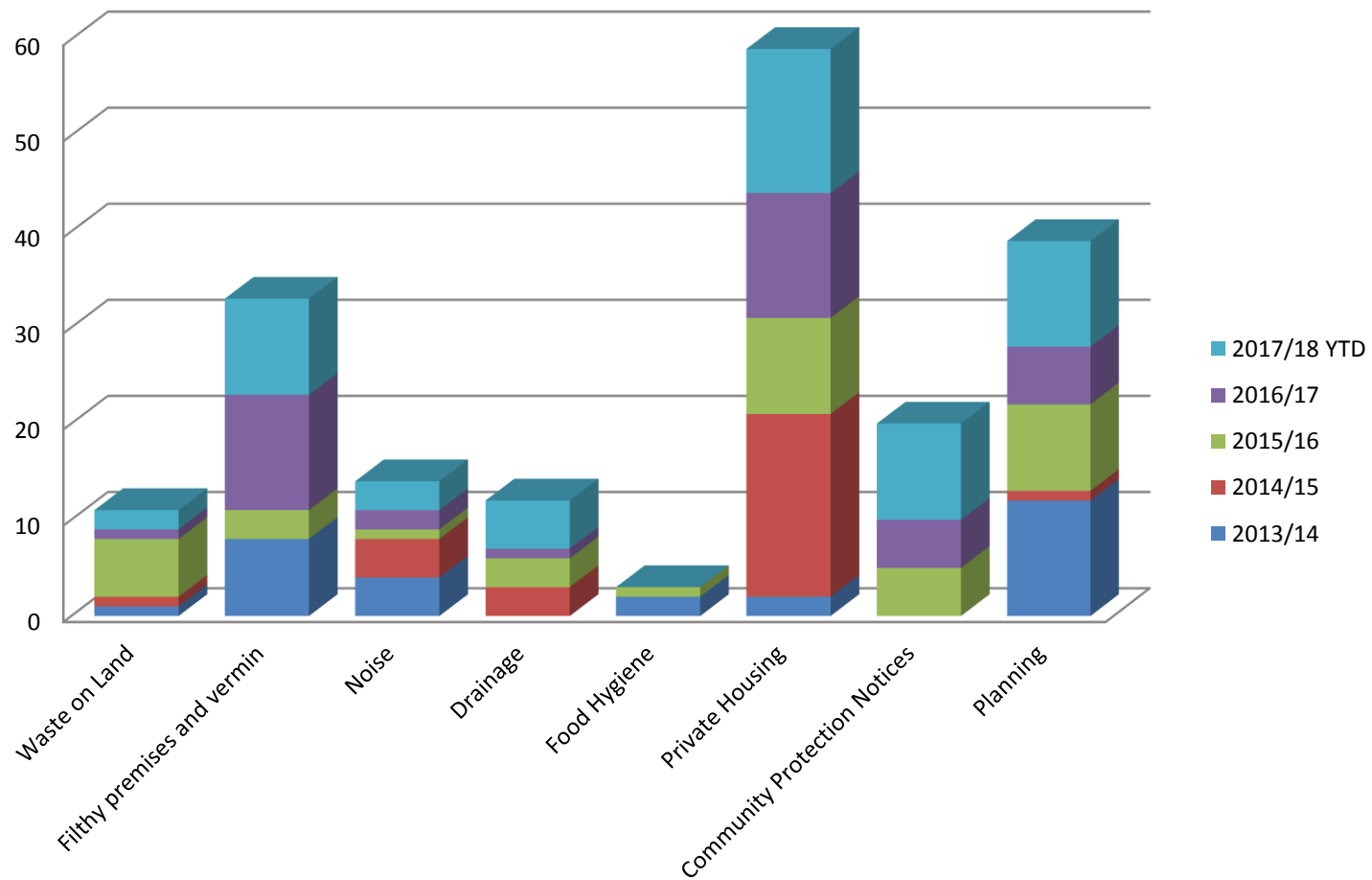


Figure 3 - Enforcement Notices Served



REPORT TO:	ENVIRONMENTAL AND DEVELOPMENT SERVICES	AGENDA ITEM: 13
DATE OF MEETING:	31st MAY 2018	CATEGORY: RECOMMENDED
REPORT FROM:	STRATEGIC DIRECTOR (SERVICE DELIVERY)	OPEN
MEMBERS' CONTACT POINT:	IAN HEY (01283) ian.hey@south-derbys.gov.uk	DOC:
SUBJECT:	REPTON NEIGHBOURHOOD DEVELOPMENT PLAN	REF:
WARD(S) AFFECTED:	REPTON	TERMS OF REFERENCE: HCS

1.0 Recommendations

- 1.1 That Members consider the Repton Neighbourhood Development Plan together with the Examiners Report and recommended changes.
- 1.2 That Members agree to the recommended changes identified by the independent Examiner.
- 1.3 That Members agree to the amended Repton Neighbourhood Development plan proceeding to Full Council to consider taking to the plan to referendum.

2.0 Purpose of Report

- 2.1 This report enables Members to review the plan in light of the independent examiners report and if satisfied recommending that it proceeds to Full Council to consider taking to the plan to referendum.
- 2.2 It confirms that the community of Repton has prepared a draft neighbourhood development plan. This has been submitted by Repton Parish Council to South Derbyshire District Council as the Local Planning Authority (LPA) with supporting documents.
- 2.3 It identifies that an independent Examiner was appointed and has now made recommendations as to changes that would need to be made to the Plan to allow it to proceed to referendum.
- 2.4 South Derbyshire District Council (SDDC) as the LPA is now required to decide whether to accept the Examiner's Report including any proposed modifications to the Plan.
- 2.5 As soon as possible after considering the Examiner's recommendations and deciding to take forward the neighbourhood plan the LPA must publish its

decisions in a Decision Statement, Town & Country Planning Act 1990, schedule 4B para 12.

- 2.6 If the Plan and the recommended changes are taken to and agreed at Full Council on 28th June 2018 the process will progress to a referendum.
- 2.7 The guidelines from the LGA regarding Regulation 17 identify that with a referendum, for all cases (other than businesses) at least 28 days (not including weekends, bank holidays or days of public thanksgiving) before the referendum itself the proper officer of the Council must ensure that the information statement and specified documents are to be published on the website. The information must remain available throughout the period of the referendum.

3.0 Detail

- 3.1 Neighbourhood development plans were introduced by the Localism Act 2011.

What is neighbourhood planning?

- 3.2 Neighbourhood planning gives communities direct power to develop a shared vision for their neighbourhood and shape the development and growth of their local area. They are able to choose where they want new homes, shops and offices to be built, have their say on what those new buildings should look like and what infrastructure should be provided. Neighbourhood planning provides a powerful set of tools for local people to ensure that they get the right types of development for their community where the ambition of the neighbourhood is aligned with the strategic needs and priorities of the wider local area.

What can communities use neighbourhood planning for?

- 3.3 Local communities can choose to set planning policies through a neighbourhood plan that is used in determining planning applications.

Neighbourhood planning is not a legal requirement but a right which communities in England can choose to use.

What are the benefits to a community of developing a neighbourhood plan?

- 3.4 Neighbourhood planning enables communities to play a much stronger role in shaping the areas in which they live and work and in supporting new development proposals. This is because unlike the parish, village or town plans that communities may have prepared, a neighbourhood plan forms part of the development plan and sits alongside the Local Plan prepared by the LPA. Decisions on planning applications will be made using both the Local Plan and the neighbourhood plan and any other material considerations.

Neighbourhood planning provides the opportunity for communities to set out a positive vision for how they want their community to develop over the next 10, 15, 20 years in ways that meet identified local need and make sense for local

people. They can put in place planning policies that will help deliver that vision or grant planning permission for the development they want to see.

Must a community ensure its neighbourhood plan is deliverable?

- 3.5 If the policies and proposals are to be implemented as the community intended a neighbourhood plan needs to be deliverable. The National Planning Policy Framework requires that the sites and the scale of development identified in a plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened.

Does a neighbourhood plan have the same legal status as the Local Plan?

- 3.6 A neighbourhood plan attains the same legal status as the Local Plan once it has been approved at a referendum. At this point it comes into force as part of the statutory development plan. Applications for planning permission must be determined in accordance with the development plan.
- 3.7 The draft Repton Neighbourhood Development Plan has been submitted by Repton Parish Council. This plan meets the basic conditions of the 1990 Act Schedule 4B in that:
- Repton Parish Council is authorised to act.
 - Rules for submission have been complied with.
 - The draft plan meets the definition of a neighbourhood plan.
 - The draft plan meets the scope of the NDP provisions, and

The correct procedures in relation to consultation and publicity have been undertaken.

- 3.8 The Council has undertaken appropriate Regulation 16 publicity via the SDDC web site, giving details of the plan, where it could be inspected and how representations could be made.
- 3.9 Following the Regulation 16 publicity an independent examiner was appointed in accordance with the Town and Country Planning Act 1990 and the plan was submitted for examination in accordance with Regulation 17.
- 3.10 In their report the Examiner is only able to recommend:
- The draft plan is submitted to referendum
 - That modifications are made as specified in the report and that the draft report as modified is submitted to referendum, or
 - The proposal is refused.
- 3.11 The report from the Examiner, attached at appendix B, recommended that the draft plan be submitted to referendum with modifications.
- 3.12 Repton Parish Council has received a copy of the Examiner's report with the Examiner's identified modifications. It has been confirmed that the report is accepted and that they wish to proceed to referendum.

- 3.13 The Examiner cannot recommend that the draft report goes to referendum if it does not meet the basic conditions or comply with the definition of a neighbourhood development plan.
- 3.14 Officers have reviewed the draft plan and the Examiner's report and consider that the draft meets all of the conditions within the 1990 Act and that it would be appropriate to proceed to referendum.
- 3.15 Members are asked to consider the plan (appendix A) and the Examiner's recommendations (Report - Appendix B) Further to this they are asked to confirm the modifications identified and agree to take the draft plan to referendum.
- 3.16 As soon as possible after considering the examiners recommendations and deciding to take forward the draft neighbourhood plan the Local Planning Authority must publish its decisions in a Decision Statement, Town & Country Planning Act 1990, schedule 4B para 12.
- 3.17 Rules covering the polls for the referendum are contained in the Neighbourhood Planning (Referendum) Regulations 2012 (as amended by the Neighbourhood Planning (Referendum) (Amendment) Regulations 2013 and the Neighbourhood Planning (Prescribed Dates) Regulations 2012.

4.0 Financial Implications

- 4.1 Costs of the referendum are initially met by the Council. Following the poll a fixed grant of can be claimed from the Department of Communities and Local Government to defray the costs.

5.0 Corporate Implications

- 5.1 There are no other legal, personnel or other corporate implications apart from any covered in the report.

6.0 Community Implications

- 6.1 The draft neighbourhood plan has been prepared by Repton Parish Council involving volunteers from the local community. This community involvement is encouraged by the 2011 Localism Act.
- 6.2 Taking the draft report to referendum will allow the people of Repton ward to be directly involved in setting policy for local planning decisions.

7.0 Background Papers

Appendix 1- Repton Neighbourhood Development Plan

Appendix 2- Repton Neighbourhood Development Plan- Independent Examiners Report

Parish of Repton Neighbourhood Development Plan 2016 - 2028



Repton & Milton

The Neighbourhood Development Plan for the parish of Repton covers the whole of the Civil parish. The boundaries are clear and well established. The Plan provides a vision for the future of the parish, agreed by residents. It sets out the parish's objectives, together with the policies required for their realisation.

Version 25 – 9 May 2017

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2 Foreword

The parish of Repton is a rapidly changing area, but investment and change will only be worthwhile if it makes a positive contribution to the lives of local people and the future of its community.

The Neighbourhood Plan has been produced by a working group of volunteers acting on behalf of the Parish Council, which is the responsible body, and contains the thoughts and feelings of local people with a real interest in their community. The Parish Council has regularly reviewed the progress of the working group and wholly supports both the plan and the process used in its creation.

The Plan reflects the consolidated views of the residents and businesses of the parish, and covers key themes such as housing, amenities, work, leisure, environment, traffic and transport. The document has been developed through a process of consultation (see CEF3) for details. The Parish Council agreed to produce a Neighbourhood Development Plan (NDP, subsequently referred to as Neighbourhood Plan) in early 2015 and established a steering committee. A launch meeting was held in April 2015 and the working group was formed. This group then structured and conducted the on-going activities. The work conducted during 2015 and 2016 represents a continuation of the community's efforts to understand and shape its development. A parish document 'The Village Design Statement' (CEF9) was written in 2006 as a result of consultation, updated in 2016, and still has value today. The working group benefitted from the experience gained from its production and it has provided valuable background information and evidence, assisting the compilation of the Neighbourhood Plan.

Note that throughout the development of the Neighbourhood Plan a large amount of documentation has been produced and accessed. A system is used throughout this and other

documents to allow easy cross-referencing of this material. Each document has a Consultation Evidence File (CEF) number. For example the Neighbourhood Plan document is CEF1.

Repton Parish Council is very grateful for the support given to the Neighbourhood Plan by the Steering Group; Ewan Thompson (chair), Chris Jerram, John Perks and Peter Rainey

And Working Group from Repton and Milton; Ruth Attwood, Quentin Butler, Roz Cheeseman, Melissa Cooke, Malcolm Coston, Sue Goodwin, Carol Lloyd

Images: Local artist Jackie Adshead

3 Introduction

3.1 How the Plan is organised

The Plan is divided into two sections:

Section 1

The Neighbourhood Planning System

About the Parish of Repton

Vision Statement

Core Objectives

Section 2

Neighbourhood Plan Policies

3.2 The Neighbourhood Plan and the Planning System

3.2.1 How the Neighbourhood Plan fits into the Planning System

The Localism Act, introduced by the Government in November 2011, aims to devolve more decision-making powers from Central Government into the hands of individuals, communities and councils. One of the key aspects to this is the ability of communities to produce Neighbourhood Development Plans, subject to being in line with higher level planning policy. That is, Neighbourhood Plans must comply with a set of Basic Conditions:

The following is taken from the UK Government's Planning Portal website:

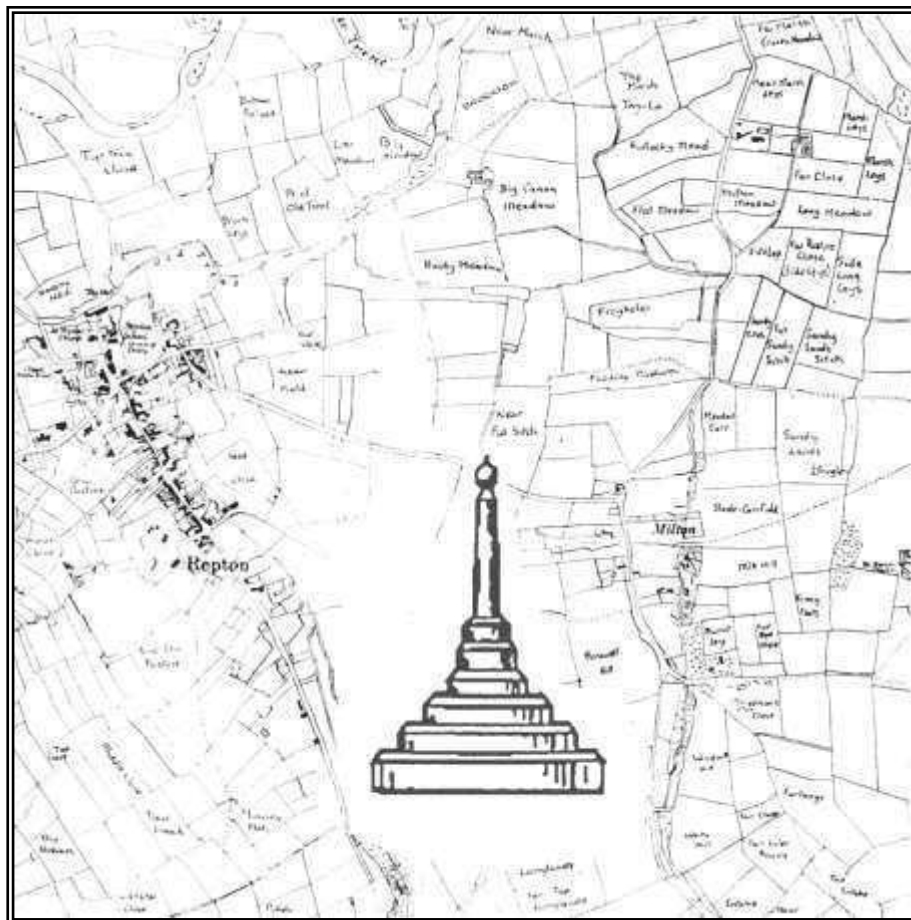
"Only a draft neighbourhood Plan or Order that meets each of a set of basic conditions can be put to a referendum and be made. The basic conditions are set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004. Revision date: 06 03 2014"

The basic conditions which apply to neighbourhood plans are:

- a. having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the neighbourhood plan.
- b. the making of the neighbourhood plan contributes to the achievement of sustainable development.
- c. the making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (South Derbyshire District Council).
- d. the making of the neighbourhood plan does not breach, and is otherwise compatible with, EU obligations.
- e. prescribed conditions are met in relation to the plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood plan.

Details on how the draft Repton Parish Neighbourhood Plan conforms to the Basic Conditions are contained in Basic Conditions Statement (CEF4).

In order to future-proof the Plan, close dialogue with the South Derbyshire District Council has ensured that the Neighbourhood Plan is in line with up to date evidence of any strategic needs identified for the area and the adopted Local Plan.



3.2.2 What is in the Neighbourhood Plan?

Housing in particular is an important part of the Plan, but the issues covered are much wider than this. The Plan is for the parish as a whole and is wide ranging in scope including:

- Protection of the characters of the two villages
- The range of and size of housing required
- What facilities are needed for the elderly
- How to protect the rural environment
- The landscape and historical perspectives
- How and what leisure amenities should be retained and improved
- What employment provision is possible
- The main travel implications
- How walking and cycling provision can be improved

4 About the Parish of Repton

Map of Parish of Repton. Area covered by Repton and Milton Neighbourhood Plan



Repton is a rural parish, set in undulating countryside in the district of South Derbyshire. The parish is made up of the village of Repton, and the much smaller hamlet of Milton. The two communities benefit from an attractive semi-rural character derived from open fields, abundant trees and hedgerows and a wide variety of building styles and features, reflecting the long history of the parish. The village is located south of the river Trent and is relatively close to the main trunk roads of the district; the A50 and A38. The nearest railway station is a mile and a half north at Willington. There are major urban areas in the region, including Derby, Burton-on-Trent and Swadlincote.

Its location, accessibility, scale and appealing countryside setting, combined with its strong community spirit, makes the parish of Repton a desirable place to live. The Repton Neighbourhood Plan has been prepared to ensure that development is planned in terms of location, scale, form and style in a manner which enhances the parish and villages. It has taken into account problems that have been identified and opportunities that can be implemented.

The issues covered are extensive and have been grouped under themes identified from the Village Design Statement. See Consultation Statement (CEF3) and Evidence Paper for Each Theme (CEF31).

Housing

Environment

Amenities and Services

Leisure & Employment

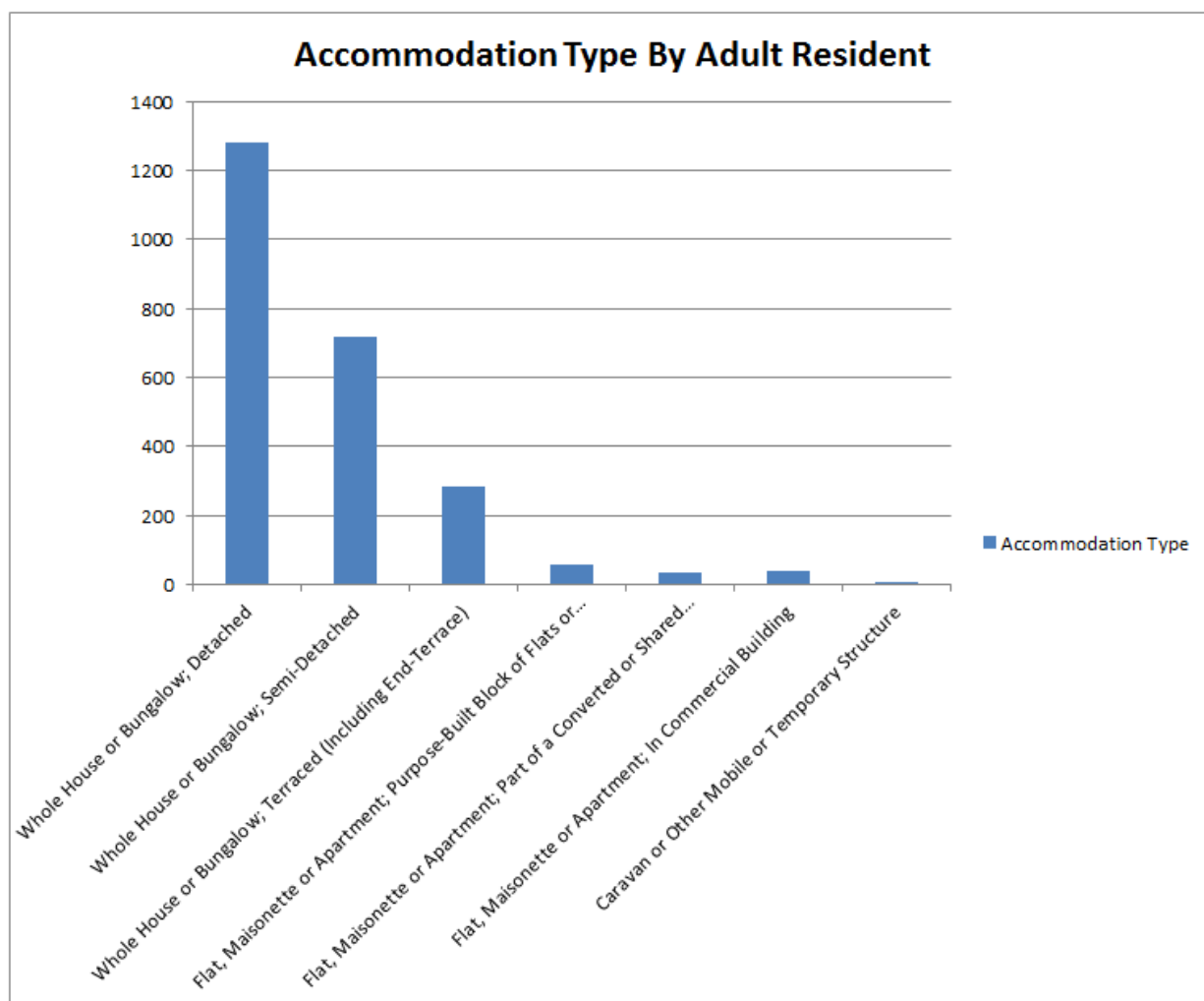
Travel & Transport

An overview of these five themes is considered below, taking into account information from the background reports, together with issues raised by residents from the two villages. More details are contained in the Detailed Justification of Policies (CEF5). A full report of issues raised during the consultation is provided in the Consultation Statement (CEF3) and accompanying documents.

The parish of Repton consists of two distinct villages and a large outlying agricultural area which includes part of Foremarke Reservoir and associated commercial interests. The villages are very different in size and makeup and therefore will be described individually. The agricultural land is managed by farms in the villages and therefore will not be evaluated separately.

4.1.1 Housing

2.4 The 2011 census provides details of the population of the parish. Repton parish has a population of 2,867 living in 1086 households, the majority of which are houses, rather than flats or apartments. Most residents live in Repton, as there are only approximately 80 houses in Milton and relatively few outlying properties.



Repton

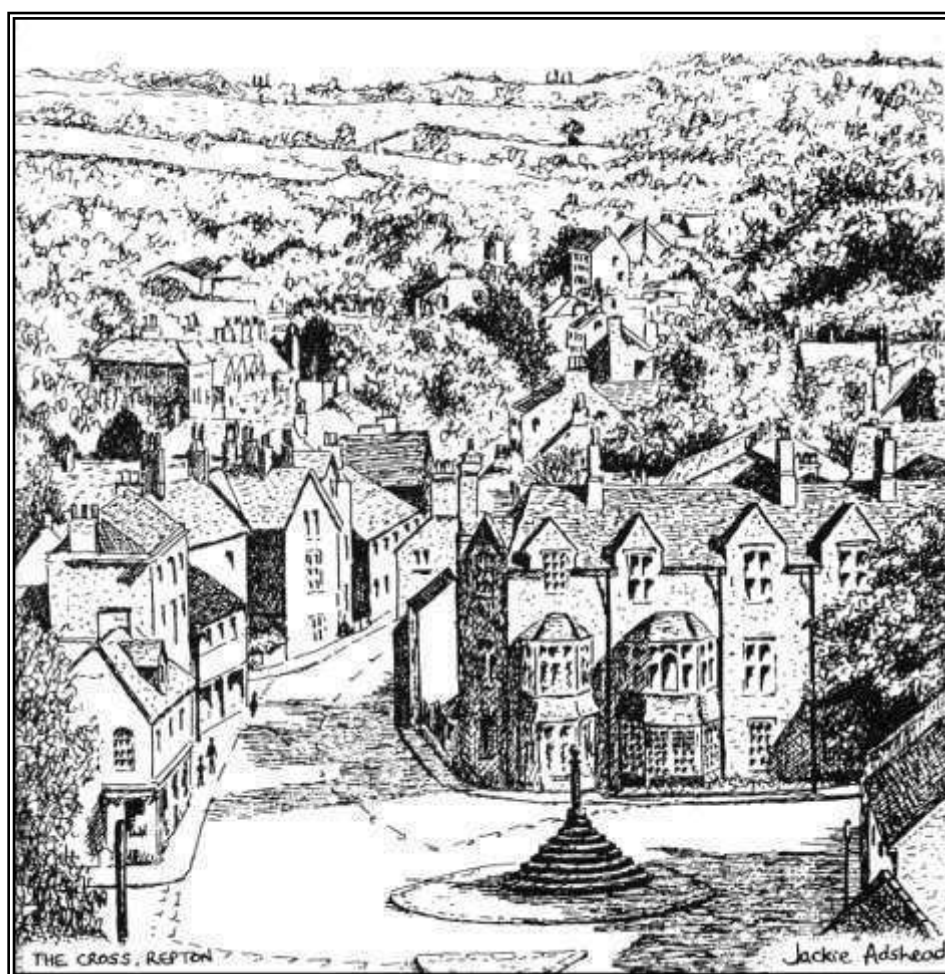
A major distinguishing feature of Repton is the mix of buildings, ranging from the 8th Century through to modern times. It was the ancient capital of Mercia where in AD 653 Christianity was first preached in the Midlands. The conversion of the Mercian royal family led to the building of the 8th century crypt that now forms part of St Wystan's church. Repton was invaded in 873-4 by the Vikings as an over wintering location, the defences included the religious buildings. The Augustinian Priory was founded in 1172 and the church much enlarged between the 13th and 15th centuries. The centre of the village is the Cross, a monument of medieval origins, and its surroundings where there are a significant number of medieval and post medieval buildings. The Cross is an important monument and is grade 1 listed, but unfortunately the surrounding stone setting has not been maintained, due to funding restrictions. There were statute fairs, based round the Cross, from medieval times up to the end of the 19th century. The crypt and the area around the church is of national historical importance. It has featured in many television documentaries, the last one shown in March 2016, and also definitive historical texts.

Further development through the medieval, Georgian and Victorian periods have contributed to a distinctive and varied built environment.

Over the last one hundred years in-fill has taken place, but most of these areas can still be characterised as having open spaces, grassed areas or verges, and mature trees, giving a pleasant aspect. Unfortunately the newer building has not always been carried out in sympathy with the surroundings. To sum up, the character of the village comes from the diversity of its buildings from all ages, yet they complement one another and form a harmonious environment (except for the 2015/2016 development).

Since the Village Design Statement (CEF9) there have been a number of new developments. A small development at the top of Askew Grove has replaced many of the wooden houses and also increased the number of houses in that location. The Trent and Dove development of thirty three houses, at the top of Milton Road includes twenty four for social housing. The Longlands development of forty houses, off Springfield Road, is a mixed development of two, three and four bedroomed houses. There is further significant development on this side of the village and towards Milton, bringing the total agreed planning applications to one hundred and forty eight houses. These developments, taking place in 2015 and 2016, are the largest that have taken place in the parish for decades and have caused considerable upset.

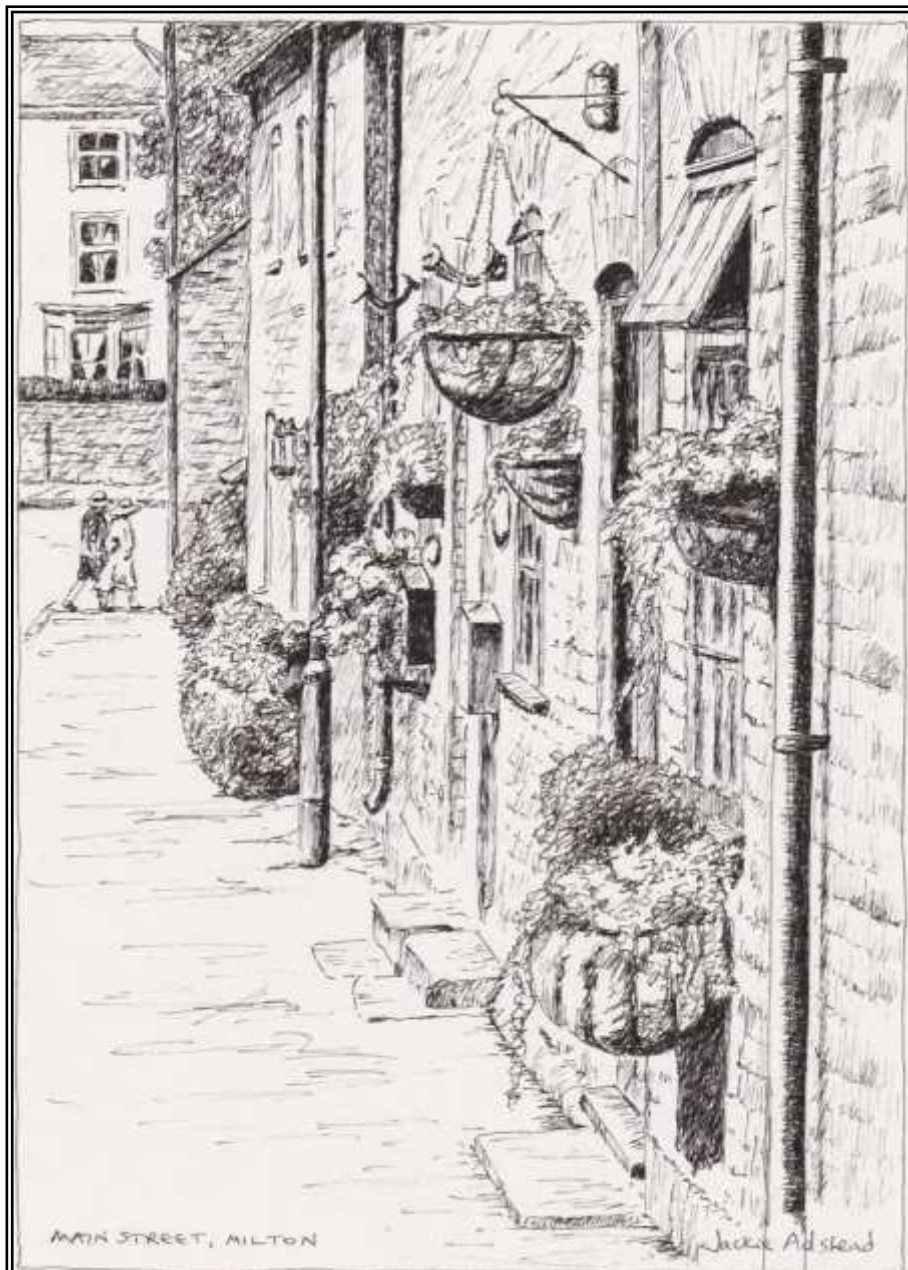
Residents have identified the historical buildings as one of the important and cherished features of the village.



Milton

Milton has seven prominent listed buildings, which are mostly Georgian. These are interspersed with smaller dwellings that add to the character of the area. Predominantly, the buildings in Milton follow a distinct building line, either being built directly to the rear of the pavement or having sandstone walls and hedges which keep the building line intact. Overall, there are about 30 new brick-built houses in the hamlet, however not all enhance the character of the area. The older distinctive buildings provide useful references for new designs of houses or in the restoration/extension of existing buildings. There have been a number of barn conversions, and these have been sympathetic to the village environment.

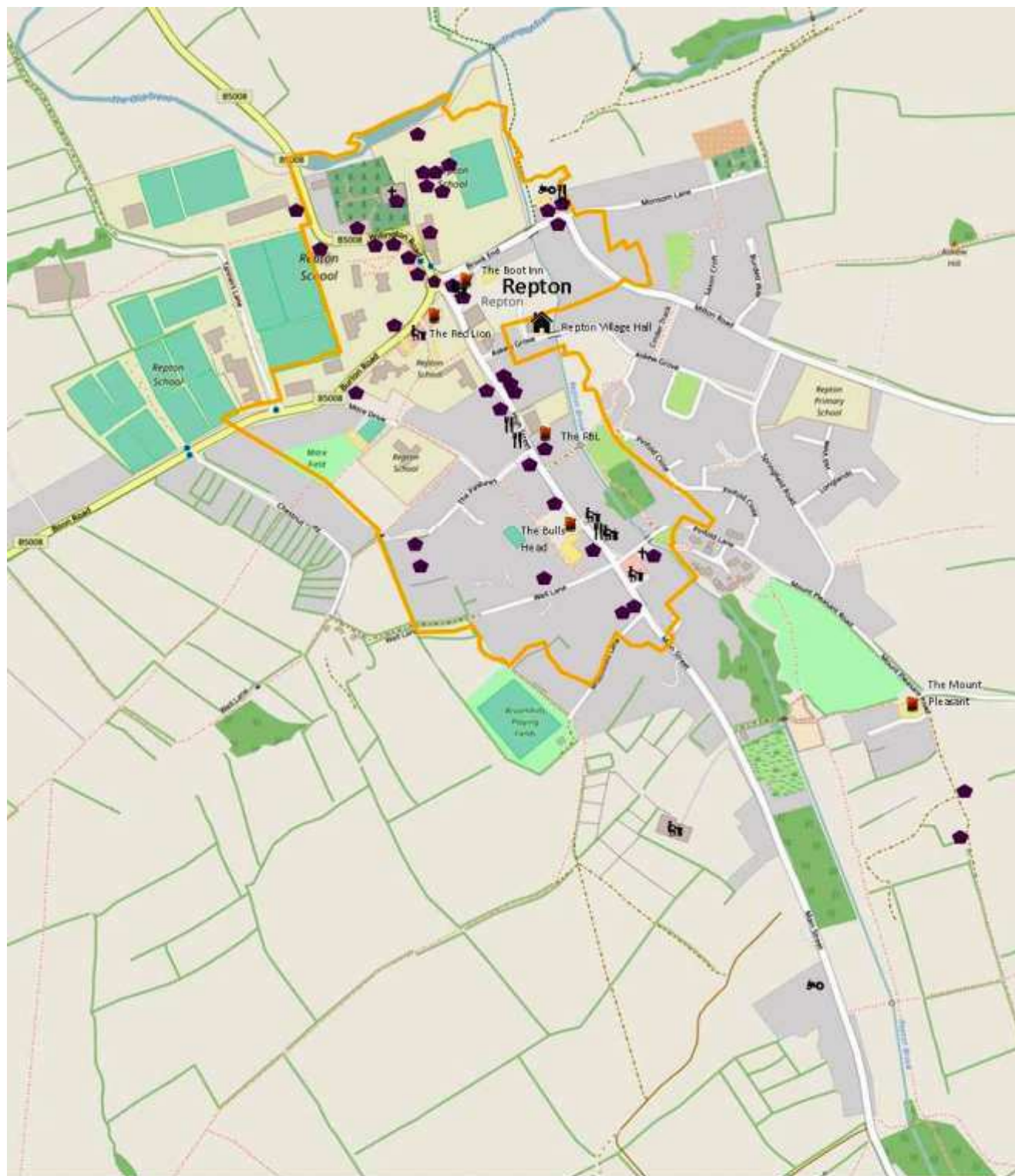
Consultation with residents from both villages have raised similar issues. Retaining the village settlement boundaries, as identified in Local Plan 1, has been a desire, together with concern over the possibility of more large developments on the edge of the villages. People have also raised issues regarding the range of housing types available, particularly for the elderly, and provision of sufficient affordable housing.



4.1.2 Environment

Repton

Map of Repton with conservation area/listed buildings/amenities/retail/businesses



© [OpenStreetMap](https://www.openstreetmap.org/) contributors

Repton is a linear village, with its main axis running roughly south-east to north-west, following the line of Repton Brook, as it flows northwards into the Trent. As a whole the village sits within a valley formed by Repton Brook. There is little skyline development; Burton Road and the new houses at Longlands and Mount Pleasant being exceptions.

Flooding: The river Trent runs approximately one mile to the north and the flood plain which borders the village regularly floods. Repton Brook flows into the Trent and has flooded twice in the past year, and concern has been raised over the frequency of flooding. Work has been done on flood prevention, but with the brook running through the centre of the village and through private property, flooding can cause considerable damage. This has been experienced in recent years.

Open Space: Within the confines of the village, there are five significant open spaces which have either full or partial public access. These have been included in a 2016 draft SDDC Local Plan Part 2 as land that contributes to environmental quality. These include the field off Mitre Drive, which houses children's play equipment and caters for scouting activities; Mathews' Farm by the brook, and the adjoining spinney; Saxon Croft field and The Crescent. The Pinfold Lane triangle also provides a green space and Broomhills Playing Fields has been awarded Queen Elizabeth Fields in Trust status. There are also extensive playing fields associated with Repton School. All these green spaces, plus the numerous views out into the countryside that are glimpsed between buildings, combine to bring a sense of space and openness to the centre of the village. During consultation there was strong support for retaining and enhancing these areas. Within the village, except for the very centre, there is a feeling of openness and greenery, in keeping with rural surroundings.

Historical Features: The Cross and St Wystan's Church and the surrounding area are of high historical significance and are of importance to residents and visitors. This and other aspects of the historical features of the parish are recorded in the Historical Assets Register (CEF8)

Conservation area: Repton has a high concentration of Listed Buildings, thirty nine in total, of which six are grade one, and this has been recognised through the Conservation Area. This was originally defined in July 1969, extended in February 1982, and extended again in 2013 (See CEF7).

Milton

Map of Milton - with conservation area/listed buildings/amenities/retail/businesses



The settlement of Milton lies in a shallow valley along the westerly side of its neighbouring brook. There are several gaps between buildings that are an important characteristic of the hamlet and give views to the countryside for residents and users of the many footpaths. There is no building on the ridges and skylines in the main core of the settlement, which is contained by two road junctions; to the north to Repton or Foremark and to the south to Mount Pleasant or Ticknall.

Open Space: There are two distinctive open spaces, one at the junction with Mount Pleasant, known as “The Village Green” or “The Triangle”, which is planted with trees and bulbs, and the second opposite the Village Hall, known as “The Orchard”. The wide grass verge opposite the Village Hall is also used for community activities.

Character and Heritage: Milton has seven prominent listed buildings, that are mostly Georgian. These are interspersed with smaller dwellings that add to the character of the area. Predominantly, the buildings in Milton follow a distinct building line, either being built directly to the rear of the pavement or having sandstone walls and hedges which keep the building line intact.

People identified the rural aspects, open spaces and the historical associations as reasons why they liked living in the parish.



4.1.3 Amenities and Services

Repton

See map section 4.1.2.

2.11 Many amenities have been lost in the relatively recent past, including the surgery part of the health centre, paper shop, public toilets, bank, building society, hardware shop, pharmacy and The Dales residential home for the elderly. The surgery and pharmacy have relocated to Willington and this causes worry, particularly to older residents. The local library has now been replaced by a once a month mobile library. There are four public houses, two of which bring considerable numbers of people into the village with associated parking problems. The shops include a post office, butcher's shop, general store, a dentist, one hairdresser, and a beautician. There are also three food takeaways, and a tearoom. The Village Hall provides a centre for a number of services and social functions e.g. consultations; voting, keep fit classes, society meetings etc., but it urgently requires replacing.

The village has a number of educational establishments; two nurseries, a primary school, a private preparatory school and a public (fee paying) school. The primary school takes a significant number of pupils from outside the village, and the two nurseries, the private preparatory school and public school take the majority of children from outside the village. The Health Centre acts mainly as a venue for health care teams and provides little direct health care for the village.

There have been several problems with collapsed sewers, as some of them are now very old. These are part of a system which includes a pumping station by Brook Farm.

Milton

See map section 4.1.2.

Milton has a pub and a Village Hall, the latter having been upgraded, provides an essential centre for meetings etc., and is used by groups wider than the village. There is a sewage treatment station on the outskirts of the village. Milton is dependent on Repton and neighbouring Willington for the majority of amenities and services and concerns have been raised regarding increased through traffic.

Particular issues raised by residents include; the lack of health centre facilities in the parish, the need to retain retail outlets, the importance of the Village Halls.

4.1.4 Community, Leisure & Employment

Community and Leisure:

Repton

See map section 4.1.2.

The Village Hall is a well-used venue for local organisations, such as the Repton Village Society, and for private functions, as is the scout hut, known as The Den. Unfortunately the Village Hall is becoming structurally unsound and will require replacing in the near future. Another significant social venue is the Royal British Legion, which hosts a range of activities. The parish and United Reformed Churches have the usual associated clubs and classes, which together with the local sporting clubs and allotments, provide opportunities for villagers to meet. In Repton, all ages of the community are provided for; starting with the mother and toddler groups, scouting and guiding, Repton Casuals sports club and the W.I., through to the Evergreens. Some of these are gradually decreasing due to lack of volunteers and facilities. There are only limited social facilities specifically for the youth of the villages. However, Repton does have other amenities that are unusual in a village, including facilities for swimming, tennis and other sports. There is also a music subscription concert programme and choral society. All these are provided by the independent Repton School. Repton has a growing number of visitors interested in the village, its history and its surrounding countryside, particularly as it lies adjacent to the National Forest.

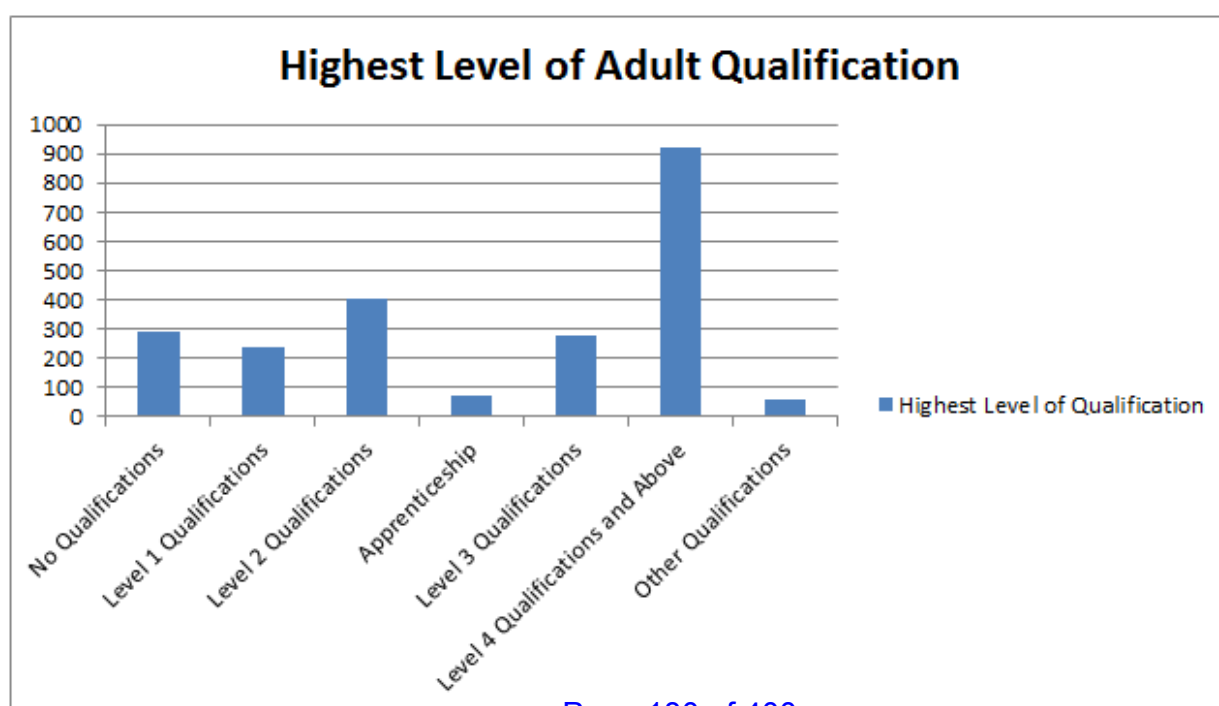
Milton

See map section 4.1.2.

The heart of Milton is based around the Village Hall and the Swan public house. The Village Hall supports a vibrant community and holds many functions throughout the year, organised and managed by a lively Village Committee. It is home to the local W.I, lunch club for the elderly and other organisations. Residents worship in nearby churches such as St Wystan's, Repton or St Saviour's, Foremark. A mobile library used to call twice monthly but this has now ceased.

Employment:

The residents of the parish tend to have a level of education that exceeds the national average. Most are employed in jobs outside the parish, leading to regular commutes.



Repton

See map section 4.1.2.

In recent years, the decline in village based industries, and in particular farming (now down to two working farms), has meant a reduction in locally based employment. Also, the number of shops in the village has greatly diminished as residents drive or are bussed to nearby supermarkets. The economy of Repton is that of a rural village, where most of the residents work in nearby towns and cities, but Repton School employs a sizeable number of local teachers and support staff. The only other major local employer is Gibson Technology, who design, build and test racing car engines, but currently all their staff live outside the village. There are a number of builders, architects and other trades based in the village, who add to the village's economy.

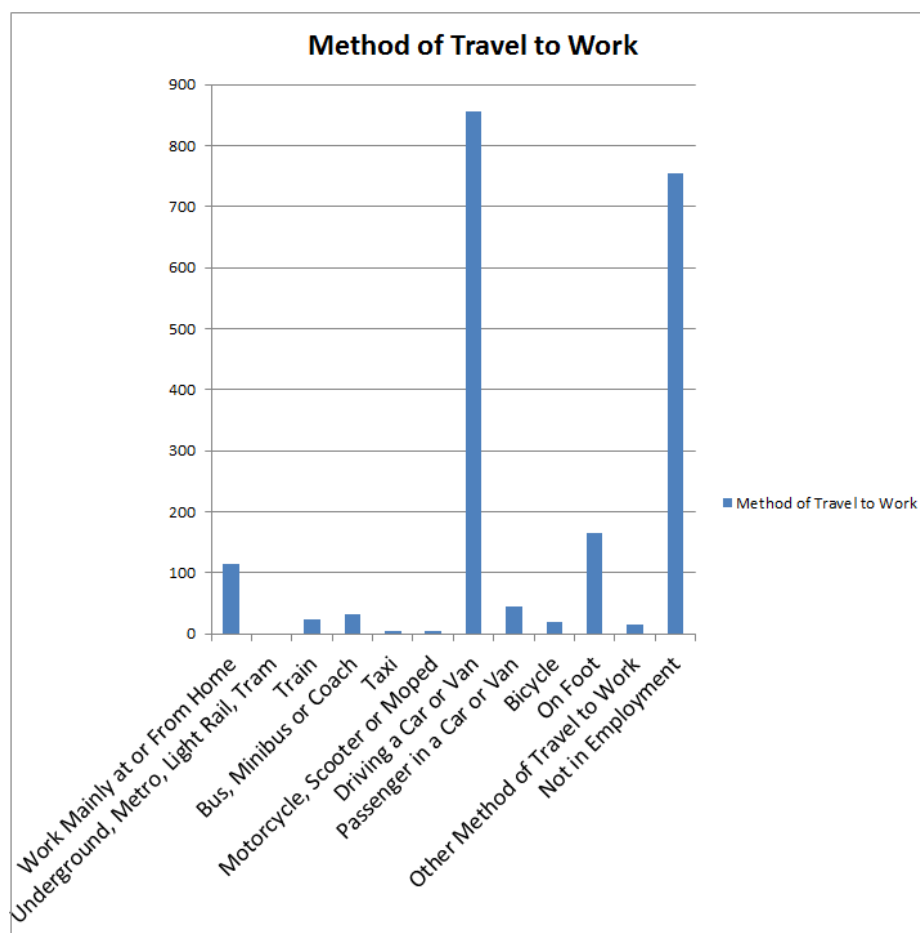
Milton

See map section 4.1.2.

Milton is still farming based but in line with the current agricultural trend, farms have become larger and currently there is one working farm in Milton. However Milton remains predominantly agricultural, with the major part of Milton's approximate 1300 acres being farmed by local long established farming families from within the parish. This creates continuity of husbandry and local agricultural tradition. In addition there are 2 smallholdings and several dwellings with land attached which is often used for equine pursuits. There are some small businesses in Milton, but apart from the public house these are generally individuals working from home and do not offer any additional employment. The majority of residents work in nearby villages, towns and cities, yet Milton retains a strong rural character and a proud sense of community.

The major employment is found in Derby and or Burton upon Trent, but with the nearby road links of the A38 and A50, the areas in which people travel to work is very wide. With limited public transport, this does mean a high car use and the consultation highlighted a worry that any new housing increases an already excessive traffic density.

4.1.5 Travel & Transport



Repton

See map section 4.1.2.

There are five road routes into the village and it is served by an hourly bus service during the day, which reduces in frequency in the evening and on Sunday. There is a mainline train station in the neighbouring village of Willington, about a mile and a half away, with seven trains per day, except on Sundays. Nottingham East Midlands Airport is situated approximately ten miles east of the village. There is an extensive network of footpaths, both within the village and across the surrounding farmland.

Repton lies within two miles of the junction between two major trunk routes, the A50 and A38. Adjacent to this junction is the Toyota car plant, at Burnaston. The proximity of these, and the location of the bridge over the river Trent at Willington (the only one for five miles in either direction), have led to a substantial increase in road traffic through the parish in recent years.

Repton is a very old settlement and the street layout, with little or no off-street parking, so does not easily accommodate the high levels of traffic. Two particular issues are evident. The first is the narrowness of the High Street, Milton Road and Burton Road in the vicinity of The Cross. This leads to severe congestion at times of high traffic density. The situation is compounded here and in other areas of the village, including the junction of Milton Road and Springfield Road, by the various school runs. The street layout around The Cross also affects pedestrians, due to the narrowness or absence of pavements, and crossings.

The other significant issue occurs on the outskirts of the village. The transition from open countryside to build-up area is not abrupt, leading to a tendency for speed limits to be exceeded.

The Trent Villager bus service runs to both Derby and Burton via the villages in between. The bus stops are located at Repton Cross, which is more than a mile from houses at the south-eastern end of the village, and on Burton Road, which is also a considerable distance from the majority of housing. There is also a free weekly bus, which is run by, and to, the Tesco supermarket in Ashby.

There is a perceived risk to cyclists from other vehicles on the causeway from Willington, where the traffic speeds tend to be higher and the road is relatively narrow, making overtaking difficult.

Repton is unusually well provided with footpaths both within the village environment and in the neighbouring farmland. These are extensively used, the accessibility encouraging people to walk from home. A network of hidden footpaths and 'jitties' criss-cross Repton and provide pleasant car-free links between different parts of the community.

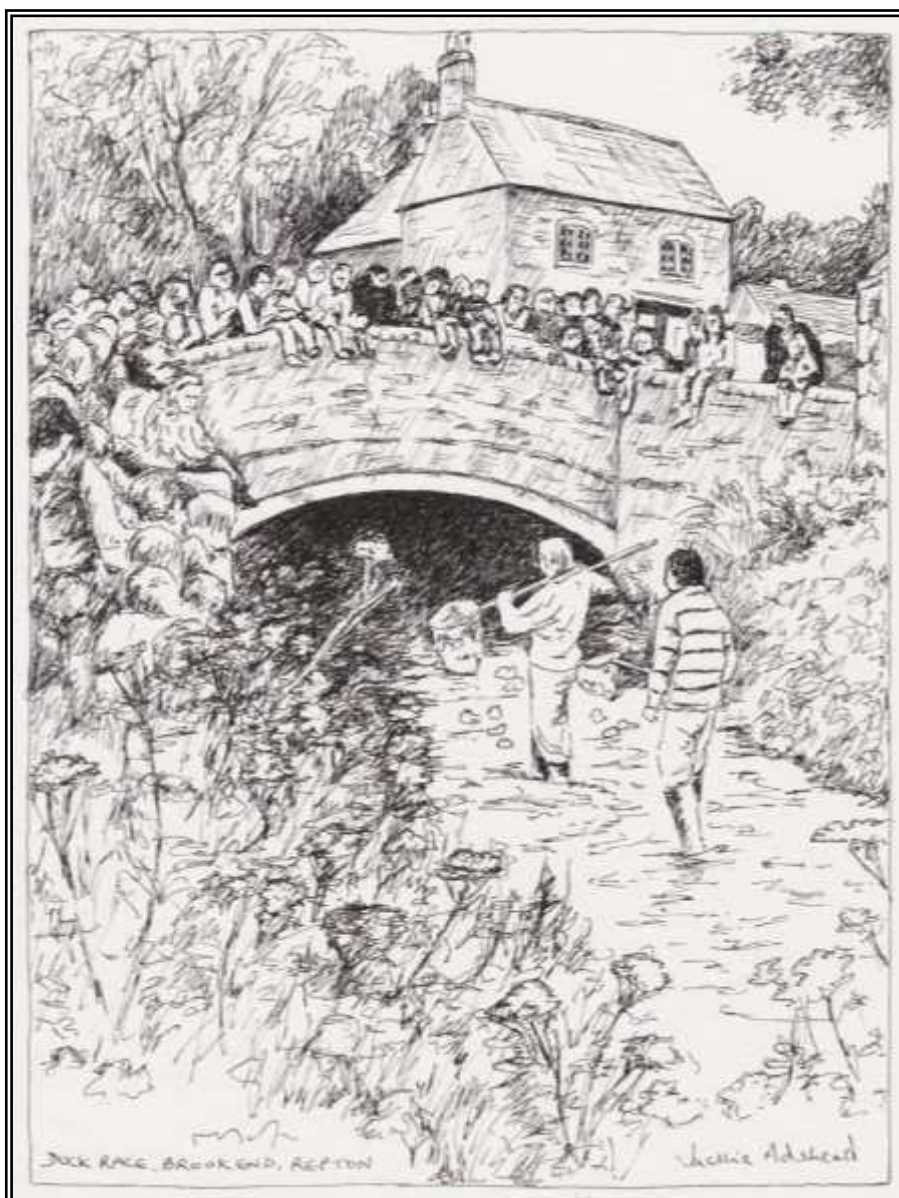
Milton

See map section 4.1.2.

Milton has road links to Repton, Ticknall and Swarkestone bridge (via Foremarke). Traffic levels are high at certain times of the day as the hamlet is used as a through route. There is no longer a public transport service in Milton. The majority of residents rely on their own transport or that of neighbours. This dependence upon the motor car brings with it the problem of car parking because many residents have no garage or driveway facilities and, of necessity, have to park on the main street.

There is a web of footpaths and bridle paths linking Milton across open fields with outlying farmsteads and settlements and with adjacent villages. These are used extensively by walkers, cyclists and horse riders, both residents and visitors.

5 Vision Statement & Core Objectives



The Village Design Statement was written in 2006 and updated for points of factual accuracy during 2016. When originally written, it endeavoured to describe Repton and Milton and their surroundings as they were at that time; highlighting the individual and collective characteristics that make the settlements distinctive. It was compiled by local residents, through a process of public consultation, with help and advice from officers of South Derbyshire District Council and support from Repton Parish Council and Repton Village Society.

The Village Design Statement added local guidelines for Repton and Milton to the overall policies on housing, environment etc. contained in the South Derbyshire Local Plan. The Local Plan and Supplementary Planning Guidelines (including Conservation Area Character Statements) were the first references addressed in a planning application, but the Village Design Statement supplemented them with those aspects particular to Repton and Milton. The purpose of the document was to ensure changes that took place in the future fitted in with what was best in Repton and Milton. It laid down what residents felt was important and was readily available to residents, developers and local planners, to help inform the planning process.

The steering committee and the working group all agreed that we should use such a comprehensive document as the base of the Neighbourhood Development Plan, bringing it up to date using information generated from the consultation process. It was the starting point for developing the Vision Statement and core objectives. Additional significant inputs have been; issues raised by members of the public at Parish Council meetings, the surveys undertaken at the Village Party (CEF11) and SDDC Local Plan Part 1. The vision and objectives have been further refined following consultation with the community. Details are provided in the Consultation Statement (CEF3) and the Evidence Paper for Each Theme (CEF31).

5.1 The Vision Statement

To ensure that the parish of Repton continues to be a vibrant, pleasant, sustainable and safe place in which to live, with facilities that meet the needs and aspirations of the people who live and work there.

5.2 Guiding Principles

The set of principles that provide a means of delivering the vision are:

The preservation of the separate villages of Repton and Milton, so that the individual identity of each community is not lost.

To preserve and enhance the landscape setting and historic character of the villages within the parish, by minimising any negative visual impact of new development.

To ensure that all development, as identified in the SDDC Local Plan, is provided in the right location and the scale to be in sympathy with the area's rural aspect and heritage, respecting the area's character and environment.

To create a parish that has minimum impact on the natural environment, promotes bio-diversity, encourages wildlife, works towards being carbon neutral and mitigates the expected effects of climate change

To sustain the vitality, health and safety of the community and to allow long-term residents the opportunity of remaining part of it.

To reduce the need to use private motor vehicles, to encourage alternative means of travel and to ensure that travel within the villages is appropriate and secure.

5.2.1 Looking at the principles in more detail:

The preservation of the separate villages of Repton and Milton, so that the individual identity of each community is not lost:

The two villages are very different in size, and nature.

Repton is a village with a long history. Of particular note are the buildings around the Cross, some of which date back to the Saxon period. In addition to the oldest buildings that form the core to the village, there has been subsequent building over many centuries that provide a wide variety of different styles. These create different aspects within the village, including open spaces and mature trees, with the whole tending to blend harmoniously together. Further details are provided within SDDC Conservation Area document (CEF7) and the Historical Assets Register (CEF8). It is imperative that this is taken into consideration during planning, as the results of all decisions made will have an impact on this important aspect of the village. Repton has a range of amenities, including a bus service, retail, sports and leisure facilities. These provide residents with services that are reasonably accessible, although some of them would certainly benefit from enhancement and augmentation.

Milton is a hamlet, established well over 1,000 years ago, a totally separate community from Repton. It does not have the services and facilities found in Repton. Nevertheless, it too has a distinctive character, with many attractive buildings and a more rural aspect. Given the differences to Repton, it is appropriate that the planning policies affecting it are different.

To ensure that all development, as identified in the SDDC Adopted Local Plan, is provided in the right location and scale to be in sympathy with the area's rural aspect and heritage, respecting the area's character and environment - and - To preserve and enhance the landscape setting and internal historic character of the villages within the parish, by minimising any negative visual impact of new development:

The two communities benefit from an attractive semi-rural character derived from open fields, abundant trees and hedgerows and a wide variety of building styles and features reflecting the long history of the parish. The rural character is strengthened by grass verges, and green spaces which are both located on the four major roads in Repton and in the majority of housing developments. This is unfortunately not the case for the housing developments of 2015 and 2016. Its location, accessibility, scale and appealing countryside setting, combined with its strong community spirit, makes the parish of Repton a place where people desire to live. The area of the Cross and Church in Repton are obvious landmarks, but the character of the village is much more diverse and will affect, and be affected by, changes in the buildings, roads and related features. As described in detail in the Village Design Statement (CEF9) and SDDC Conservation Area documents (CEF7) and Historical Assets Registers (CEF8), Repton and Milton have a significant and attractive built environment, which is valued and should be preserved and enhanced.

To create a parish that has minimum impact on the natural environment, promotes biodiversity, encourages wildlife, works towards being carbon neutral and mitigates the expected effects of climate change:

Hedgerows, trees and woodland throughout the rural parish visually enhance the countryside, as well as providing an important habitat for wildlife. The natural environment is integral to the

character of the parish. Enhancing it will encourage healthy activities such as walking. Transport is also an important theme. Opportunities should be taken to reduce the use of motor vehicles and avoid queuing stationary traffic, so as to minimise pollution.

To sustain the vitality, health and safety of the community and to allow long-term residents the opportunity of remaining part of it:

There is widespread recognition that the population is ageing and there is an increasing requirement for suitable housing provision for older people, many of whom do not want to leave the parish when they no longer feel able to live in their current home. In addition, residents of all ages need access to health-promoting leisure facilities.

To reduce the need to use private motor vehicles, to encourage alternative means of travel and to ensure that circulation within the villages is appropriate and secure:

The parish needs to ensure the integration of the various neighbourhood areas within the villages through appropriate pedestrian and cycle links. It is important that good public transport, walking and cycling access are provided.



5.3 The Core Objectives

The core objectives are grouped under five headings:

Housing

Open space & Environment

Amenities & Services

Community, Leisure & Employment

Travel & Transport

At the consultation there were comments about the main issues, and the core objectives were developed from these. See the Consultation Statement (CEF3) and the Evidence Paper for Each Theme (CEF31) for details of this process.

Housing

Main comments raised by local people during the consultation included:

Residents did not want to see any more large developments. Having had 148 houses built in the last two years in one area of Repton, they felt any new housing needed to be integrated into the village and on smaller sites.

That The Dales, which had provided residential care in the parish but had been closed and was lying empty, should be redeveloped for housing provision for the elderly. In addition the existing housing for the elderly at Fisher Close should be retained and enhanced.

A lack of affordable housing in both villages.

Residents expressed an appreciation of the historical nature of both villages and a desire to preserve this.

Objective: Integrate small new housing developments within the villages

Objective: Develop The Dales site for supported elderly care accommodation and retain Fisher Close for the same reason.

Objective: Provide some affordable housing for local people

Objective: Retain the historical built environment

Open Spaces & Environment

Main comments raised by local people during the consultation include:

Retention of the separation and integrity of the two villages

Retaining hedgerows and encouraging biodiversity

Landscape and the rural aspects were one of the reasons people chose to live in the villages

Providing open spaces and grass surroundings in keeping with a rural setting, on new developments

Retention and improvement of the present open spaces

Problems regarding increased flooding

Objective: Ensure that the village boundaries remain as in Local Plan 1

Objective: Encourage tree and hedge retention and planting

Objective: Ensure new building does not adversely impact on views and the rural landscape

Objective: New developments to provide appropriate open spaces

Objective: Improve existing open spaces

Objective: Ensure new build does not increase potential flooding

Amenities & Services

Main comments raised by local people during the consultation include:

Lack of health provision in the parish

The importance of the Village Halls

Objective: Address the lack of health facilities within the parish

Objective: Ensure the Village Halls remain fit for purpose

Community, Leisure & Employment

Main comments raised by local people during the consultation include:

Present play facilities not easily accessible

Repton Village Hall in very poor condition with no disabled facilities

Milton Village Hall is an important asset

Need to retain existing retail businesses

To be able to work from home would be an advantage

Small businesses to be encouraged

Objective: Provide play facilities near to new developments

Objective: Rebuild Repton Village Hall with appropriate facilities and retain Milton Village Hall

Objective: Retain the number and mix of shops

Objective: Support new small businesses

Travel & Transport

Main comments raised by local people during the consultation include:

The amount of traffic through both villages

The lack of parking and inappropriate parking

Enjoy the footpaths through the villages

Want to encourage more cycling and walking

Better links with Willington where health and retail provision is sited

Objective: Ensure new housing developments have good pedestrian, cycle and bus connections

Objective: Consider ways to provide new parking within both villages

Objective: Retain and improve footpaths

Objective: Improve connections to surrounding destinations



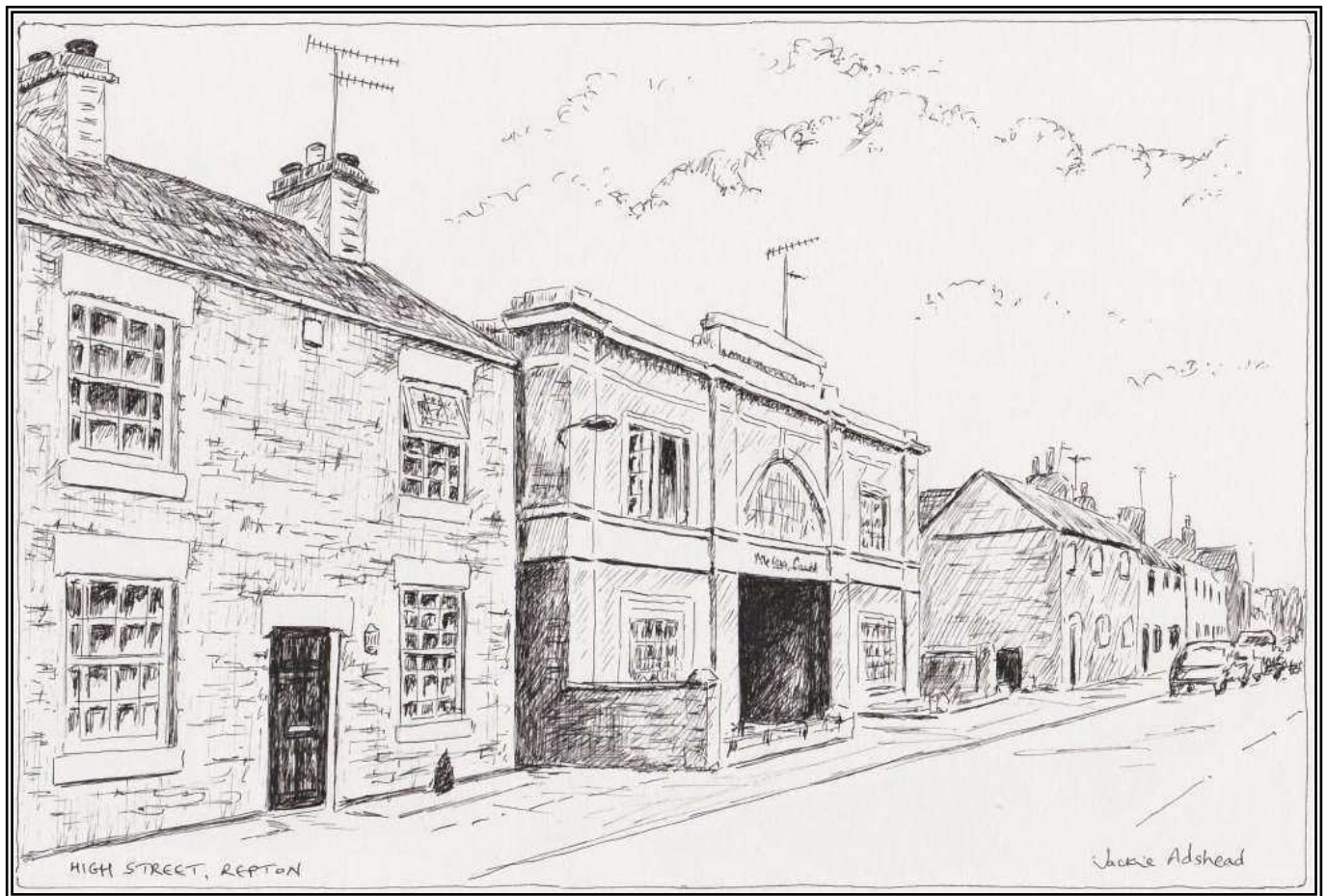
6 Section 2 - Neighbourhood Plan Policies

This section describes the policies that will help enable the parish meet the objectives stated in section 5 of this document. In the following section brief justifications are provided for each policy. A more detailed explanation of the evidence and reason for the policies can be found in the following documents:

Consultation Statement (CEF3), the Basic Conditions Statement (CEF4), Detailed Justification of Policies (CEF5), Justification of Policies with Links to Existing Planning Documents (CEF5a), Evidence Paper for Each Theme (CEF31), Analysis of Questionnaires by Theme (CEF28) and Spreadsheet of Comments from Questionnaire (CEF29). These are the principal documents that cover the process of the identification and generation of the policies but within these documents are references to other documents that are also pertinent.

The Neighbourhood Plan policies are important in order to safeguard the parish from inappropriate development and to avoid overloading existing infrastructure and community provision, but extend those where possible and appropriate. These policies should be implemented to ensure a linked and joined up approach to villages, community and environmental development.

6.1 Housing



Our ambition is to promote a balanced and vibrant community where the parish has the services and housing sufficient to meet the needs of residents at all stages of their lives. The Neighbourhood Plan supports regeneration and re-development opportunities that help achieve

social and environmental objectives in the parish. Our aim is to ensure Repton and Milton are attractive, environmentally healthy and sustainable villages to live in, whilst retaining their very distinct characters. When recognising the heritage and history of the parish, the Housing policies seek to protect and enhance the historic built environment of Repton and Milton, whilst also securing its place in the future. Our design ambition for homes is to promote high quality design and materials in the development of buildings which will result in improvements to the lives of residents and visitors to the parish and to the built environment. The Neighbourhood Plan supports housing development that fosters more sustainable means of transport, reflecting the predominantly rural and residential character of the area.

6.1.1 Repton and Milton limits of development

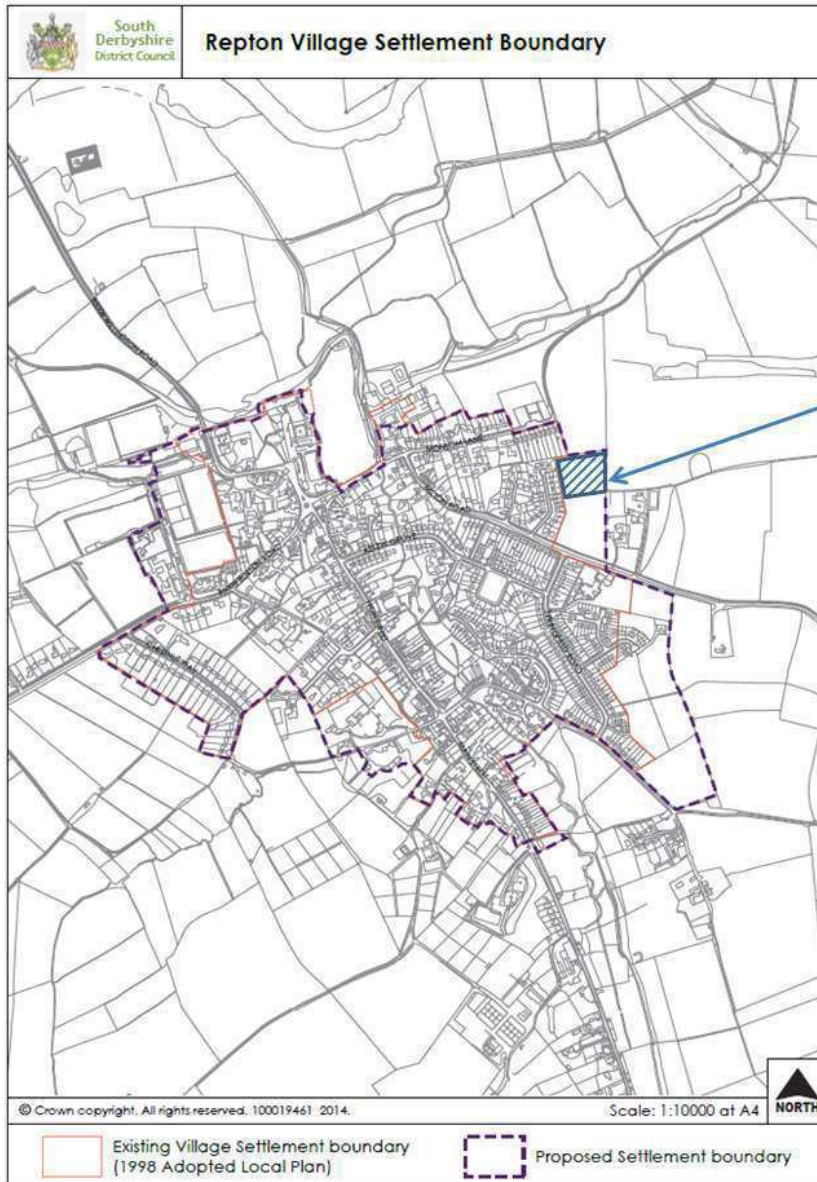
The Neighbourhood Plan proposes to designate the limits to development for the parish which will maintain the existing boundaries of both the villages of Repton and Milton. The villages are quite different and there is strong community support that this should be preserved. Repton is a large village with a range of amenities while Milton is a small rural hamlet. In many cases people have chosen to settle in each village because of the specific characteristics each offer. It would be detrimental for the two to merge, thus resulting in a loss of identity. In addition, the physical separation with open countryside enhances the rural nature of both communities and provides residents with immediately accessible leisure opportunities through the linking network of footpaths.

It should be noted that the settlement boundaries described below are consistent with those currently proposed in SDDC Local Plan Part 2, with one important exception. Community consultation (see CEF28 and CEF29) has shown residents accept the merit of minor alterations to the boundaries of both Repton and Milton to reflect the existing built area, in many cases long established. Residents also accept the housing development in Repton adjacent to Mount Pleasant is currently underway, so it is reasonable to encompass this within the boundary. It should be noted that there was considerable opposition to this development and it is non-strategic, being outside the allocation designated in SDDC Local Plan Part 1.

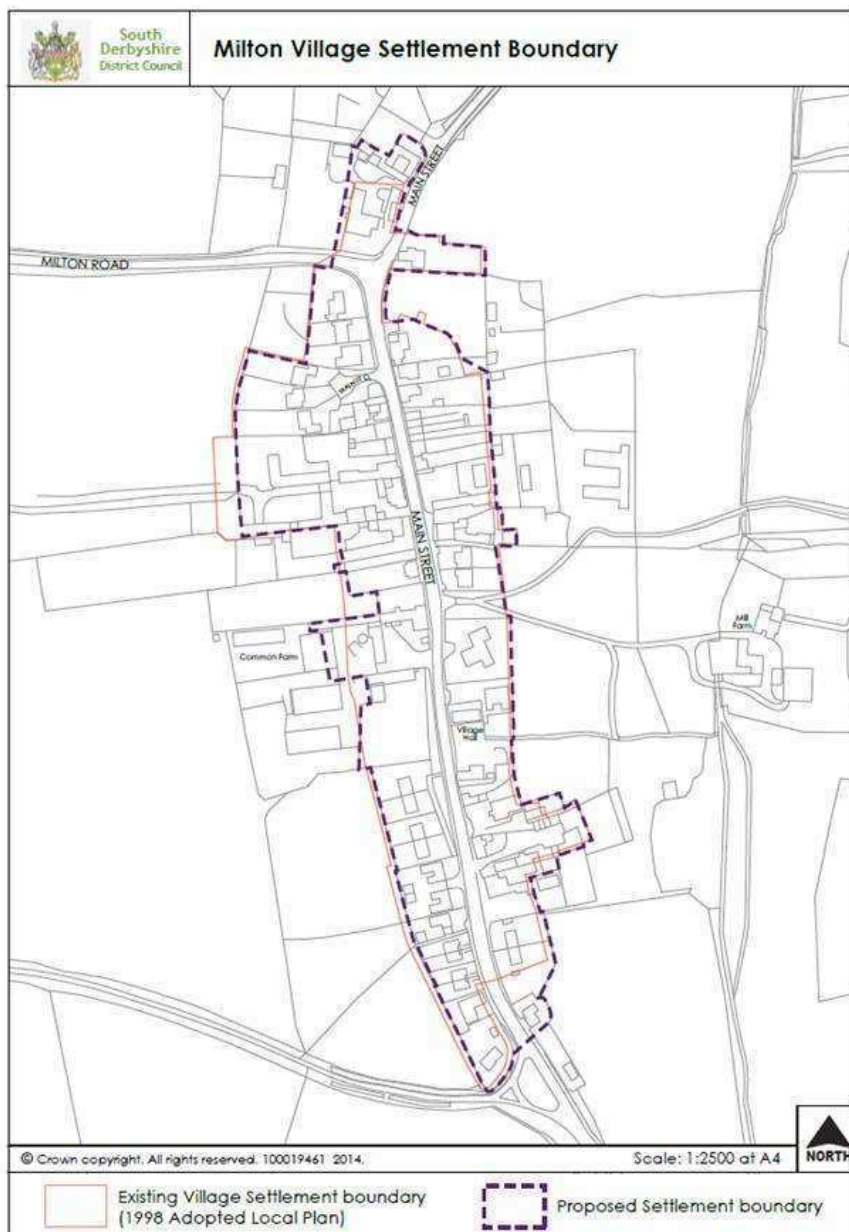
Residents are not accepting of proposals to expand the boundary of Repton to incorporate significant housing developments in the countryside. In particular, it is very clear there is a high level of opposition to the proposal to build 25 houses off Milton Road (SDDC Local Plan Part 2 Policy H23G – Non Strategic Housing Allocations - Milton Road, Repton - S/010). Reasons for opposition to this cited by residents include:

- Lack of sustainability due to distance from services
- More appropriate brown-field locations in the district
- Increased risk of flooding
- Pressure on over-stretched services
- Traffic congestion
- Impact on significant views

6.1.2 POLICY H1: THE LIMITS OF DEVELOPMENT: The limits of development for the villages of Repton and Milton will be maintained as identified on the proposal maps for each village, shown below.



Policy H1 – Repton settlement boundary as proposed in SDDC Local Plan Part 2 – Examination Draft April 2017, with the exception of hatched region where boundary to preclude the higher part of the field above the public footpath.



Policy H1 – Milton settlement boundary as proposed in SDDC Local Plan Part 2.

6.1.3 Development within the settlement confines

Consistent with SDDC Local Plan Part 1, development is permissible within the designated settlement boundaries. It should be recognised that the appropriateness of specific development proposals must be assessed against planning policies and guidelines, including those contained in this document.

The following areas are specifically recognised, accounting for strategic sites identified in SDDC local Plan Part 1:

- 24 houses at Mount Pleasant Road, Repton (SDDC S/088).
- Small residential sites, provided such proposals are well designed and meeting all relevant requirements set out in other policies in this plan, and where such development:
 - a) fills a small, restricted gap in the continuity of existing frontage buildings or on other sites within the built-up area of the village where the site is closely surrounded by buildings.

- b) is not considered to be unneighbourly development that requires unsuitable access, reduces the privacy of adjoining properties or is inconsistent with the character of the locality.
- Vacant or derelict properties should be preferentially re-developed.

6.1.4 POLICY H2 DEVELOPMENT WITHIN SETTLEMENT CONFINES: Development should take place within the limits of development for Repton and Milton as defined in policy H1 above. A development proposal for infill development and the conversion of existing buildings will be supported where it has been demonstrated that:

- The scheme is small scale and reflects the size and character of the village:
- The proposal is well designed and considers the distinctive qualities of the village
 - The proposal is infilling in a small gap in the existing frontage or
 - The proposal is formed by a site that is closely surrounded by buildings.
 - The development does not adversely affect neighbouring properties by reason of noise, unsuitable access, loss of privacy, loss of daylight, or visual intrusion that would affect the amenity of adjoining properties.

6.1.5 Provision for elderly accommodation

The parish has an ageing population that wishes to remain within the parish. This is supported by statistical evidence, as well as the results of the 2015 survey. This will only be possible with the provision of suitable housing and services. Recent substantial development off Milton Road and Longlands totalling well over 100 houses has not addressed the identified needs of an ageing population. The retention of The Dales and Fisher Close for this group seeks to redress the balance. It is very clear from the collated responses of residents that this provision should be retained and enhanced (see CEF28 and 29). This is consistent with NPPF paragraphs 50 and 51.

6.1.6 POLICY H3: Retention of The Dales Site and Fisher Close for Elderly Accommodation

- The Dales, Repton should be redeveloped for elderly accommodation, consistent with aim of previous plans.
- Fisher Close, Repton should be retained for sheltered accommodation for the elderly.
- The Dales and Fisher Close areas should be considered in a holistic manner to provide comprehensive elderly provision with excellent access, due to their central location within the village.

6.1.7 Housing mix

There are challenges to accommodate the needs and desires of residents in two key areas. The first is the recognition that the population is ageing but wishes to remain part of the community. The second is the provision for people starting off in the housing market. Often these will be at the younger end of the age spectrum. Policy H3 aims to address the first of these issues to some extent, but there is more that can be done. Limited affordable homes have been built in recent years and there remains a gap between the desires of some potential home owners, often those who have grown up in the parish, and the availability of suitable housing stock.

6.1.8 POLICY H4: HOUSING MIX: New housing development proposals should provide for a recognised housing need in the parish. The provision of affordable smaller homes, especially for young families and young people, and for older people, will be supported. Affordable housing will be preferentially allocated to those who can demonstrate a strong connection to the parish.

6.1.9 Design of new development to be of high quality

As described in detail in the Village Design Statement, Repton and Milton have a significant and attractive built environment, which is valued and should be preserved and enhanced. The 2015 survey shows strong support for these principles. This is consistent with NPPF sections 7 and 12. Any development that takes place should ensure the identity and character of the villages are to be maintained in a manner consistent with the Village Design Statement (CEF9), the SDDC Conservation Area Statements (CEF7) and the Historical Assets Register (CEF8). Proposals for all forms of new development must plan positively for the achievement of high quality and innovative design, at the same time demonstrating they have sought to conserve local distinctiveness and the aesthetic qualities of traditional rural settlements and buildings found in the wider parish.

6.1.10 POLICY H5: DESIGN OF NEW DEVELOPMENTS TO BE OF HIGH QUALITY:

Proposals for new housing must be of high quality and designed to reflect the character and distinctiveness of the villages of Repton and Milton. They must demonstrate how they meet the following:

- **Reflect the design principles in the Village Design Statement**
- **Identify with the local character to create a sense of place appropriate to the location**
- **Consideration of context and character**
- **Appropriateness of the building styles to the historic context as a listed building and/or within the Conservation Areas**
- **Quality for residents**
- **Integration of new proposals into the village and landscape setting**
- **Ensure they have appropriate grass verges or open spaces.**

6.1.11 Design of adequate car parking to fit in with the character of the proposed development

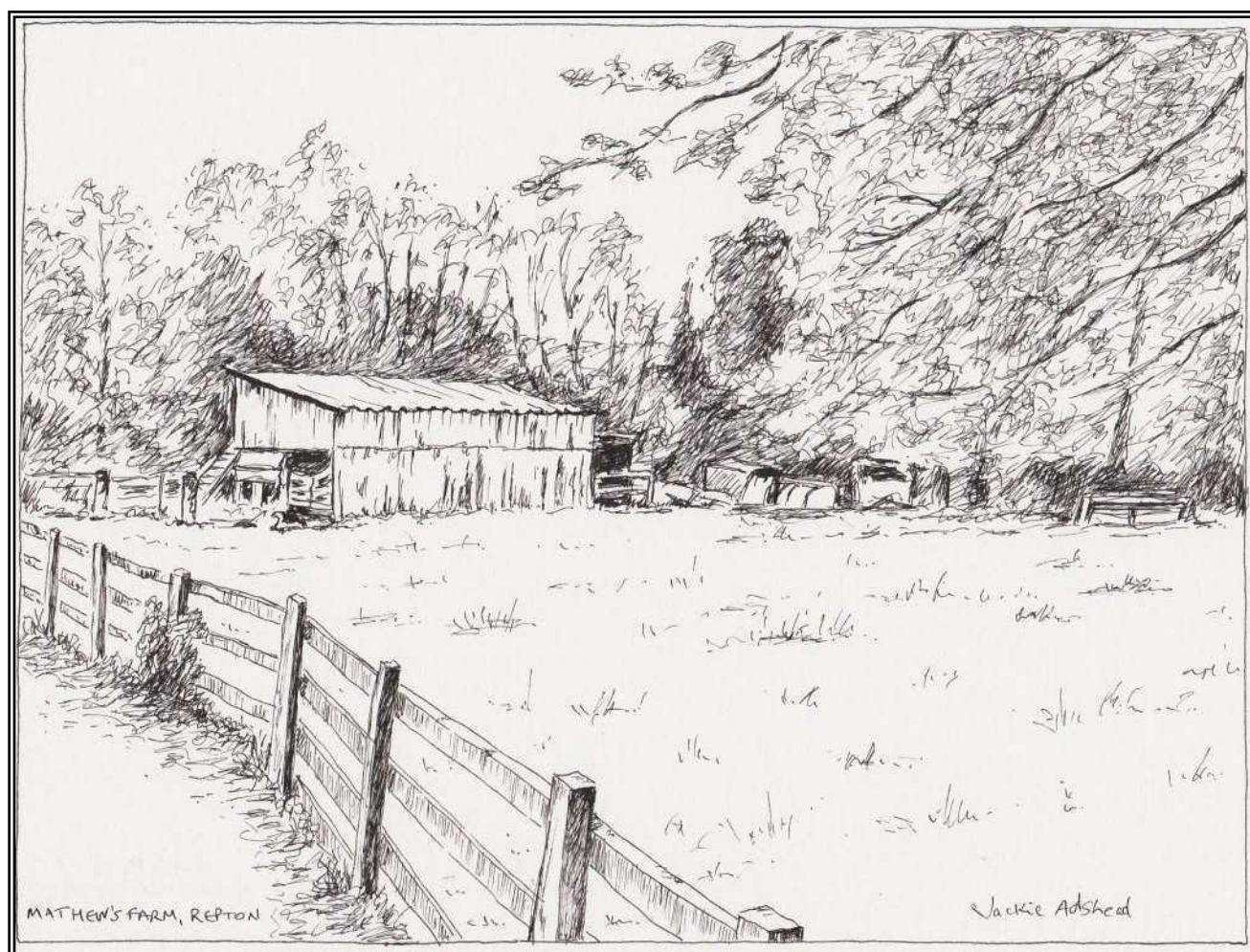
Parking is a significant issue within the parish. There are recent examples where inadequate provision has led to on-road parking, causing distress, disruption and congestion. This should be avoided in future developments. The way in which car parking is designed into new development will have a major effect on the quality of the development. Whilst it is desirable that a suitable amount of car parking is provided in relation to the size and scale of the development, it should be provided in a way that has minimal visual impact on the overall appearance of the development. The Neighbourhood Plan proposes that each new housing development must have off-road parking consistent with the size of accommodation, as defined by the number of bedrooms. Houses with up to 2 bedrooms should have at least 1 parking space, those with 3 to 5 bedrooms should provide at least 2 parking spaces and those with 6 or more bedrooms should provide at least 3 parking spaces.

Electrical charging points are supported to encourage the use of more sustainable vehicles.

6.1.12 POLICY H6 DESIGN OF ADEQUATE CAR PARKING TO FIT IN WITH THE CHARACTER OF THE PROPOSED DEVELOPMENT: New housing and extensions to existing properties will include adequate car parking provision that minimises the visual impact on the buildings and landscape and adheres to the following principles:

- Provision to be in the form of a garage or parking space.
- Provision to be appropriate to the size of the house, as defined above.
- If a garage is proposed it should be large enough to be useable with internal dimensions of a minimum of 6.5m x 3m.
- Garages designed to reflect the architectural style of the house.
- Minimise visual impact of frontage/street scene parking by landscaping that is an integral part of the overall landscaping of the development proposal.

6.2 Open Spaces/Environment



Open spaces are cherished areas which enhance the built environment of the parish. They provide areas for recreation as well as adding to the visual appeal, and there is strong support for both their retention and enhancement. The views both into and out of the villages are a highly significant and much appreciated feature of the parish. They should be retained by avoiding inappropriate locations for new buildings.

6.2.1 Local Green Spaces

It is very apparent that the residents of the parish appreciate the rural nature of their communities and feel strongly this should be preserved. This is reflected in the responses to potential development beyond the village settlement boundaries, as well as the retention and enhancement of existing open spaces. It is also noteworthy that this theme features very prominently in the 'likes' section of the survey which also said that the rural appearance should be enhanced through further planting of trees (see CEF28 and CEF29).

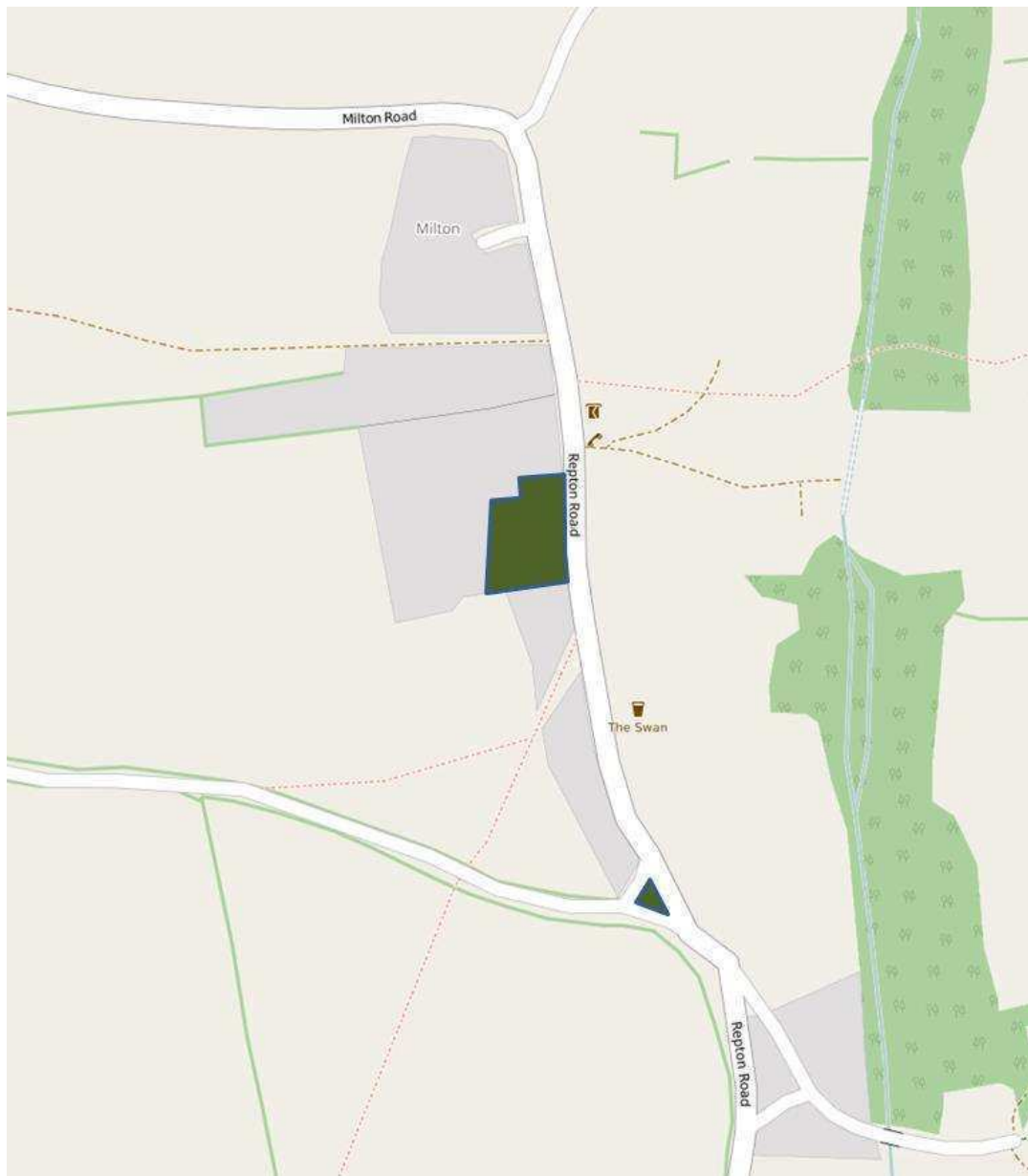
The following Local Green Spaces are designated, consistent with NPPF paragraphs 76 and 77.

- The land adjacent to Milton Road, by Saxon Croft, Repton. This area of grass with scattered trees is surrounded by houses on all sides. It not only provides a well-established open space but it is also in regular use as a path from Milton Road to Monsom Lane.
- Mathew's Farm, between High Street and Pinfold Close, Repton including the wooded area adjacent to the existing open space up to the plot containing a derelict bungalow. This is a pair of fields bordering the brook. It also has mature trees on its edges and more extensive collection of trees on its southern edge. For many years it has operated as a small-holding. Often animals such as sheep and geese are located here. The land is crossed by two footpaths that are in very regular use, such that many residents benefit from this rural space right in the heart of the village.
- The Crescent, Repton. The green space is grass with scattered trees. The land provides an open aspect to the housing and an area where local children play.
- The arboretum on Pinfold Lane, Repton. This small space has been planted with a variety of native trees, typically by families in memory of loved ones.
- The land opposite the arboretum on Pinfold Lane, Repton. This area has been allocated by SDDC and Repton Parish Council as an extension to the arboretum, as demand has exceeded the capacity of the existing area.
- The land adjacent to the brook near the United Reformed Church on Pinfold Lane, Repton. This grassed area borders the brook and has a combination of mature willows and scattered trees. It provides an open aspect in a location surrounded by houses and is regularly used for games by local children.
- The playing field off Mitre Drive. This is the location of The Den (scout hut) and the main children's play equipment. As such it is used by children on a very regular basis. It is also the location for events such as the village party. The land, whilst surrounded by houses, is extensive enough to provide a significant open space with views out into the countryside. A footpath runs along one edge, adjacent to another field. This results in many people benefiting from this open area.
- The wide verge opposite Milton Village Hall and the orchard adjacent to it. This land is the open space right in the heart of Milton. The building line opens up here and there are views into the countryside. A bench allows residents to sit and appreciate this peaceful location. In addition the area is used by the community for local events.
- The Triangle (also known as The Village Green) in Milton at the bottom of Mount Pleasant Road. This small area has grass, trees and spring bulbs. It links the adjacent countryside with the village environment.

6.2.2 POLICY OS1: PROTECTION OF EXISTING OPEN SPACES: Within the areas of Local Green Space described above and shown in dark green on the proposals maps below, development will be ruled out other than in very special circumstances.



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6.2.3 Visual impact of new development on views from the countryside

Repton is a rural parish and the relationship of the built environment with the countryside is important. The villages of Repton and Milton both sit in valleys, with a ridge in between. There is little skyline development, which, coupled with trees within the villages, help integrate both communities with the surrounding landscape. The area is criss-crossed with an extensive network of footpaths, which provide many with an opportunity to experience the countryside without the need to drive. In addition, the historic centre of Repton can often be glimpsed from many of these paths. The views both into and out of the villages are a significant and appreciated feature of the parish. They should be retained by avoiding inappropriate locations for new buildings resulting in unacceptable landscape impact. Development which impinges on the skyline or which results in significant blocking of views of the historic centre of Repton, including St Wystan's church and The Cross, should not be permitted.

A professional landscape survey has been conducted to understand, identify and justify the importance of the visual aspects of potential development in the context of the rural setting. Full details are provided in CEF6.

6.2.4 POLICY OS2: THE VISUAL IMPACT OF NEW DEVELOPMENT ON VIEWS FROM THE COUNTRYSIDE MUST BE MINIMISED: An assessment of views to and from a proposed development should be provided to show how the negative visual impact will be minimised through the design of the site location, layout, buildings and landscaping and how it will be consistent with the findings of the Landscape Character and Visual Amenity Assessment (CEF6).

6.2.5 Hedgerows, Trees and Woodland

Trees, woodland and hedgerows contribute positively to the character and amenity of an area, supporting both biodiversity, health, and well-being. Attractive surroundings encourage walking which in turn supports 'Healthier South Derbyshire'. Repton is on the edge of The National Forest with the potential for growth in tourism. The village itself is of historic interest with frequent groups visiting the church and surrounding area, and this potential needs to be supported. Hedgerows, trees and woodland should be retained and loss minimised, consistent with Local Plan adopted policies.

6.2.6 POLICY OS3 IMPORTANT TREES AND HEDGEROWS: Trees and hedgerows of good arboricultural, biodiversity and amenity value should be protected from loss or damage as a result of development . Wherever possible, they should be integrated into the design of development proposals and their enhancement will be supported. Proposals should be accompanied by a tree survey that establishes the health and longevity of the trees.

Informative: in considering applications for development the tree survey report should include the following:

A) Proposals that affect trees, hedgerows and woodland should clearly demonstrate that:

- i) The layout and form of development have been informed by an appropriate arboricultural and/or hedgerow surveys; and
- ii) Development would not suffer from undue shading either now or in the future; and
- iii) Appropriate protection measures are secured to ensure adequate protection zones and buffers around trees, woodland and hedgerows.

B) The felling of protected trees, groups of trees or woodland and removal of important hedgerows, will only be permitted in exceptional circumstances and in accordance with the relevant legislation, policy and good practice recommendations. Where protected trees are subject to felling, a replacement of an appropriate number, species, size and in an appropriate location will normally be required.

C) Development proposals which will have a negative effect on trees, hedgerows or woodland must satisfactorily demonstrate a net biodiversity gain can be delivered through the delivery of appropriate mitigation, compensation or offsetting, including through new planting or improved management of retained trees and hedgerows. New planting will be expected to be adequately managed to reach full maturity.

D) Where new planting is proposed in built-up areas, consideration should be given to planting tree species which are known to contribute towards improving air quality such as Field Maple, Ash, Common Alder, Norway Maple, Silver Birch, Larch and Scots Pine.

E) Existing public land and roadsides should be improved by naturalistic planting of trees, shrubs and flowers where they are practical and add to the character of the area, and tree planting should be encouraged where it will soften and help to integrate new developments.



6.3 Amenities/Services

6.3.1 Provision of Health Care Facilities

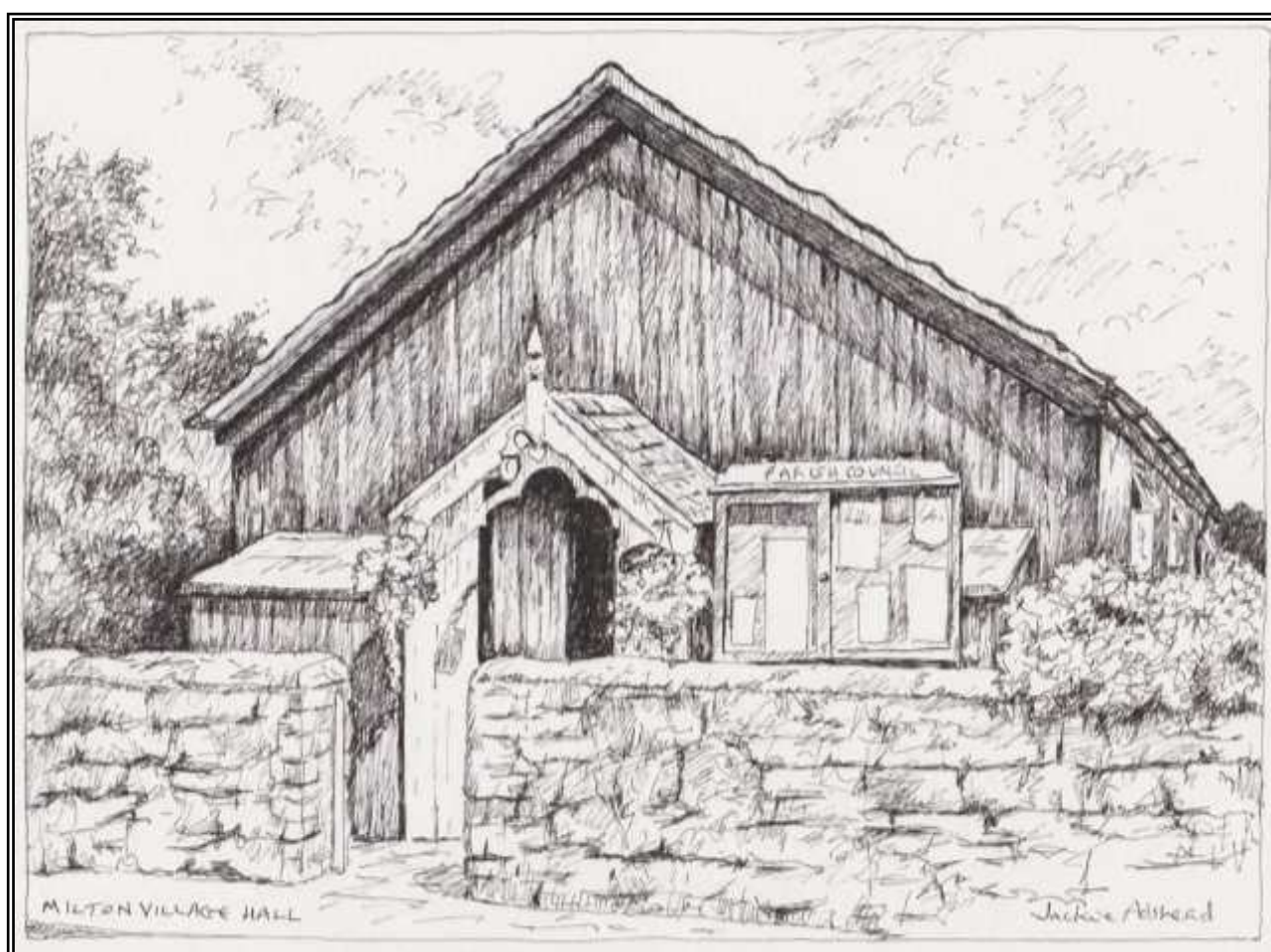
According to NPPF, the planning system should provide a high quality built environment with accessible local services that reflect the community's needs and support its health, social and cultural well-being. This is described in detailed in NPPF section 8 and the following policies reflect that intent. The population of the parish is ageing yet there is no effective health care provision within the parish. Most residents are forced to travel by car to access such facilities.

It should be noted that, whilst there is a health centre in Repton, this serves as an administrative centre for health-care teams and provides little or none of the comprehensive health care the community requires. This forces people to travel, particularly to Willington, to the local doctors' surgery. The survey produced a strong level of support for improved facilities.

6.3.2 POLICY AS1 CONTRIBUTIONS ARE REQUIRED FROM DEVELOPERS OF NEW HOUSING TO FUND ADDITIONAL HEALTH CARE FACILITIES: Financial contributions will be required from developers of new housing sites to fund additional healthcare facilities.

6.3.3 Policy AS2 IMPROVED ACCESS TO HEALTH CARE FACILITIES, EITHER THROUGH THE PROVISION OF SOME SERVICES IN REPTON PARISH OR A BETTER TRANSPORT SYSTEM: The provision of a medical centre will be supported. Any planning application to change the use of an existing building to a facility that is capable of serving the local community will be supported. This support will be subject to any application ensuring that sufficient parking and safe access can be provided at the site.

6.3.4 Village Halls



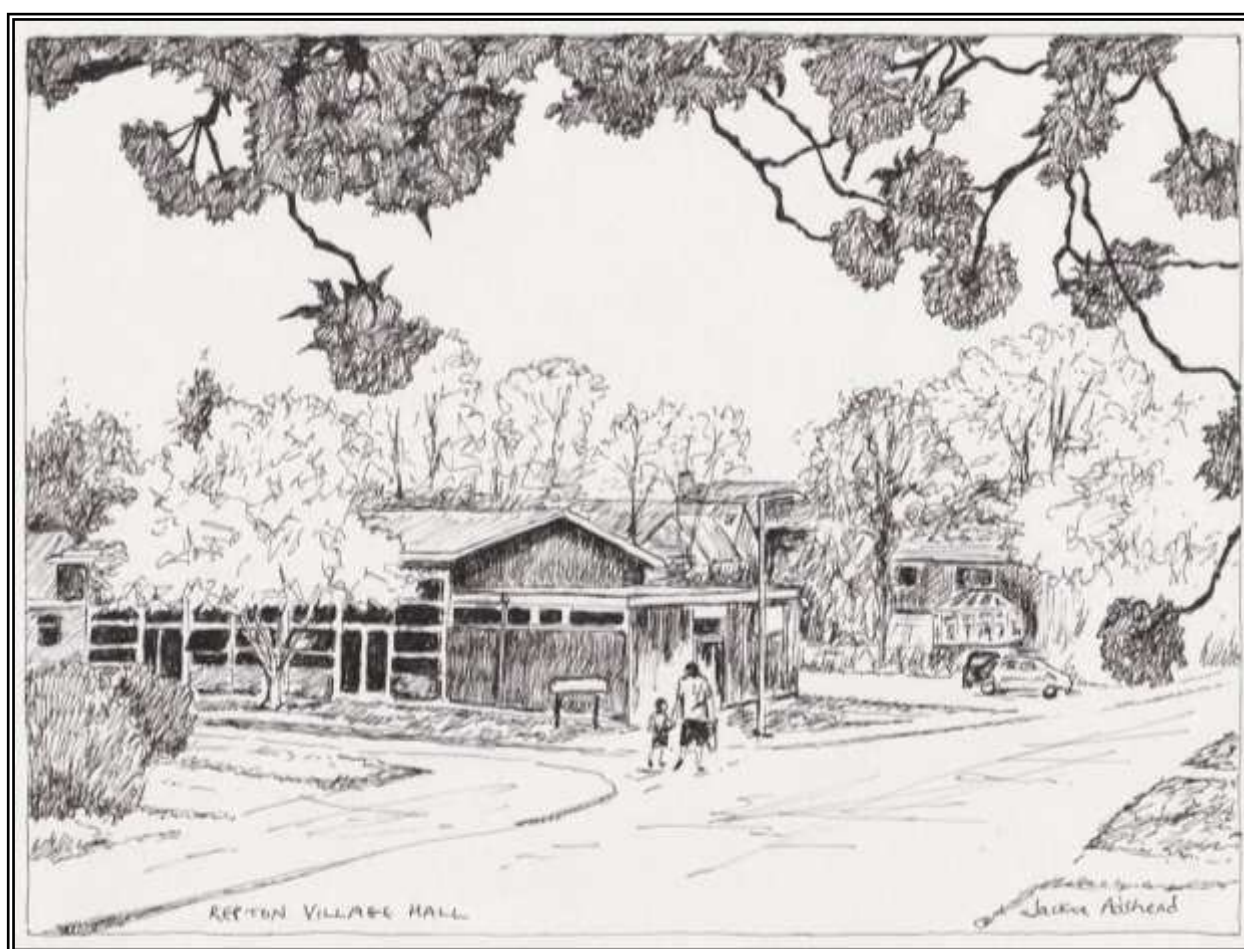
The village Halls are key facilities that form the hub of both communities. They have a vital role to play in promoting social cohesion. In addition they allow sport and physical activities to be undertaken indoors, with associated health benefits, in line with strategic policies.

Repton has been designated a Key Service Village and Neighbourhood Hub which will offer a wider range of formal sport, physical activity and play opportunities. Some of the facilities exist but many will need to be developed or improved. One aspect is an indoor community facility for informal sport and physical activity, together with local community events. Repton Village Hall

needs to be redeveloped to provide these amenities. Repton Village Hall has poor access for the disabled and needs kitchen facilities upgrading for it to remain at the centre of the community. Milton Village Hall has been refurbished with excellent kitchen facilities and has good access for the disabled. The survey results showed a particular strength of feeling for the retention and enhancement of the Village Halls.

6.3.5 POLICY AS3 DEVELOPER CONTRIBUTIONS WILL BE SOUGHT FROM ALL NEW HOMES TOWARDS THE FUNDING OF A COMMUNITY FACILITY OR FOR ITS IMPROVEMENT: The expectation is that the facilities on the existing sites will be enhanced.

6.3.6 Policy AS4 RETENTION, EXPANSION, ENHANCEMENT OR REDEVELOPMENT OF THE VILLAGE HALLS IN REPTON AND MILTON WILL BE SUPPORTED, CONSISTENT WITH THEIR ROLE AS COMMUNITY ASSETS.



6.4 Community, Leisure and Employment



These three aspects are the core of village life and need to be sustained and enhanced. The development of community facilities is essential as residents do not have the same access to facilities that are easily available in towns and cities. It is community action that provides many leisure aspects that are essential to both physical and mental health. Employment is more problematic, in that a village cannot be expected to provide the means to provide a good choice of work. Employment in agriculture has waned and most residents have to commute some distance to their place of work. It is important to provide as much support as possible to appropriate local work initiatives.

6.4.1 Improved Children's Play Facilities

It is government policy to encourage healthy behaviours in children through physical activity. Appropriately sited play equipment allows this to happen without contributing to traffic problems. Expansion, enhancement or redevelopment of outdoor play equipment targeted at children will be supported. Such play equipment must be sited to maximise usage by the whole community. Where the development of such facilities on site is not physically possible due to the size or configuration of the site, a financial contribution towards new provision or improvements to existing facilities elsewhere will be required.

6.4.2 POLICY CLE1: IMPROVE PLAY FACILITIES: Developer contributions will be sought from new residential development to fund sport and play facilities. These may be enhancements to existing facilities, or the provision of new facilities, depending on the size and location of any new development.

6.4.3 Employment

Economic activity within the community enhances it by the local provision of services. Furthermore, local employment allows the possibility of reduced transport needs. Reduced travel is a central planning aim to limit environmental effects and congestion.

Existing business premises should be retained. A change of use to residential will only be considered if it can be shown that the current use is no longer viable.

Traffic and parking are major issues for the community. Recent developments have highlighted the negative effect successful businesses can have on the villages due to lack of adequate parking provision. There is strong local opinion that these lessons should be learnt when considering future retail or leisure developments.

The intention is that small business use of existing buildings and expansion of existing businesses, including home working, will be supported if there is no adverse effect on the neighbouring area. This will specifically include the provision of adequate off-street parking. In addition, to encourage home working, all new development should be served by a superfast Broadband connection installed on an open access basis, when available. All other new buildings should be served with this standard of connection when available, unless it can be shown that this would not be practical.

Local employment is to be welcomed for the reasons cited above but this must be balanced against any effect on immediate neighbours. Parking is inadequate currently and has consistently featured as a major issue within Repton. Residents feel strongly that measures should be taken to address this shortcoming. Within the Derbyshire Local Traffic Plan one of the Key Projects is "Managing on-street parking to keep traffic flowing". In addition recent expansion of business activities have created significant parking problems. This situation should not be allowed to be repeated. It should also be noted that the rural nature of the parish makes large-scale developments inappropriate. This view is supported by evidence from the questionnaire (See CEF28 and CEF 29).

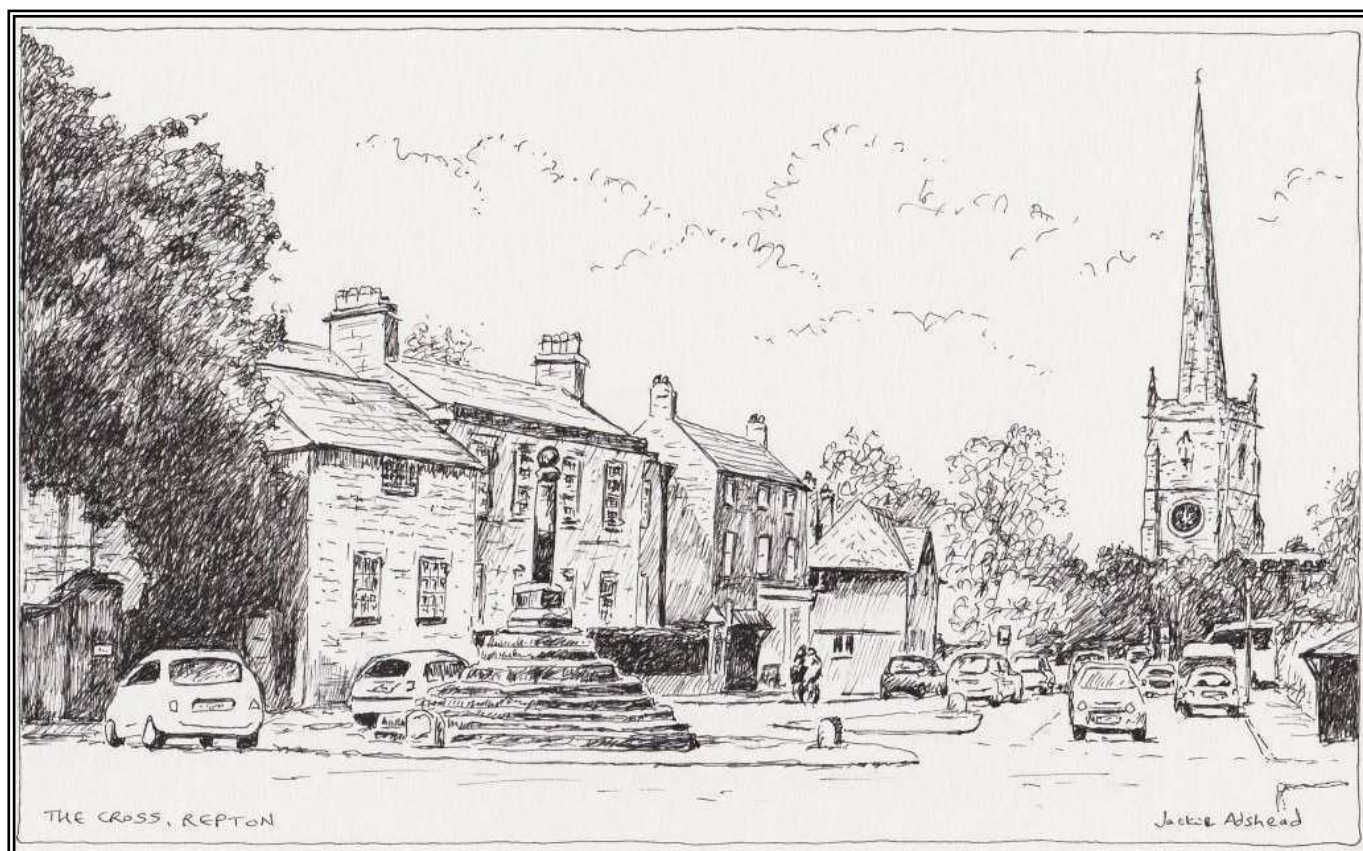
6.4.4 POLICY CLE2: RETAIN AND ENCOURAGE SMALL SCALE BUSINESSES: Proposals for the redevelopment or change of use of existing business use to non-employment uses will only be permitted if the existing use can be independently proved to be no longer economically viable and the site has been marketed at a reasonable price for at least a year without restriction.

6.4.5 POLICY CLE3: RETAIN AND ENHANCE PRIMARY AND SECONDARY RETAIL FRONTAGES: The vitality of the Repton is dependent on primary retail frontages and so it is important that the retail frontages be retained and enhanced and are supported by improved car parking and servicing facilities.

6.4.6 POLICY CLE4: SUPPORT WILL BE GIVEN TO THE EXPANSION OF EXISTING AND THE INTRODUCTION OF NEW BUSINESSES: Proposals for redevelopment or change of use of premises to employment uses will be permitted provided that:

- There would be no adverse impact on amenities of neighbouring businesses or residential properties
- The development is supported by sufficient car parking and access arrangements
- The expansion proposed is of a scale suitable for the village and rural environment. i.e. No large-scale business development will be permitted, neither will large-scale expansion of existing businesses - i.e. businesses that have 15 or more employees or which cover more than 0.2 hectares or are expanded by this amount.
- The proposed use does not adversely affect the environmental qualities of the area
- The proposed use would enhance the vitality and viability of Repton

6.5 Travel and Transport



Issues related to transport and parking have featured strongly during the consultation process. There is a high level of dissatisfaction about increased congestion and parking problems. People feel some of the negative issues associated with an urban environment are now impacting on a rural parish, without the counter-balancing benefits a town would provide. The reality is that many journeys are made by car, as people perceive viable alternatives are limited. Opportunities should be sought to address parking problems and to minimise car journeys by the provision of local facilities and alternative transport options.

6.5.1 Parking

Parking is inadequate currently and has consistently featured as a major issue within Repton. Residents feel strongly measures should be taken to address this shortcoming. Within the Derbyshire Local Traffic Plan one of the Key Projects is “Managing on-street parking to keep traffic flowing”. In addition recent expansion of business activities have created significant parking problems. The problems caused by recent developments should be avoided when planning future ones. Added to this, any viable opportunity should be sought to address the current situation.

6.5.2 POLICY T1: NEW DEVELOPMENT TO PROVIDE PARKING ON SITE FOR OCCUPANTS AND VISITORS; Proposed development should demonstrate they will provide adequate on site car parking.

6.5.3 POLICY T2: Should an opportunity arise, to ensure that sufficient land is made available in order to enhance / improve parking facilities within Repton.

6.5.4 Public Transport

Enhanced public transport is an obvious way to reduce congestion and pollution associated with car journeys. Local Plan part 1 clearly supports “Improve accessibility by sustainable transport modes”. A number of respondents suggested that the current bus service is not adequate in frequency or routing. Bus stops are a distance away from new housing and current road widths and on street parking impede the possibility of further pick up points.

To promote the use of public transport, an increase to the frequency, timing and routing of the existing bus service should be encouraged. As part of this, the use of smaller buses to provide greater public transport connectivity throughout the parish of Repton and neighbouring towns and villages should be considered.

6.5.5 POLICY T3 ENCOURAGE BETTER PLANNING OF PUBLIC TRANSPORT: Repton Parish Council will liaise with South Derbyshire District Council and Derbyshire Highways agencies and the bus and rail operators to encourage better planning of public transport.

6.5.6 Safe cycling and walking routes

Walking and cycling provide the dual benefits of improving the health of the community whilst going some way to addressing traffic problems. It is important to promote these activities through the provision of appropriate facilities. The Local Plan part 1 contains the following policy “Establish cycle-ways and multi-user trails as part of a wider route network”. It is apparent that a large number of respondents to the survey wish to encourage cycling and walking as safe options.

Opportunities should be taken to provide within the parish of Repton “safe” cycling and walking routes where, as far as possible, cyclists / pedestrians are separated from vehicular traffic. Any significant development either within the parish of Repton or adjoining the parish of Repton should include a scheme for provision of cycleways and a scheme for improvement of current routes to cater for cyclists and walkers alike. Cycleways and pathways within the parish should

be routed to connect with more established routes such as the National Forest Way and Cloud Trail. Support is given for a cycle path to Willington, either following the bridle-path from Brook End to the former ferry crossing at Willington (thus requiring a new bridge), or by a widening of the path on the B5008 causeway between Repton and Willington to allow shared pedestrian and cyclist use – See DCC Local Transport Plan 3. Support is also given to providing walking and cycling routes that link with public transport.

6.5.7 POLICY T4: IMPROVE EXISTING PEDESTRIAN AND CYCLE CONNECTIONS WITHIN AND BETWEEN THE VILLAGES AND TO SURROUNDING AREAS: A strategy for improvement for pedestrian and cycle connections should be provided to include provision of new networks which connect to new destinations and the countryside. In particular a cycle path to Willington is supported.



7 References

For other documents referred to in this Neighbourhood Plan see the Consultation Evidence File (CEF), referring to the relevant document number. This document is CEF1.



Parish of Repton Neighbourhood Development Plan 2016-2028

A report to South Derbyshire District Council

**David Kaiserman BA DipTP MRTPI
Independent Examiner**

20 March 2018

Executive Summary

I was appointed by South Derbyshire District Council on 30 January 2018, with the agreement of Repton Parish Council, to carry out the independent examination of the Parish of Repton Neighbourhood Development Plan 2016-2028.

The examination was completed solely on the basis of the written representations received, no public hearing appearing to me to have been necessary. I made an unaccompanied visit to the area covered by the Plan on 20 February 2018.

The Parish Council, as the appropriate qualifying body for the preparation of the Plan, state that their vision is *“to ensure that the parish of Repton continues to be a vibrant, pleasant, sustainable and safe place in which to live, with facilities that meet the needs and aspirations of the people who live and work there”*. The Plan contains detailed policies which are designed to realise that vision, and I am satisfied that, in so doing, it accords in principle with relevant national and local planning policies, while at the same time reflecting the result of the comprehensive local consultation exercises which the Parish Council carried out before settling on the final draft of the Plan.

Subject to a number of recommendations (principally for changes to the way in which certain policies are expressed), I have concluded that the Parish of Repton Neighbourhood Development Plan meets all the necessary legal requirements at this stage of its preparation, and consequently am pleased to recommend that it should proceed to referendum.

Contents

- Introduction
- Procedural matters
- The Parish of Repton
- The basic conditions
- Other statutory requirements
- National policy
- The existing Development Plan for the area
- The consultation exercise (Regulation 14)
- Representations received (Regulation 16)
- General observations about the Plan
- The vision
- **The Policies**

[note: some of the policy titles shown here have been re-worded as per my recommendations; *these are shown in italics*. Policies T2 and T3 are recommended to be deleted and placed under a separate heading of “Community Aspirations”].

Policy H1: The limits of development

Policy H2: Development within settlement confines

Policy H3: *Accommodation for elderly people*

Policy H4: Housing mix

Policy H5: *Design of new developments*

Policy H6: *Design of car parking*

Policy OS1: *Local green spaces*

Policy OS2: *The impact of new development on views of and from the countryside*

Policy OS3: Important trees and hedgerows

Policy AS1/AS2: *Health care facilities*

Policy AS3/AS4: *The village halls*

Policy CLE1: *Improvements to sport and play facilities*

Policy CLE2: *Retention of small-scale businesses*

Policy CLE3: *Retention and enhancement of retail frontages*

Policy CLE4: *Support for existing and new businesses*

Policy T1: *Car parking in new developments*

Policy T2: Parking facilities within Repton

Policy T3: Better planning of public transport

Policy T4: *Improvements to pedestrian and cycle connections*

- Conclusions and Recommendation.

Introduction

1. This report sets out the findings of my examination of the Parish of Repton Neighbourhood Development Plan (the RNP), submitted to South Derbyshire District Council (SDDC) by the Repton Parish Council. The Neighbourhood Area for these settlements (which includes the hamlet of Milton) is the same as the Parish boundary.
2. Neighbourhood plans were introduced into the planning process by the Localism Act 2011. They aim to help local communities shape the development and growth of their area, and the intention was given added weight in the National Planning Policy Framework (NPPF) in 2012, which continues to be the principal element of national planning policy. Detailed advice is provided by Planning Practice Guidance (PPG) on neighbourhood planning, first published in March 2014 and periodically updated.
3. The main purpose of the independent examination is to assess whether or not the Plan satisfies certain “basic conditions” which must be met before it can proceed to a local referendum, and also whether it is generally legally compliant. In considering the content of the Plan, recommendations may be made concerning changes both to policies and any supporting text.
4. In the present case, my examination concludes with a recommendation that the Plan should proceed to referendum. If this results in a positive outcome, the NP would ultimately become a part of the statutory development plan, and thus a key consideration in the determining of planning applications relating to land lying within the NP area.
5. I am independent of the Parish Council and do not have any interest in any land that may be affected by the Plan. I have the necessary qualifications and experience to carry out the examination, having had 30 years’ experience as a local authority planner (including as Acting Director of Planning and Environmental Health for the City of Manchester), followed by over 20 years’ experience providing training in planning to both elected representatives and officers, for most of that time also working as a Planning Inspector. My appointment has been facilitated by the Independent Examination Service provided by Trevor Roberts Associates.

Procedural matters

6. I am required to recommend that the RNP either
 - be submitted to a local referendum; or
 - that it should proceed to referendum, but as modified in the light of my recommendations; or
 - that it not be permitted to proceed to referendum, on the grounds that it does not meet the requirements referred to in paragraph 3 above.
7. In carrying out my assessment, I have had regard to the following principal documents (“CEF” being a reference to Consultation Evidence Files submitted with the Plan):
 - the submitted RNP (CEF 1)
 - the RNP Basic Conditions Statement (CEF4)
 - the RNP Consultation Statement (CEF3)
 - detailed justification of policies (CEF5)
 - links to existing planning documents (CEF5a)
 - Repton Village Design Statement (CEF9)
 - evidence paper for each theme (CEF31)

- the RNP Strategic Environmental Assessment Screening Report
 - the representations made under Regulation 16 of the Neighbourhood Planning (General) Regulations 2012 (as amended)
 - selected policies of the adopted development plan for South Derbyshire
 - relevant paragraphs of the NPPF (March 2012)
 - relevant paragraphs of the PPG (March 2014 and updates).
8. I carried out an unaccompanied visit to the Plan area on 20 February 2018, when I looked at the overall character and appearance of the two settlements (together with their wider context) and at some of those areas affected by specific policies in the Plan.
9. There is a general assumption that neighbourhood plan examinations should be carried out on the basis of written representations only. Having considered all the information before me, including the representations made to the submitted plan, I have been satisfied that the RNP could be examined without the need for a public hearing (and it should be noted that there were no representations to the contrary).

The Parish of Repton

10. Repton is well described in the introduction to the Neighbourhood Plan as “a rural parish, set in undulating countryside”. At the time of the last census, it was home to around 2867 residents living in 1086 households. Most people live in Repton itself, with only about 80 households being in Milton. Each settlement has a long history and a distinctive character, which the RNP is keen to acknowledge and preserve. The general shape of the landscape reflects this objective: the road between the two settlements, for example, crosses a noticeably higher and level area of agricultural land which means that neither settlement is readily seen from the other, even though they are only around 1½ miles apart. Each village has a long history, something that is clear from the range of architectural styles on display, and the fact that Milton, a linear hamlet, has 7 listed buildings; Repton has 39 (six being designated Grade 1), most lying within a conservation area.
11. Policy H1 of the adopted South Derbyshire Local Plan, which deals with the settlement hierarchy for the District, designates Repton as one of 10 “Key Service Villages”, being appropriate in principle for development of all sizes, since such villages “offer a degree of self-containment in terms of availability of everyday services and facilities”, including public transport (there is a railway station at Willington, about 1½ miles away to the north). Derby, Burton-on-Trent and Swadlincote are relatively easily accessible, due to the proximity of the major A50 and A38 trunk roads. By definition, it can therefore be said that development within the settlement boundaries would be considered broadly “sustainable” in terms of national policy.
12. In common with many similar villages, Repton has experienced significant residential growth in recent years, with not all of that development demonstrating careful attention to its historic and architectural context. At the same time, there has been a gradual loss of local services (the Plan records the village losing a surgery, paper shop, public toilets, bank, building society, hardware shop, pharmacy and The Dales residential home for the elderly). A monthly mobile service has replaced the original library. However, there remain four pubs, a post office, two retail shops, a dentist and a few other services, together with three food takeaways and a tearoom. There are also two nurseries, a primary school, a private preparatory school and the well-known independent Repton School. Each settlement has a village hall, which are the venues for a wide range of local activities.

The basic conditions

13. I am not required to come to a view about the ‘soundness’ of the Plan (in the way which applies to the examination of local plans); instead I must principally address whether or not it is appropriate to make the Plan, having regard to certain “basic conditions”, as listed at paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 (as amended). The requirements are also set out in paragraph 065 of the Planning Practice Guidance¹. I deal with each of these conditions below in the context of the RNP’s policies but, in brief, all neighbourhood plans must:
- have regard to national policy and guidance [Condition (a)];
 - contribute to the achievement of sustainable development [Condition (d)];
 - be in general conformity with the strategic policies in the development plan for the local area [Condition (e)];
 - not breach, and otherwise be compatible with, EU obligations, including human rights requirements [Condition (f)];
 - not be likely to have a significant effect on a European site (as defined in the *Conservation of Habitats and Species Regulations 2010*) or a European offshore marine site, either alone or in combination with other plans or projects; and
 - comply with any other prescribed matters.
14. The Basic Conditions Statement (BCS) prepared in connection with the RNP is dated May 2017. This statement, which is required under section 15 of the Neighbourhood Planning Regulations 2012, has been produced by the Plan’s Working Group, on behalf of the Parish Council. It summarises the key legal requirements associated with the submission of the Plan to SDDC, and then seeks to address the Basic Conditions themselves. [The BCS mis-numbers the four conditions (a), (d), (e) and (f) as (a), (b), (c) and (d) respectively. In the following paragraphs, my observations relate to the correct references].
15. The main part of the BCS deals first with Condition (e). There is comment about the alignment of the RNP with Part 2 of the South Derbyshire Local Plan (SDLP) but no detailed or systematic assessment of “general conformity with the (area’s) strategic policies”, many (indeed most) of which are likely to be contained within Part 1 of the SDLP, which was adopted in June 2016. Many neighbourhood plans choose to show their compliance with Condition (e) by including in the BCS a simple schedule showing the relationship between each policy and relevant policies in the Local Plan (as the RNP itself does in relation to the NPPF – see below), but this has not been done in the present case.
16. I have noted, however, that supporting document CEF5a includes a full commentary on the relationship between the RNP’s policies and the Local Plan. While not in a formal sense part of the Basic Conditions Statement, I consider that it provides sufficient evidence that the RNP would be in general conformity with the strategic policies for the area. With the exception of comments made at the Regulation 16 stage by Gladman Developments (which I deal with later in my report), no representations have been made to the effect that Condition (e) is not met. For the avoidance of doubt, no representations on the matter have been made by SDDC.
17. In one respect, the BCS has been overtaken by events in relation to the Local Plan. This concerns the issue of the settlement boundary and housing proposals in the area of Milton Road, on the eastern edge of Repton village. At the time the RNP was submitted, SDLP Part 2

¹ Reference ID: 41-065-20140306

was not adopted (this happened in November 2017); in its conclusions, the BCS reflects this by accepting that RNP Policy H1 conflicts with the draft Local Plan, adding that attempts were to be made to resolve the problem. The Consultation Statement (Section 9) deals with the history and eventual resolution of this matter at some length, and I return to it in more detail below.

18. Basic Condition (a) is then addressed. This is done helpfully by means of a schedule of relevant National Planning Policy Framework paragraphs and a list of those RNP policies which are said to “conform” to them. Finally, there are brief comments in relation to Basic Condition (f). There is no explicit reference to Condition (d).
19. With hindsight, it would have been helpful to this examination had the BCS been more forensic in its exploration and description of the Plan’s compliance with the statutory requirements. However there is no prescribed form which a Basic Conditions Statement should take, and I make no further comment on the matter, other than to say that I have generally addressed the issue by considering each policy with the Basic Conditions in mind, and made any specific recommendations accordingly.

Other statutory requirements

20. A number of other statutory requirements apply to the preparation of neighbourhood plans, all of which I consider have been met in this case. These are:
 - that the Parish Council is the appropriate qualifying body (*Localism Act 2011*) able to lead preparation of a neighbourhood plan;
 - that what has been prepared is a Neighbourhood Development Plan, as formally defined by the Localism Act; that the plan area does not relate to more than one Neighbourhood Area; and that there are no other neighbourhood plans in place within the area covered by the plan;
 - that the Plan period must be stated (which in the case of the RNP is confirmed as covering the period 2016 to 2028); and
 - that no “excluded development” is involved (this primarily relates to development involving minerals and waste and nationally-significant infrastructure projects).
21. A screening report is required in order to determine whether the Plan needs to be accompanied by a Strategic Environmental Assessment (SEA), under the terms of the Environmental Assessment of Plans and Programmes Regulations 2004. It is the qualifying body’s responsibility to undertake any necessary environmental assessments, but it is the Local Planning Authority’s responsibility to engage with the statutory consultees.
22. SDDC duly carried out a screening exercise on the pre-submission (version 24) of the RNP, and their conclusions, contained in a detailed statement dated April 2017 and summarised in an accompanying letter, are that the Plan would be unlikely to have any significant environmental effects, and thus that no SEA is required. A similar conclusion is reached in relation to the Habitats Regulations. The responses from the relevant statutory consultees (Natural England, Historic England and the Environment Agency) support that assessment, and I have no reason for taking a different view.
23. It is a requirement under the Planning Acts that policies in development plans (including neighbourhood plans) must relate to “the development and use of land”, whether within the Plan area as a whole or in some specified part(s) of it. I am satisfied that that requirement is

generally met, although I have some observations to make about whether certain policies ought more appropriately be described as “aspirations”, to be identified separately in the Plan: these are the subject of specific recommendations.

National policy

24. National policy is set out primarily in the National Planning Policy Framework (NPPF), a key theme being the need to achieve sustainable development. The NPPF is supported by Planning Practice Guidance (PPG), an online resource which is continually updated by Government. I have borne particularly in mind the advice in the PPG² that a policy in a neighbourhood plan should be clear and unambiguous, concise, precise and supported by appropriate evidence.

The existing Development Plan for the area

25. The adopted development plan for the area consists of the two parts of the South Derbyshire Local Plan (SDLP). Part 1 covers the period 2011 to 2028 and is the strategic element of the Plan, setting the vision, objectives and strategy for the spatial development of South Derbyshire. It also sets out the scale of housing and employment development required within the District over the plan period, allocates strategic sites and contains policies used in the determination of planning applications. Part 2 includes other (non-strategic) housing allocations and detailed development management policies. Part 1 was formally adopted on 13 June 2016, and Part 2 on 2 November 2017. For convenience, throughout my report I will refer to these simply as parts of the (adopted) Local Plan.

The consultation exercise (Regulation 14)

26. This regulation requires the Parish Council to publicise details of their proposals “in a way that is likely to bring [them] to the attention of people who live, work or carry on business in the area”, and to provide details of how representations about them could be made. Regulation 15 requires the submission to the Local Planning Authority of a statement setting out the details of what was done in this respect, and how the qualifying body responded to any matters which arose as a result of the consultation process.
27. The Consultation Statement was prepared in July 2017, following some recommendations by SDDC in respect of an earlier version. It is a comprehensive record of the Working Group’s approach to involving the local community in the production of the Plan, beginning with a brief history of various activities within the Parish designed to engage local people in planning and related matters, and it is supported by a Consultation Evidence File which records the details of the various exercises and the results obtained. A well-designed series of links from the Repton Village website makes it a straightforward matter to access all the relevant material.
28. An important milestone was the production of a Village Design Statement (2006), which has been used as a starting point for the preparation of the RNP itself. The Consultation Statement records the fact that over 100 households contributed to its development, involving three drafts before its finalisation and submission to SDDC as “a document to provide additional planning guidance”. The VDS was updated in October 2016, to correct what were described as factual inaccuracies, and it is clear that a great deal of the background

² At paragraph 041. ID: 41-041-20140306

thinking and evidence-gathering needed for the RNP has its origins in this earlier exercise, and that it has continuing validity.

29. I have no need to summarise the various stages that the consultations on the RNP itself went through before the final draft was settled, short of recording that the first public event was held in April 2015, followed by comprehensive exercises at each key stage, including public meetings and discussions; questionnaires to all households and businesses in the Parish, as well as public access points; drop-in sessions; engagement with local children and clubs; and specific consultation with statutory bodies. Close contact has also been maintained with officers of the District Council.
30. I am more than satisfied, having read the Consultation Statement, that the requirements of Regulation 14 have been fully met.

Representations received (Regulation 16)

31. The only representations made in response to the submitted Plan are from Gladman Developments Ltd, who are “concerned that the Plan in its current form does not comply with basic conditions (a), (d) and (e).....does not conform to national policy and guidance and.....does not contribute to the achievement of sustainable development”.
32. Gladman make specific objections to Policies H1 and H2, and I will respond to these concerns under the relevant headings below. I am not altogether clear whether some of the other matters they raise are to be treated as objections to the RNP in their own right, in particular:
- they comment that “recent PPG updates make clear that neighbourhood plans should conform to national policy requirements and take account (of) the latest and most up-to-date evidence of housing needs.....”. Gladman do not say to which PPG updates this observation relates, but they put no evidence forward to suggest that the RNP has failed to have proper regard to the housing requirements for the area. I would also point out that Basic Condition (a) will have been met so long as it can be shown that a neighbourhood plan “has regard” to national policies and advice, there being no requirement that it must “conform” in those terms;
 - there is an implication that NPPF paragraph 16, dealing with the presumption in favour of sustainable development, is not addressed (or not adequately addressed) by the Plan, but again no further explanation is given. Basic condition (d) requires evidence that a neighbourhood plan “contributes to the achievement of sustainable development”, with no further guidance as to what that contribution might be or how the extent of it might be assessed and demonstrated. This position is consistent with the limited role of neighbourhood plans (including the general need to “plan positively” referred to in NPPF paragraph 16), as compared with the much wider remit of local plans. This is not at odds with the first bullet-point of paragraph 17 of the NPPF, also referred to by Gladman, which calls for “*succinct local and neighbourhood plans setting out a positive vision for the future of the area*” which “*provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency*”;
 - there is a reference to a PPG update (19 May 2016) to the effect that “where a qualifying body intends to undertake a review of the neighbourhood plan, it should include a policy relating to this intention.....”. It is the case that RNP does not include

such a policy, but since nowhere in the Plan is there any reference to a review, this objection (if that is what it is) seems to be irrelevant;

- finally, Gladman say that the PPG “makes clear that neighbourhood plans should not contain policies restricting housing development in settlements or preventing other settlements from being expanded”, and this leads them to have reservations about the Plan’s ability to meet basic condition (a). The quotation is not referenced, but appears to be a version of paragraph 044, which reads: “*blanket policies restricting housing development in some settlements and preventing other settlements from expanding should be avoided unless their use can be supported by robust evidence*”. This is taken from the section in the PPG dealing with rural housing. Gladman do not expand upon their suggestion that the RNP might conflict with this advice, and so I make no general comment of my own at this point.

33. I have some specific recommendations to make in due course in respect of RNP policies H1 and H2.

General observations about the Plan

34. The following comments may be helpful in understanding the way I have approached my report on the Plan and the observations and recommendations which I make upon it:

- the NP Working Group have spent considerable time and energy, in full consultation with the local community at large, in identifying the issues and objectives that they wish to include in the Plan, and this entirely reflects the aims of the “localism” agenda;
- the recommendations I make concentrate on the policies themselves, since that is what the basic conditions relate to; as already noted, I have also thought it desirable to draw attention to certain deficiencies in the Basic Conditions Statement;
- the Plan properly focuses on land use policies, reflecting Planning Practice Guidance, but again I have some recommendations about how some of these are expressed (and, in some cases, whether they should be described more accurately as aspirations);
- I have addressed the policies in the order that they appear in the submitted plan. I have set out my views about each of them, irrespective of whether or not any modification is thought necessary;
- my recommendations for changes to the policies and any associated or free-standing changes to the text of the Plan are highlighted in ***bold italic print***.

35. The Foreword to the Plan sets the context by stating that “*The parish of Repton is a rapidly changing area, but investment and change will only be worthwhile if it makes a positive contribution to the lives of local people and the future of its community*”. It continues by emphasising the degree of local support for this ambition, recording the decision of the Parish Council to set up a steering committee to oversee the detailed activities of the volunteer working group. It also explains how access can be had to the large number of background documents supporting the Plan’s preparation.

36. The Plan itself is split into two sections: the first explains the relationship between the Neighbourhood Plan and the wider planning system; provides a detailed description (including

the interesting history) of Repton and Milton; and then sets out the broad vision and detailed objectives which underpin the Plan's policies. Section 2 contains the policies themselves.

These are grouped as follows:

- housing
- open spaces / environment
- amenities / services
- community, leisure and employment
- travel and transport.

37. The document as a whole is set out in a logical manner, with generally a clear distinction throughout between the policies themselves and the contextual material (although I consider that there is room for improvement in this respect, and I make a specific recommendation on the point below). It contains a set of seven maps, mostly prepared to a high standard, which relate to appropriate policies. Three bar-charts explain some of the social characteristics of the resident population, and the Plan is illustrated throughout with attractive illustrations prepared by a local artist.

The vision

38. The overall vision is *"to ensure that the parish of Repton continues to be a vibrant, pleasant, sustainable and safe place in which to live, with facilities that meet the needs and aspirations of the people who live and work there"*. Six "Guiding Principles" are then set out, which may be summarised as:
- the preservation of the separate identities of Repton and Milton;
 - the preservation and enhancement of the villages' landscape and historic features and setting;
 - ensuring that new development is sympathetic to its context;
 - the creation of a parish that has a minimum impact on the natural environment;
 - the need to sustain the vitality, health and safety of the community; and
 - a desire to reduce reliance on the private car.
39. Each of these goals is then described in more detail before "Core Objectives" are set out, grouped under the five policy heads.

The policies

General comments

40. I have previously drawn attention to the advice in paragraph 041 of the PPG, to the effect that a policy in a neighbourhood plan should be clear and unambiguous, concise, precise and supported by appropriate evidence.
41. One aspect of this consideration is the description of the policies themselves. As drafted, some of the RNP's 21 policies have titles which incorporate the *intentions* of the policy: as a general rule, I consider that all the titles should be neutrally expressed. As an example, Policy T1 as drafted reads "New development to provide parking on-site for occupants and visitors": my recommendation is to change this simply to "Car parking in new developments". I have also referred earlier to the desirability of separating out clear land-use policies from more generalised aspirations.

42. These two conclusions on the way policies ought best to appear in the RNP are developed in detail (where appropriate) below.
43. In addition, the policies as drafted are printed in a mixture of bold capital, bold lower-case and light lower-case letters. This is occasionally confusing. There is a general need for the policies themselves and the preceding material which supports them to be more clearly differentiated. One common way this is done is by means of a shaded “box” or something similar (this report adopts the device), **and I recommend that this improvement be made, in the interests of clarity.**

Policy H1: The limits of development

44. The primary objective of this policy is to ensure that the distinctiveness of the two villages of Repton and Milton is maintained. It was clear from my visit that the physical relationship between the two built-up areas and the surrounding countryside is a critical one in this respect – due to the many changes in levels, views of the surrounding open land are rarely far away.
45. Settlement boundaries for both villages are defined in Appendix A to Part 2 of the Local Plan; however, while the envelopes shown for Milton in the RNP and the SDLP are identical, there is a difference in relation to those drawn up for Repton. My understanding of the background to this mis-match is as follows:
- there is broad consistency between the RNP and the SDLP in relation to Repton - in particular, the settlement boundary reflects the allocations of land at Longlands for the construction of around 124 dwellings (Part 1 policy H9) and at Mount Pleasant Road for about 24 dwellings (Part 2 policy 23H). It was clear to me from my visit that development of these areas is now well-advanced;
 - part 2 of the SDLP also allocates land at Milton Road for around 25 dwellings (policy 23G). The policy limits built development to the area lying to the south of a public right of way which bisects the site roughly 60-40 along an east-west alignment, the remainder being effectively designated as open space³;
 - a web-search indicates that on 16 May 2017, the Council granted outline planning permission for up to 25 dwellings on this land (ref: 9/2016/1118). This was accompanied by an illustrative layout showing that all the proposed development would take place on the land to the south of the right of way, in accordance with the restriction set out in policy 23G;
 - the plan accompanying the submitted version of the RNP (under policy H1) is at odds with the adopted settlement boundary for Repton shown in the appendix to the Local Plan, since it proposes the removal of the “open space” element of the Milton Road site from the designated boundary of the village.
46. I inspected the site on my visit to the village. It is partially screened from Milton Road by hedgerows and trees (no doubt more effectively later in the year), but cannot be seen from Burdett Way, a road consisting of bungalows and dormer-bungalows immediately to

³ The sixth bullet-point of the policy reads “open space to be provided north of the public right of way”

the west. The land as a whole dips gently from north to south and from east to west and despite the existence of the track across it, it has the appearance of one parcel of rough grazing, with hedgerows to its northern, southern and eastern boundaries creating a sense of unity and enclosure. In my view, this supports the argument for treating the whole of the site as lying within the village envelope.

47. Section 6.1.1 of the RNP and Part 9 of the Consultation Statement record that there was considerable local opposition to the Milton Road proposal, which also was expressed during the examination into Part 2 of the Local Plan. The Neighbourhood Plan Working Group have been very clear that, given the strength of feeling locally about the whole issue of extending the settlement boundary of the village, they had no mandate to accept its modification so as to include the totality of the Milton Road site⁴.
48. Gladman Developments consider that the discrepancy between the two plans results in a failure of the RNP to comply with Basic Condition (e). I do not agree with that assessment. The condition requires “*general* conformity with the *strategic* policies in the development plan for the area” [my emphases]: given those clear guidelines, it does not seem to me that the relatively minor difference in the two boundaries is of such a scale or significance that the policy risks failing to satisfy Condition (e) for that reason. No other conditions are engaged.
49. Nevertheless, there is, scope for confusion if the issue is not addressed, especially given the fact that the SDLP has only recently been adopted. The RNP would take precedence over the SDLP once the Plan were “made” (s.38(5) of the Act), but it would be in the broader public interest if the conflict were avoided entirely. ***I therefore recommend that the settlement boundary be brought into complete alignment with that of the adopted Local Plan, by the inclusion of all the land identified under SDLP policy 23G.***

Policy H2: Development within settlement confines

50. This policy states that “*development should take place within the limits of development for Repton and Milton as defined in policy H1 above. A development proposal for infill development and the conversion of existing buildings will be supported where it has been demonstrated that.....*” (followed by a series of criteria). A preamble is set out in paragraph 6.1.3, but instead of restricting itself to an explanation of or justification for the policy (as would be the normal expectation in development plan documents), it more or less repeats the policy itself, albeit using somewhat different wording and, confusingly, duplicating some requirements but not all of them.
51. Gladman suggest that policy H2 is “not in complete conformity with the policies of the development plan” because SDLP policy BNE5 (Development in Rural Areas) sets out five criteria which describe the circumstances in which development *outside* defined settlement boundaries would be permitted. I accept that this is potentially a more strategic point; however, there is no obligation for a neighbourhood plan to replicate current Local Plan policies (indeed, there is general advice that duplication of policies should be avoided in the development plan system), and I therefore do not take the view that the absence of any reference to the permitted exceptions to policy H2 in the SDLP results in a failure of the RNP to meet the requirements of Basic Condition (e).

⁴ My understanding on this point is that this conclusion was reached before Part 2 of the SDLP was adopted in November 2017

52. That said, and in the light of the historic significance of this general issue to the local community, it seems to me that greater certainty over the full implications of policies H1 and H2 would be achieved were Gladman's suggested re-wording of H2 to be adopted in principle. More generally, I am satisfied that the intended concentration of development within the two villages accords with the presumption in favour of sustainable development set out in paragraph 14 of the NPPF.
53. ***I therefore recommend that no alteration be made to policy H2, but that the preamble to it (paragraph 6.1.3) be re-drafted so as to:***
- a) restrict it to setting out the policy objective, ie of integrating small new housing developments within the villages; and***
 - b) include the following: "Outside the settlement boundaries defined in policy H1, proposals for development will be assessed against the requirements of policy BNE5 of the adopted South Derbyshire Local Plan".***
54. I note here that SDLP policy H1 (Settlement Hierarchy), in identifying Repton as a Key Service Village, says that "development of *all sizes* within the settlement boundaries will be considered appropriate" [my emphasis]. On the face of it, this might be seen as being in conflict with the tenor of the criteria under RNP policy H2, which has a clear emphasis on small-scale schemes and infill sites. However, no objection to the policy has been made by SDDC and in practice I am satisfied that the other criteria it contains are sufficient to ensure that all proposals for new building within the village (and within Milton) would be assessed in accordance with established detailed planning guidelines. I also note, from my visit to the area and an examination of the maps accompanying policy OS1, that most (if not all) of the larger undeveloped areas within Repton are either school grounds or are to be safeguarded from development.

Policy H3: Retention of The Dales site and Fisher Close for elderly accommodation

Recommended re-wording: "Accommodation for elderly people"

55. This policy seeks to ensure that the Plan makes suitable provision for the ageing population of the Parish by advocating the redevelopment for this purpose of a site known as The Dales, a residential care centre which document CEF5 says closed in 2013, and the retention of land at Fisher Close⁵ for sheltered accommodation. I noted from my visit that these two locations are close to each other, a short distance from the village hall; however, neither is **identified on a map, and I recommend that this omission be rectified.**
56. I am satisfied that there is a local evidence base for a policy such as this, as well as more general support in the NPPF (including at paragraph 50). I have noted Derbyshire County Council's letter to SDDC dated 12 August 2016 which comments on the pre-submission consultation draft of the RNP, and suggests a re-wording of the policy (at that time covered by the then policies H5 and H6). The re-wording was essentially designed to ensure that viability considerations were taken into account in the proposed allocations, but this has not been adopted by the RNP Working Group in the final draft of the Plan.
57. There has been no formal objection to the policy by the County Council. However, there needs to be greater clarity about what it means in development management terms. As it stands, it reads as an aspiration ("The Dales, Repton, *should* be redeveloped...", and "Fisher Close,

⁵ CEF5 describes this as "the area around Fisher Close (remaining) allocated for sheltered housing"

Repton, should be retained...."). ***I recommend a re-wording which makes it clear that The Dales site is allocated for elderly accommodation, and that the existing allocation of land for this purpose in the Fisher Close area is to be retained.***

Policy H4: Housing mix

58. It is clear from the consultation process that there is significant backing within the Parish for a policy which seeks to satisfy unmet needs for affordable homes for young families, young people generally and for older residents. Policy H4 would support such an objective, and in this respect it reflects NPPF paragraph 50 and gives local expression to SDLP policy H20.
59. I do, however, have some concern about the way the first sentence of the policy is worded: it reads "New housing development proposals should provide for a recognised housing need in the parish", which could be taken to mean that all housing proposals would have to pass that test. This may not have been the intention, but such an interpretation may cut across the general presumption in favour of sustainable development set out in paragraph 14 of the NPPF. Moreover, I have not been given any empirical evidence to support such a rigorous approach.
60. ***I therefore recommend that a small modification be made to the first sentence of policy H4, such that it reads: "New housing development proposals should, wherever feasible, contribute towards meeting recognised housing needs in the parish", with the rest of the policy remaining as drafted.*** With this amendment, I consider that the policy meets the Basic Conditions.

Policy H5: Design of new developments to be of high quality

Recommended re-wording: "Design of new developments"

61. Policy H5 sets out a series of expectations for new development within the Parish. The intention of improving the quality of the built environment is squarely supported in both the NPPF and the Local Plan, and consequently the policy satisfies the Basic Conditions. It properly emphasises the need for schemes to reflect their context and, in particular, to have regard to guidance set out in the Village Design Statement.
62. I have two minor recommendations, however: the fifth bullet-point would require schemes to demonstrate "quality for residents", which is very imprecise. ***This requirement should be either clarified or deleted.*** The seventh bullet-point requires proposals to "ensure that they have appropriate grass verges or open spaces", which might be taken to mean that *all* schemes will be expected to incorporate such features. ***I recommend that the seventh bullet-point be deleted, and that the sixth be re-worded: "integration of new proposals into the village and landscape setting, including the provision of grass verges or open spaces where appropriate".***

Policy H6: Design of adequate car parking to fit in with the character of the proposed development

Recommended re-wording: “Design of car parking”

63. Policy T1 requires adequate car parking provision in new developments. Policy H6, to summarise it, seeks to ensure that the design of such parking is appropriate to its context. The policy meets the Basic Conditions – however, as drafted, its requirements relate both to new housing schemes and to (all) extensions to existing housing: since these are generally small in scale, the policy would be too onerous in many cases, and sometimes impracticable. ***I therefore recommend that the policy begin by saying “new housing and (where appropriate) extensions to existing properties.....”.***
64. In addition, the second bullet-point states: “provision to be appropriate to the size of the house, as defined above”. I take this to be a reference to the preamble to the policy (paragraph 6.1.11), which sets out detailed requirements related to the number of bedrooms. These are significant development management requirements which ought to be seen to be part of the policy itself, rather than something which supports or justifies it. Furthermore, these considerations belong more appropriately to policy T1, which is about the adequacy of parking provision rather than its design. ***I therefore recommend that the second bullet-point be deleted.*** I will return to the point later when dealing with policy T1.

Policy OS1: Protection of existing open spaces

Recommended re-wording: “Local Green Spaces”

65. Paragraph 6.2.1 of the Plan records the fact that there is considerable local support for policies to protect existing local open spaces within the settlements, and it goes on to list nine areas to be preserved as Local Green Spaces, a term which derives from NPPF paragraph 77. This states that there are three criteria for such designations, namely:
- *where the green space is in reasonably close proximity to the community it serves;*
 - *where the green area is demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquility or richness of its wildlife; and*
 - *where the green area concerned is local in character and is not an extensive tract of land.*
66. I have no reason to doubt the conclusions of the assessments that have been carried out in order to satisfy those criteria. I made a point of seeing most of the sites in question on my visit to the villages, to the extent that they could be viewed from the public highway. Many of them are small green areas intimately associated with the housing which encloses them, with a concentration around the small stream which passes along an attractive shallow valley in the centre of Repton which continues southwards to define the eastern edge of Milton. These green areas clearly add greatly to the character of the villages.
67. The policy appropriately states that development is ruled out on these areas, other than in very special circumstances. However, in order to make the implications of the policy clearer, ***I recommend that each of the nine sites is numbered and that that these references are***

marked on the two maps. As a footnote, the map bases on my copy of the Plan were a little difficult to read, so any sharpening of the images would also be a useful improvement. In addition, the maps (which are presently untitled) should make it clear that they relate to Repton and Milton respectively.

Policy OS2: The visual impact of new development on views from the countryside must be minimised

Recommended re-wording: “The impact of new development on views of and from the countryside”

68. The preamble to this policy makes it clear that the concern relates to views both into and out of the villages. For this reason, I have recommended a re-wording of the policy’s title, as set out above.
69. There is no issue arising in relation to the Basic Conditions; however, as drafted, the policy requires an assessment to be made “....to show how *the* negative visual impact will be minimised...”, which appears to pre-suppose the inevitability of harm. ***I recommend that the word “the” be replaced by “any”.*** In addition, the preamble contains a significant and specific statement which ought properly to be within the policy itself: “Development which impinges on the skyline or which results in significant blocking of views of the historic centre of Repton, including St Wystan’s Church and The Cross, should not be permitted”. ***I recommend that this sentence be made part of policy OS2 and, in order to make the intention firmer, that the word “should” be replaced with “will”.***

Policy OS3: Important trees and hedgerows

70. This policy seeks to protect important trees and hedgerows from loss or damage as a result of development. The objective clearly meets Basic Condition (a) (according in particular with NPPF paragraph 109).
71. I note that the policy itself is followed by an “informative” which sets out a range of detailed expectations. While I consider that there is a case for including at least some of these development management requirements within the main part of the policy, I have decided not to make that point the subject of a specific recommendation.

Policy AS1: Contributions are required from developers of new housing to fund additional health care facilities

Policy AS2: Improved access to health care facilities, either through the provision of some services in Repton Parish or a better transport system

Recommended re-wording (one policy): “Health care facilities”

72. I have taken these two policies together, since they seek to address the same social issue, namely that residents of the Parish have to travel (particularly to Willington, roughly 1½ miles away from Repton, centre to centre) to find appropriate health care facilities. In response to this, policy AS1 states simply that “financial contributions will be required from developers of new housing sites to fund additional health-care facilities”. No minimum scale of housing scheme is suggested which might be “caught” by the policy.

73. The relevant part of PPG paragraph 003 supports the principle of policies for seeking developer contributions being included within development plans (including neighbourhood plans) “to enable fair and open testing” of them. In addition, paragraph 007 states that “policy for seeking planning obligations should be grounded in an understanding of development viability through the plan making process”. While I do not doubt that the social need is there, policy AS1 is not supported by any evidence about its practical deliverability in development management terms, and takes insufficient account of the guidance in the PPG, including the issue of viability. That having been said, a more nuanced reference to obligations would avoid any significant conflict with national guidance.
74. Policy AS2 contains a more generalised objective of securing better access to health care facilities, including by improvements to the transport system. Those parts of policy AS2 which support the provision of a medical centre (including planning applications to change the use of an existing building for that purpose) present no difficulties; however, that element which seeks improvements to the local transport system does not meet the requirement for development plan policies to relate to “the development and use of land”.
75. For these reasons, ***I recommend that the two policies be combined under the heading “Health care facilities”, and that a replacement policy AS1 be inserted which reads: “The provision of local health care facilities within the Parish will be supported. Proportionate contributions will be sought from developers of new housing to assist in meeting this objective.”***
76. ***I further recommend that reference be included within paragraph 6.3.1 (the preamble to these two policies) to the effect that improvements to the local transport network will also be sought in order to achieve better access to health care facilities, and that that intention be included under a separate heading in the Neighbourhood Plan reading “Community Aspirations”.***

Policy AS3: Developer contributions will be sought from all new homes towards the funding of a community facility or for its improvement

Policy AS4: Retention, expansion, enhancement or redevelopment of the village halls in Repton and Milton will be supported, consistent with their role as community assets.

Recommended re-wording (one policy): “The Village Halls”.

77. I am satisfied from reading the preamble to these two policies (paragraph 6.3.4) that the focus is entirely on village halls for the two villages, other community provision being dealt with in the following section of the Plan.
78. The suggestion is made that Repton Village Hall needs to be redeveloped if it is to provide the range of community facilities that its importance as a “Key Service Village and Neighbourhood Hub” demands; the existing hall serving Milton is said to have been refurbished, and no particular deficiencies are highlighted (policy AS4 nonetheless appears to keep open the possibility of its replacement).
79. The general observations I have made under policies AS1 and AS2 about the meaningful role of developer contributions towards the provision or improvement of social infrastructure apply equally here. Consequently, I consider it appropriate for the issue to be dealt with in the same way. ***I therefore recommend that the two policies be combined under the heading***

“The Village Halls”, and that a replacement policy AS2⁶ be inserted which reads: “The retention, expansion, enhancement or redevelopment of the village halls in Repton and Milton will be supported as appropriate, consistent with their role as community assets. Proportionate contributions will be sought from developers of new housing to assist in meeting this objective.”

Policy CLE1: Improve play facilities

Recommended re-wording: “Improvements to sport and play facilities”

80. NPPF paragraph 73 gives support to the objectives set out here. While the title of the policy as currently worded makes no mention of “sport”, the policy itself does, and it is logical that they should go together in this way. It is not site-specific: the intention is to seek developer contributions “to fund sport and play facilities”, with no scale or location indicated. They might take the form of enhancement to existing facilities or provision of new ones “depending on the size and location of any new development”.
81. I consider it very desirable that the way reference is made in the Plan to the role of developer contributions (irrespective of the community benefit involved) is broadly consistent. This is especially the case given that the scale of new building within the Parish, beyond what has already been given planning permission, is clearly going to be limited. For this reason, ***I recommend that the policy be re-worded to read: “The provision and improvement of sport and play facilities within the Parish will be supported. Proportionate contributions will be sought from developers of new housing to assist in meeting this objective.”***

Policy CLE2: Retain and encourage small scale businesses

Recommended re-wording: “Retention of small-scale businesses”

82. This policy, as with the related policy CLE4, finds support at NPPF paragraph 28, as well as paragraph 30 (which encourages more sustainable transport solutions). It provides that proposals which would involve the loss of existing businesses as a result of applications for changes of use will only be permitted if they can be shown to be no longer viable: evidence of marketing will be required if this to be argued. There are no mechanisms put forward for *encouraging* businesses, and my recommendation for alteration to the title of the policy removes the reference. The policy satisfies the Basic Conditions.

Policy CLE3: Retain and enhance primary and secondary retail frontages

Recommended re-wording: “Retention and enhancement of retail frontages”

83. The desire to retain and enhance Repton’s retail shopping facilities is supported by NPPF paragraph 28. While the Basic Conditions are clearly met by the policy intention, there is a lack of clarity in its wording. The title of the policy refers both to the village’s primary and secondary retail frontages, whereas the policy itself only mentions the former. Neither of the zones involved is identified on a map; from my visit I could see that the small number of commercial activities in the village are confined to the area close to the post office on High Street, a few detached units away from the village core along Main Street and a couple more along Burton Road.

⁶ This assumes that the original policies AS1 and AS2 are replaced as recommended

84. In addition, while the policy says it is “important that the retail frontages be retained and enhanced and are supported by improved car parking and servicing facilities”, there is no reference to the hoped-for means of achieving any of this. To that extent, it is no more than an aspiration. If the policy is to remain, its implications for property owners, tenants or prospective developers or investors need to be made as clear as reasonably possible.
85. ***I recommend that:***
- a. the Plan include a map showing Repton’s primary and secondary retail frontages;***
 - b. some explanation be given of the implications of the policy for those affected by it, including the difference (if any) between the two levels of retail frontage. As an alternative, consideration should be given to restricting the scope of the policy to the primary frontages only;***
 - c. if, however, the intention is that the primary mechanism to be employed through development management to achieve the objective is similar to that proposed for small businesses generally (essentially, a viability test), that policy CLE3 be deleted entirely, reliance then being placed on policy CLE2 (which includes retail businesses). In that eventuality, the need for better parking and servicing arrangements mentioned in policy CLE3 should be relocated to the suggested “Community Aspirations” section of the Plan.***

Policy CLE4: Support will be given to the expansion of existing and the introduction of new businesses

Recommended re-wording: “Support for existing and new businesses”

86. Whereas policy CLE2 sets out the steps to be taken in an attempt to retain existing business premises, policy CLE4 seeks to provide more general support for the local economy by permitting new small-scale employment uses subject to a number of criteria, including any local environmental impact and the adequacy of parking and access. This gives effect to NPPF paragraph 15, and meets the Basic Conditions.

Policy T1: New development to provide parking on site for occupants and visitors

Recommended re-wording: “Car parking in new developments”

Policy T2: Should an opportunity arise, to ensure that sufficient land is made available in order to enhance / improve parking facilities within Repton

Recommendation: delete and relocate under “Community Aspirations”

87. It is clear from the public consultation process that parking facilities within Repton are considered inadequate by local residents (and I could see some of the difficulties for myself at the time of my visit). Policy T1 aims to address the issue by requiring any new development to be accompanied by “adequate on-site parking”, which sensibly allows consideration of proposals on their individual merits. However, there may be circumstances where it is neither desirable nor feasible for *any* parking to be provided on-site; for this reason, ***I recommend that the phrase “where appropriate” be inserted into the policy.*** This formulation also avoids the use of rigid standards (for example, a strict relationship between bedroom

numbers and parking spaces, as suggested in the preamble to policy H6), and would reflect the criteria-based approach advocated in paragraph 39 of the NPPF.

88. Since policy T2 does not relate to a specific area of land or the approach to be taken in respect of potential planning applications, ***I recommend that it be deleted and relocated to the “Community Aspirations” section of the Plan.***

Policy T3: Encourage better planning of public transport

Recommendation: delete and relocate under “Community Aspirations”

89. The desirability of improving public transport clearly chimes with national planning policy on a number of fronts, and it is entirely appropriate that the RNP should seek to address the issue. However, there are no clear land-use implications connected with policy T3 ***and for that reason I recommend that it be deleted and relocated to the “Community Aspirations” section of the Plan.***

Policy T4: Improve existing pedestrian and cycle connections within and between the villages and to surrounding areas

Recommended re-wording: “Improvements to pedestrian and cycle connections”

90. Again, this objective is clearly supported in national policy (for example, at NPPF paragraph 75). In this case, there is reference to specific routes and destinations (with more detail being given in the preamble to the policy rather than in the policy itself). Since, in contrast to policy T3, there are clear land-use implications, it is appropriate that it remain here, rather than be re-located as a less precise “aspiration.” ***I recommend that greater certainty be achieved by including reference in the policy itself to all of the routes referred to in the preamble, and that these are clearly shown on a map of appropriate scale.***

Conclusions and recommendation

91. I have concluded that, provided the recommendations set out above are followed, the Repton Neighbourhood Development Plan would meet the Basic Conditions, and I therefore recommend that, as modified, it should proceed to a referendum.
92. Finally, I am required to consider whether the referendum should extend beyond the RNP area, but I have been given no reason to believe that this is necessary.

David Kaiserman

David Kaiserman BA DipTP MRTPI Independent Examiner

20 March 2018

APPENDIX 1 – SUMMARY TABLE OF RECOMMENDATIONS

Examiner's report paragraph	NP reference	Recommendation
41-43	general	<ul style="list-style-type: none"> Improve clarity for description and display of policies
49	H1	<ul style="list-style-type: none"> Align settlement boundary for Repton with Local Plan
53	H2	<ul style="list-style-type: none"> Amend preamble to clarify policy objective and add reference to SDLP policy BNE5
55 57	H3	<ul style="list-style-type: none"> Show locations on a map Minor change of wording
60	H4	<ul style="list-style-type: none"> Minor change of wording
62	H5	<ul style="list-style-type: none"> Minor changes of wording
63 64	H6	<ul style="list-style-type: none"> Minor change of wording Delete second bullet-point
67	OS1	<ul style="list-style-type: none"> Show locations of protected areas on a map
69	OS2	<ul style="list-style-type: none"> Minor changes of wording
75 76	AS1 and AS2	<ul style="list-style-type: none"> Combine the policies and re-word to clarify role of developer contributions Add a reference to better transport in policy preamble
79	AS3 and AS4	<ul style="list-style-type: none"> Combine the policies and re-word to clarify role of developer contributions
81	CLE1	<ul style="list-style-type: none"> Revise reference to developer contributions
85	CLE3	<ul style="list-style-type: none"> Show retail frontages on a map Include explanation of the implications of the policy, or delete it and rely instead on policy CLE2 and relocate reference to parking and servicing to "Community Aspirations"
87	T1	<ul style="list-style-type: none"> Minor addition of wording
88	T2	<ul style="list-style-type: none"> Delete and relocate to "Community Aspirations"
89	T3	<ul style="list-style-type: none"> Delete and relocate to "Community Aspirations"
90	T4	<ul style="list-style-type: none"> Include within the policy any specific routes and show on a map

REPORT TO:	ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE	AGENDA ITEM: 14
DATE OF MEETING:	31st MAY 2018	CATEGORY: DELEGATED/ RECOMMENDED OPEN/EXEMPT PARAGRAPH NO:
REPORT FROM:	STRATEGIC DIRECTOR (SERVICE DELIVERY)	
MEMBERS' CONTACT POINT:	KAREN BEAVIN karen.beavin@south-derbys.gov.uk	DOC:
SUBJECT:	REVISED LOCAL DEVELOPMENT SCHEME	REF:
WARD(S) AFFECTED:	ALL	TERMS OF REFERENCE: EDS03

1.0 Recommendations

- 1.1 That Members endorse the Local Development Scheme (at Appendix 1) for publication.

2.0 Purpose of Report

- 2.1 To endorse the publication of the updated Local Development Scheme as the Council is required to keep it up to date and it forms a piece of evidence base for the production of local plan documents.

3.0 Background

- 3.1 The Local Development Scheme (LDS) is an important piece of evidence that sets out the programme for preparing the documents that together comprise 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 report.
- 3.2 National Planning Practice Guidance states that local planning authorities should keep communities informed of plan-making by publicising and keeping up to date their timetable for producing their local plan, set out in an LDS and published on the authority's website. An LDS is required under section 15 of the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011).
- 3.3 The LDS was previously brought to Members at this Committee in January 2017 and since then significant progress has been made with regard to producing the documents set out in the current 2017-2020 LDS. The Local Plan Part 2 was adopted in November 2017, as were the Design Guide and Affordable Housing Supplementary Planning Documents. This progress, together with progress on other documents, is reflected in the updated version of the LDS, which covers the period 2018-2021 (see Appendix 1).

4.0 Detail

- 4.1 The LDS sets out all planned Development Plan Documents (DPD), therefore the revised 2018-2021 LDS continues to include the Local Green Spaces document and the Gypsy and Traveller Site Allocations document, together with the Greenways SPD.
- 4.2 The allocation of Local Green Spaces was initially to form part of the Local Plan Part 2. However, due to the level of interest, both in support and objection to the proposed spaces, ensuring the criteria was met when such a large number of spaces were being proposed would have slowed the Local Plan Part 2 progress significantly. As such it was considered that the most appropriate action would be to set the principal of Local Green Spaces in the Part 2 Plan but deliver the allocation of spaces through a separate DPD.
- 4.3 As Members are aware, the Local Green Spaces Draft Scoping Report was approved by this Committee for consultation last month. This is the first stage of the Sustainability Appraisal for the Local Green Spaces DPD. The five-week consultation period closes on 5 June 2018. Representations received through this consultation will inform the production of the draft DPD itself. Details of the subsequent Local Green Spaces DPD consultations are set out within the revised LDS.
- 4.4 The LDS also includes two Development Framework Documents, one for the Local Plan Part 1 housing allocation at Boulton Moor and the second for Infinity Garden Village. Development Framework Documents are essentially masterplanning documents, prepared collaboratively to ensure that proposals or visions for an area are holistically designed. Further detail is set out within the revised LDS.

5.0 Financial Implications

- 5.1 None arising directly from this report.

6.0 Corporate Implications

- 6.1 To facilitate and deliver a range of integrated and sustainable housing and community infrastructure is a key aim within the Place theme of the Corporate Plan. The LDS is an essential part of the evidence for the local plan process.

7.0 Community Implications

- 7.1 The LDS when published will allow members of the community and others to be more aware of the timetable that is being followed for local plan documents and documents intended to support the Local Plan policies.

8.0 Background Papers

- 8.1 None

9.0 Appendices

Appendix 1: Local Development Scheme 2018 - 2021

South Derbyshire District Council

Local Development Scheme

2018 - 2021

South Derbyshire Local Development Scheme - Index

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1 Background

This revised Local Development Scheme (LDS) sets out how the Council will progress the Local Plan and related documents over a 3 year period. A Local Development Scheme is required under section 15 of the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011). It must specify (among other matters) the documents which, when prepared, will comprise the Local Plan for the area. It must be made available publically and kept up to date. In order for local communities and interested parties to keep track of progress, the Local Development Scheme will be published on the Council's website.

The Planning and Compulsory Purchase Act 2004 (as amended) 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

Local development documents must, when taken as a whole, set out the authority's policies relating to the development and use of land in their area. Development plan documents must, when taken as a whole, include policies designed to secure that the development and use of land in the local planning authority's area contribute to the mitigation of, and adaptation to, climate change. There is no requirement to include SPDs or neighbourhood plans in an LDS however the information is included to provide a fuller account of the documents to be prepared.

This is the ninth LDS to be published by South Derbyshire District Council. This LDS reflects an updated timetable to that published in January 2017. This revised LDS covers the period of May 2018 – May 2021 and takes a realistic view of the local plan documents to be prepared in the coming three-year period.

2 South Derbyshire's Development Plan

The term Local Plan is a collective term for all documents produced by the Council that form part of the Development Plan. Planning applications are to be determined in accordance with the Development Plan unless material considerations indicate otherwise. The following documents currently comprise the statutory Development Plan for South Derbyshire:

- **South Derbyshire Local Plan Part 1**, adopted 13 June 2016: sets the long-term vision, objectives and strategy for the spatial development of South Derbyshire and provides a framework for promoting and controlling development. Strategic housing and employment sites are allocated, along with Development Management policies to be used in determining planning applications.
- **South Derbyshire Local Plan Part 2**, adopted 2 November 2017: allocates non-strategic housing sites and defines settlement boundaries. The Part 2 also contains

more detailed Development Management policies to support the strategic retail, conservation and heritage and countryside policies in the Part 1.

- **Policies Map:** A map that identifies those areas to which specific policies apply.
- **Saved policies of the Derby and Derbyshire Minerals Local Plan (2000, partially revised in 2002):** guides decisions on planning applications for the extraction of minerals and associated works in the area.
- **Saved policies of the Derby and Derbyshire Waste Local Plan (2005):** guides the decisions on any planning applications for developments associated with the management of the various wastes produced.
- **Statement of Community Involvement**
- **Neighbourhood Development Plans:** at present no Neighbourhood Development Plans within the District have been through referendum and become formally made, however three NDPs are in the process of being made and once so will form part of the Development Plan.

3 Other Policies Material to Decision Making

Development Plan Documents (DPDs) carry 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. However there are other policy documents that complement DPDs, providing more policy detail and guidance for the determination of planning applications.

Supplementary Planning Documents (SPDs) cover some Development Management policies in more detail. They are used in the determination of planning applications and replace Supplementary Planning Guidance. SPDs are not subject to independent examination but are consulted upon in accordance with the Statement of Community Involvement and are considered through the Council's Committee process prior to adoption.

South Derbyshire has adopted the following SPDs:

- Affordable Housing SPD (November 2017)
- Design Guide SPD (November 2017)

4 Forthcoming Documents

Further to the Development Plan Documents set out above the Council also committed to producing the following DPDs:

- Local Green Spaces DPD: to allocate sites that meet both the NPPF and District Council's criteria for Local Green Spaces in order to protect those spaces for the community they serve.
- Gypsy and Traveller Site Allocations DPD: to allocate sites to meet the assessed need identified in the Gypsy and Traveller Accommodation Assessment.

Further to the Supplementary Planning Documents set out above the Council intends to produce the following SPD, however at present the timescale cannot be confirmed due to uncertainties at County Council level:

- **Greenways SPD:** to provide guidance and proposals on strategic multiuser routes for walkers, cyclists, horse riders and those with mobility difficulties across the District.

Since the publication of the 2017-2020 LDS, the Government has published consultations on planning reform: the housing white paper '*Fixing the broken housing market*' (published February 2017); '*Planning for the right homes in the right places*' (published September 2017) and most recently the draft revised National Planning Policy Framework (March 2018) and accompanying Planning Practice Guidance. Proposed measures to reform the planning system include more effective joint working through a statement of common ground that sets out how authorities intend to work together to meet housing needs. Whilst the revised NPPF is yet to be published in its final form, the direction of travel with regard to local plan making is towards a greater degree of joint working to plan strategically for housing growth, its delivery, and the infrastructure required to support it.

The local authorities comprising the Derby Housing Market Area, Amber Valley Borough Council, Derby City Council and South Derbyshire District Council, have an established history of joint working. Derby City Council is currently producing its Local Plan Part 2 and Amber Valley Borough Council's Local Plan is in the examination process. In advance of the revised NPPF being published, to be specific about the scope of a future joint strategic plan would be untimely, however it should be noted that this is a route the District Council anticipates will be pursued in due course.

Neighbourhood Development Plans (NDPs) give communities the opportunity to influence the development of their local area by setting out planning policies or granting permission for development in accordance with the strategic policies set out in the Local Plan Part 1. There are three Neighbourhood Development Plan areas currently designated in South Derbyshire:

- Repton
- Melbourne
- Hilton (including Hoon and Marston-on-Dove)

South Derbyshire District Council in accordance with its role as the Local Planning Authority will provide advice and assistance to the relevant bodies in the production of each Neighbourhood Plan. More advice on producing Neighbourhood Development Plans is set out within the Council's Statement of Community Involvement. Repton NDP is the most advanced through the process having been through examination.

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. The SCI adopted in March 2006 has been revised and the draft SCI published for consultation.

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 <https://www.south-derbys.gov.uk/our-services/planning-and-building-control/planning/planning-policy/monitoring>

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

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

All DPDs that could have a significant effect on the environment need to be subject to a SA and a SEA. SA is an iterative process that is integral to the document's preparation as a means of assessing its 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 Draft Sustainability Appraisal Scoping Report for the Local Green Spaces DPD was published for a five-week consultation on 1 May 2018. The Sustainability Appraisal Report which will be submitted to the Planning Inspectorate alongside the Local Green Spaces DPD will be used by the Inspector to assess the soundness of the DPD.

6 Links with other Strategies and Plans

The Local Plan will have regard to other Council Strategies such as those for Housing, Economic Development, Tourism, Conservation 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 2016-2021 as the Local Plan will help deliver actions that are included within the Plan.

As part of the Derby HMA, there has been joint working on the Authorities Local Plan's through the collation of a joint evidence base.

7 Evidence

Government guidance emphasises the need for a robust evidence base in the preparation of Development Plan Documents. 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 – Local Plan Part 1	In house	June 2016
Sustainability Appraisal – Local Plan Part 2	In house	November 2017

Habitats Regulations Screening Assessment – Local Plan Part 1	In house	September 2013
Habitats Regulations Screening Assessment – Local Plan Part 2	In house	June 2016
Infrastructure Delivery Plan	In house	January 2018
Housing Land Supply	In house	June 2017
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	October 2015
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	2015
Derby Housing Market Area Water Cycle Study *	Consultants	2010
Derbyshire Gypsy and Traveller Accommodation Assessment *	Consultants	2015
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
Sustainable Community Strategy	In house	Ongoing
Open Space, Sport and Community Facilities SPD	Consultants	2016

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

Further information on South Derbyshire's evidence base can be found at <https://www.south-derbys.gov.uk/our-services/planning-and-building-control/planning/planning-policy/evidence-base-2>

8 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), and one Planning Assistant. The Policy Team benefits from specialist knowledge of the Conservation Officer and Design Excellence Officer within the department and is further complemented by officers from other teams 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
- S106 Monitoring
- Strategic Housing Delivery
- Maintaining a Duty to Co-operate.
- Heritage Lottery Funding Swadlincote Townscape project

9 Monitoring

The Council is required to produce and make available to the public an Annual Monitoring Report (AMR). The AMR should review the progress of the preparation of Local Plan documents 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.

Annual Monitoring Reports going back to 2011/12 are available on the Council's website at <https://www.south-derbys.gov.uk/our-services/planning-and-building-control/planning/planning-policy/monitoring>. The Council has detailed databases for monitoring residential and employment land availability. The Council also holds detailed information regarding retail and leisure within the District which is updated and forms 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.

10 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 documents 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 documents.	<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 or other documents, which require additional work and cause delay.	<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 DPD examinations, resulting in a delay in adopting the documents.	<ul style="list-style-type: none"> • Close liaison with the Planning Inspectorate to ensure early warnings of any delays. • Programme of DPD production including revisions to be provided to PINS.
Public consultation	Public concern and stakeholder involvement on planning issues is unpredictable. This could add to the time required to process representations made, delaying preparation.	<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. • Change of Plan or withdrawal
Delayed approval or changes required to the Local Plan by Council Members	Reports could miss council committee deadlines, or create unforeseen work, resulting in a slippage in the timetable.	<ul style="list-style-type: none"> • Involve Members through the preparation of DPD's to ensure that the Council's priorities are reflected.
Incorporating change after an Examination	The Planning Inspectorate could request a change to a DPD which requires further work, leading to timetable slippage.	<ul style="list-style-type: none"> • Allow for some flexibility in the programme. • Use project management methods.
Legal Challenge	A legal challenge could result in a DPD 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.
Appeal decision allowing development highlighting an alternative interpretation of a Local Plan policy.	A potential influx of applications and subsequent appeals for developments contrary to intended policy meaning.	<ul style="list-style-type: none"> • Legal challenge of appeal decision • Review of local plan policy

11 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 timings of each of the DPDs can be found below each document profile.

Local Green Spaces DPD

Status	Development Plan Document
Geographical Area	South Derbyshire District Council
Conformity	Conform to legislation, case law, NPPF, Planning Practice Guidance and Local Plan Part 2
Description	The DPD will allocate sites that meet the NPPF criteria and the District Council's criteria for Local Green Spaces in order to protect them from development.
Joint Working	Work will take place with Parish Councils, Neighbourhood Plan groups and other community groups.
Management	Strategic Director – Service Delivery ► Environmental & Development Services Portfolio Holder ► Environmental & Development Services Committee ► Full Council ►
Internal Resource	South Derbyshire District Council - Planning Policy Team, Development Management team, Open Space team, Community teams.
External Resource	Derbyshire County Council and Parish Councils
Community and Stakeholder Involvement	In accordance with the Town and Country Planning Regulations 2012 and as set out in the Council's 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	2015
Previous Consultations	Through Local Plan Part 2 (December 2015 and June 2016) Local Green Spaces DPD – Options Consultation (June 2017) Local Green Spaces DPD Sustainability Appraisal Scoping Consultation (April – June 2018)
Options Consultations (Regulation 18)	Autumn 2018
Proposed Submission Consultation (Regulation 19)	Early 2019
Submission to Secretary of State (Regulation 22)	Spring 2019
Commencement of the Hearing Sessions	Summer 2019
Adoption by Council	Late 2019

Gypsy and Traveller Site Allocations DPD

Status	Development Plan Document
Geographical Area	South Derbyshire District Council
Conformity	Conform to legislation, case law, the NPPF and Planning Practice Guidance as well as Part 1 of the Local Plan.
Description	The DPD will allocate sites for Gypsy and Traveller pitches to enable the Council to demonstrate a five year supply of pitches in line with the requirements of the GTAA.
Joint Working	There will be a need to work alongside the other Derbyshire authorities and East Staffordshire as partners to the GTAA and including the County Council.
Management	Strategic Directory – Service Delivery ► Environmental & Development Services Portfolio Holder ► Environmental & Development Services Committee ► Full Council ►
Internal Resource	South Derbyshire District Council - Planning Policy Team, Development Management team, Strategic Housing team, Community teams.
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 Council's 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
Options Consultations (Regulation 18)	Summer 2019
Proposed Submission Consultation (Regulation 19)	Late 2019
Submission to Secretary of State (Regulation 22)	Early 2020
Commencement of the Hearing Sessions	Mid 2020
Adoption by Council	Late 2020

12 Schedule and Timetable of proposed Supplementary Planning Documents

Greenways SPD

Status	Supplementary Planning Document
Geographical Area	South Derbyshire District Council
Conformity	Conform to NPPF & Planning Practice 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 Greenways Strategy, Cycle Infrastructure Delivery Plan and Key Cycle Network proposals.
Management	Strategic Director – Service Delivery ► Environmental & Development Services Portfolio Holder ► Environmental & Development Services Committee ►
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 Council's Statement of Community Involvement. This SPD will link to the Derbyshire Cycle Plan; the South Derbyshire Cycle Action Plan; and Derbyshire County Councils Greenways Strategy, Cycle Infrastructure Delivery Plan and Key Cycle Network proposals.
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	TBC
Adoption by Council	TBC

13 Schedule and Timetable of proposed Development Framework Documents

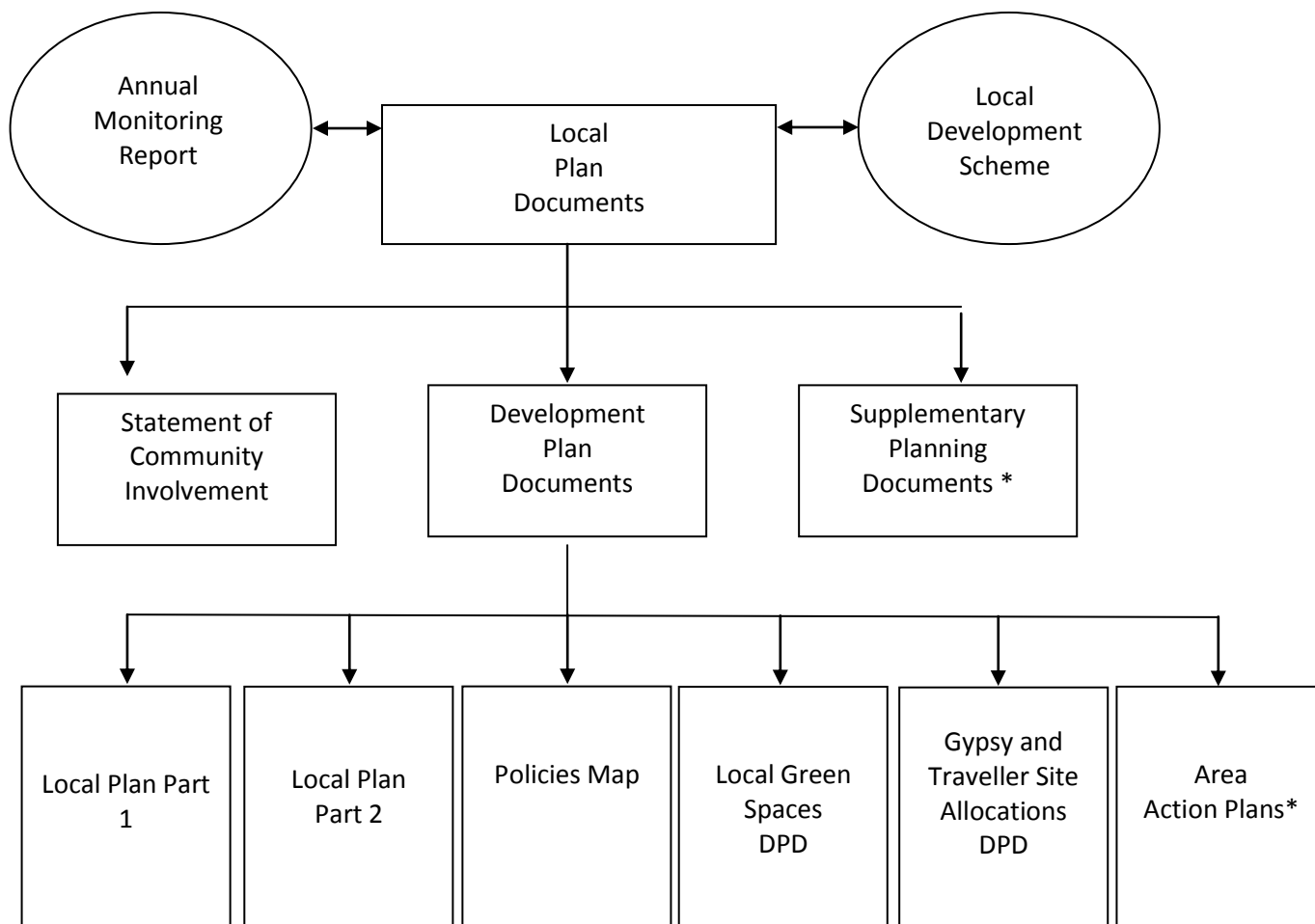
Boulton Moor DFD

Status	Material consideration
Geographical Area	Policy H13
Conformity	Conform to NPPF & Planning Practice Guidance as well as Part 1 of the Local Plan.
Description	A jointly prepared masterplan document to ensure that the proposals deliver a holistic urban extension across the local authority boundaries.
Joint Working	Derby City Council, Derbyshire County Council, Developers and Landowners
Management	Strategic Director – Service Delivery ► Environmental & Development Services Portfolio Holder ► Environmental & Development Committee ►
Internal Resource	South Derbyshire District Council - Planning Policy Team, Development Management team
External Resource	Agents of landowners
Community and Stakeholder Involvement	N/A
Monitoring and Review	As required
Timetable	
Stage	Date
Commencement of the process	March 2016
Consultation	N/A
Adoption by Council	Late 2018

Infinity Garden Village DFD

Status	Material consideration
Geographical Area	Policy H15 and INF13
Conformity	Conform to NPPF & Planning Practice Guidance as well as Part 1 of the Local Plan.
Description	A jointly prepared masterplan document incorporating the adopted proposals and the vision for the remainder of the Garden Village area.
Joint Working	Derby City Council, Derbyshire County Council, Developers and Landowners
Management	Strategic Director - Service Delivery ► Environmental & Development Services Portfolio Holder ► Environment & Development Committee ►
Internal Resource	South Derbyshire District Council - Planning Policy Team, Development Management team
External Resource	Agents of landowners
Community and Stakeholder Involvement	N/A
Monitoring and Review	As required
Timetable	
Stage	Date
Commencement of the process	2017
Consultation	N/A
Adoption by Council	Spring/Summer 2018

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



* Optional documents

Appendix 2 - Glossary of Terms

Adopted Local Plan	The South Derbyshire Local Plan Part 1 was formally adopted 13 June 2016 and the Part 2 adopted 2 November 2017.
AMR	Annual Monitoring Report to chart progress of producing and implementing policies and proposals
DPD	Development Plan Document: A local policy document produced by the Council which makes up part or all of the Development Plan
DFD	Development Framework Document: A policy document, usually produced jointly with the relevant developers and neighbouring authority, to comprehensively guide development and support infrastructure delivery.
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
Policies Map	A map that identifies those areas to which specific policies apply.
SA	Sustainability Appraisal – a tool to ensure that policies in all LDDs 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 a DPD.

REPORT TO:	ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE	AGENDA ITEM: 15
DATE OF MEETING:	31st MAY 2018	CATEGORY: DELEGATED/ RECOMMENDED
REPORT FROM:	ALLISON THOMAS - STRATEGIC DIRECTOR (SERVICE DELIVERY)	OPEN/EXEMPT PARAGRAPH NO:
MEMBERS' CONTACT POINT:	KAREN BEAVIN karen.beavin@south-derbys.gov.uk	DOC:
SUBJECT:	DRAFT STATEMENT OF COMMUNITY INVOLVEMENT FOR CONSULTATION	REF:
WARD(S) AFFECTED:	ALL	TERMS OF REFERENCE: EDS03

1.0 Recommendations

- 1.1 To approve the Draft Statement of Community Involvement (at Appendix 1) for public consultation.

2.0 Purpose of Report

- 2.1 To bring to Members a revised and updated draft Statement of Community Involvement, seeking approval for its consultation prior to adoption by the Council.

3.0 Background

- 3.1 In March 2006 the Council adopted its first Statement of Community Involvement (SCI) following the changes introduced through the Planning and Compulsory Purchase Act 2004 and the introduction of Local Development Frameworks.
- 3.2 The requirement for the Council to produce an SCI is contained in Section 18 of the Planning and Compulsory Purchase Act 2004. Unlike the time of the 2006 SCI's production, the Council is now able to adopt an SCI without it being submitted to the Secretary of State for independent examination.
- 3.3 The SCI sets out the Council's policy on how it will involve those who have an interest in matters relating to the development of the District. This relates to the Council's functions of preparing and reviewing local plan documents and from 31 July 2018 will also apply to the preparation of Local Development Schemes together with what's known as the Survey Stage of plan preparation – where the authority updates the evidence required to produce a local plan regarding physical, economic, social and environmental characteristics, land use, population profiles, communication and transport.

- 3.4 Changes in legislation mean that an SCI must be reviewed every five years from its adoption date and must now include the local planning authority's policies for assisting in the production of neighbourhood plans.

4.0 Detail

- 4.1 Planning, whether through a Local Plan or via planning applications is a process open to public involvement and scrutiny. The purpose of the SCI is to set out the procedures and methods that will be used by the Local Planning Authority to engage and/or consult when preparing new local plan documents, Supplementary Planning Documents, and the Local Development Scheme, together with assisting neighbourhood development plan production and processing planning applications.
- 4.2 The draft SCI (at Appendix 1) will, once adopted, replace the SCI that was adopted by the Council in March 2006. The changes in legislation referred to above, together with the experience of producing the adopted Local Plan Parts 1 and 2, as well as the rise of the internet's role in community consultation and publicity, have all helped inform the revision of the document.
- 4.3 The Localism Act 2011 introduced rights and powers to allow local communities to shape new development, including through the production of a neighbourhood development plan. Within South Derbyshire there are currently three areas in the neighbourhood plan process, developing a vision and specific planning policies for their neighbourhood; these are Repton, Melbourne and Hilton (which includes Hoon and Marston-on-Dove).
- 4.4 Set out in Section 2 of the draft SCI is how the District Council will support parish councils or neighbourhood forums in the production of a neighbourhood plan. This will, once the revised SCI is adopted, also be referenced on the Council's neighbourhood planning webpage.
- 4.5 Other changes to the SCI include: the introduction of the revised Duty to Cooperate; the new requirement to consult the relevant Neighbourhood Planning Body on a planning application in addition to the Parish Council; a revised table of community consultation and involvement methods; and updated information on the local plan context.
- 4.6 It is intended to consult on the draft SCI for a period of 8 weeks, after which the document will be amended where necessary before being brought back to this Committee for adoption.

5.0 Financial Implications

- 5.1 None arising directly from this report.

6.0 Corporate Implications

- 6.1 To facilitate and delivery a range of integrated and sustainable housing and community infrastructure is a key aim within the Place theme of the Corporate Plan. A Statement of Community Involvement is a key tool in delivering this aim.

7.0 Community Implications

7.1 The Statement of Community Involvement is, by its very nature, a mechanism for the community to understand what it can expect from the planning process, be that through policy production or planning applications.

8.0 **Background Papers**

8.1 None

9.0 **Appendices**

Appendix 1: Draft Statement of Community Involvement

South Derbyshire District Council
Draft Statement of Community
Involvement
May 2018

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1. What is the Statement of Community Involvement?

- 1.1 The main purpose of the Statement of Community Involvement (SCI) is to set out how the community, businesses and other organisations with an interest in the development of the District can engage with the planning system.
- 1.2 South Derbyshire District Council is the Local Planning Authority (LPA) for the South Derbyshire area, and as such is responsible for producing planning policy documents and determining planning applications. This document sets out the procedures and methods that will be used to consult when preparing new local plan related documents, Supplementary Planning Documents (SPDs) and when processing planning applications. How the Council will support the production of neighbourhood development plans is set out under Section 2 below.
- 1.3 This document will replace the SCI that was adopted by the Council in March 2006. There have been several changes to the Planning legislation since that time, and experience of producing a local plan under this new legislation, as well as the rise of the internet's role in community consultation and publicity, have informed the revised version of the SCI.
- 1.4 The SCI no longer has the same production procedure under national planning regulations as was originally the case. The Council is therefore able to adopt its own SCI without it being submitted to the Secretary of State for independent examination.
- 1.5 The requirement for the Council to produce an SCI is contained in Section 18 of the Planning and Compulsory Purchase Act 2004.

South Derbyshire Local Plan: Current Context

- 1.6 At the time of the adoption of the 2006 SCI the approach to the production of local planning documents was the Local Development Framework system. This was to consist of a Local Development Scheme, a Statement of Community Involvement, an Annual Monitoring Report and a portfolio of Development Plan Documents (DPDs) (including a Core Strategy) and Supplementary Planning Documents (SPDs) which would provide local planning policies and advice against which planning proposals would be considered.
- 1.7 The National Planning Policy Framework (NPPF) subsequently indicated that LPAs should produce a Local Plan for their areas which could be reviewed in whole or in part to allow for a flexible response to changing circumstances. Revised Local Plan Regulations reflected this change, such as The Town and Country Planning (Local Planning) (England) Regulations 2012 which made new provisions and amendments to take account of the changes made by the Localism Act 2011 and The Neighbourhood Planning (General) (Amendment) Regulations 2015 which made further provision in relation to the designation of neighbourhood areas and the submission of neighbourhood development plan proposals to local planning authorities.

- 1.8 The South Derbyshire Local Plan Part 1 was adopted in June 2016. The Plan sets out a plan for growth for the District to 2028 including strategic housing and employment allocations and environmental and infrastructure policies. The Local Plan Part 2 was adopted in November 2017; this Plan includes non-strategic housing allocations, development management policies and redefined settlement boundaries.
- 1.9 Two Supplementary Planning Documents (SPDs) have been adopted following the adoption of the Local Plans Part 1 and 2. These are the South Derbyshire Design Guide SPD and the Affordable Housing SPD.

The Local Development Scheme

- 1.10 The LPA is required to produce and regularly update a Local Development Scheme (LDS) setting out how the Council will progress the local plan and its associated documents over a 3 year period. A Local Development Scheme is required under section 15 of the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011).
- 1.11 The LDS assists those interested in the development of the area by informing them of the anticipated timescale for the production of each document. The LDS sets out the programme for the management of the Local Plan. It is a public statement identifying the timetable for the production of Local Plan documents and is reviewed annually. It is the starting point for the community and stakeholders to find out more about which future planning policies will apply to a particular place or issue and their status.
- 1.12 It is not intended to go into the details of the current LDS for South Derbyshire in this document as the LDS will change over time following annual updates. The current Local Development Scheme is available to view on the Council's website via www.south-derbys.gov.uk

Duty to Co-operate

- 1.13 Section 110 of the Localism Act 2011 sets out a 'Duty to Co-operate' for LPAs, County Councils and other bodies with statutory functions, to co-operate with each other. Co-operation includes constructive and active engagement as part of an ongoing process to maximise effective working on the preparation of local planning documents. The draft revised NPPF seeks to strengthen the requirements under the Duty to Co-operate.
- 1.14 The Council has, for a number of years, worked in partnership with other local planning authorities and partnership organisations when producing planning documents. The Derby Housing Market Area, comprising Amber Valley, Derby City and South Derbyshire Councils, has a particularly close relationship, established through the production of their respective Local Plans. It is intended that this approach will continue, both within the Derby HMA and beyond, and that the Council will meet fully its obligations under the Duty to Co-operate.
- 1.15 The list of Duty to Co-operate prescribed bodies are specified in The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).

2. Documents subject to Public Consultation

Local Plans

- 2.1 Local Plan documents set out the planning strategy, policies and proposals for a Local Planning Authority area. These documents are prepared with involvement from the community, stakeholders and bodies specified by regulation. They must be examined by an Independent Inspector and found “sound” before they can be adopted by the Council.
- 2.2 The current context for local plan consultations is outlined in section 5 below.

Supplementary Planning Documents

- 2.3 Supplementary Planning Documents (SPDs) are non-statutory documents intended to expand upon the policies and proposals in Local Plan documents. SPDs can be area or issue based. Whilst SPDs are not the subject of an independent examination, they undergo public consultation at draft stage(s) and are adopted by receiving the endorsement of the elected members of the Council.

Neighbourhood Plans

- 2.4 There is now an opportunity for communities to become involved in the planning process and shape development within their own local area. [The Localism Act 2011](#) introduced new rights and powers. Using these rights and powers communities are able to produce neighbourhood development plans and under certain circumstances are able to grant Neighbourhood Development Orders or progress development under Community Right to Build Orders. The Act identifies that community participation has to be through an appropriate qualifying body – parish councils or neighbourhood forum.
- 2.5 The key theme is using local knowledge and research to develop policies and orders to support development of the built environment within local communities.
- 2.6 Through detailed consultation undertaken by local qualifying bodies communities can become involved in the production of neighbourhood development plans. These plans provide an opportunity for local communities to develop a vision and specific planning policies for their neighbourhood area. Local knowledge and understanding provides much greater detail of the neighbourhood area than that included within the [Local Plan](#).
- 2.7 Local community involvement allows neighbourhood development plans to be shaped to include policies and aspirations around:
- where new homes, shops and offices should go
 - which green spaces should be protected
 - what new development should look like
 - new infrastructure requirements.
- 2.8 Neighbourhood Development Plans (NDPs) provide the chance to be positive about the changes you would like to see happen in your area. It is important to note that these are development plans and will need to:
- have regard to national planning policy
 - be in general conformity with strategic policies within the Local Plan
 - be compatible with EU obligations and human rights requirements.

- 2.9 Guidance on Neighbourhood Plans is set out in the NPPG which is available via www.gov.uk. Further guidance for communities is available from the Planning Advisory Service via www.local.gov.uk/pas and the Planning Portal via www.planningportal.co.uk. Below is an extract from the Planning Portal's website¹:

"Neighbourhood planning can be taken forward by two types of body - town and parish councils or 'neighbourhood forums'. Neighbourhood forums are community groups that are designated to take forward neighbourhood planning in areas without parishes. It is the role of the local planning authority to agree who should be the neighbourhood forum for the neighbourhood area.

The criteria for establishing neighbourhood forums are being kept as simple as possible to encourage new and existing residents' organisations, voluntary and community groups to put themselves forward.

Neighbourhood forums and parish councils can use new neighbourhood planning powers to establish general planning policies for the development and use of land in a neighbourhood. These are described legally as '**neighbourhood development plans**.'

In an important change to the planning system communities can use neighbourhood planning to **permit** the development they want to see - in full or in outline - without the need for planning applications. These are called '**neighbourhood development orders**.'

Local councils will continue to produce development plans that will set the strategic context within which neighbourhood development plans will sit.

Neighbourhood development plans or orders do not take effect unless there is a majority of support in a referendum of the neighbourhood.

They also have to meet a number of conditions before they can be put to a community referendum and legally come into force. These conditions are to ensure plans are legally compliant and take account of wider policy considerations (e.g. national policy).

An independent qualified person then checks that a neighbourhood development plan or order appropriately meets the conditions before it can be voted on in a local referendum. This is to make sure that referendums only take place when proposals are workable and of a decent quality.

Proposed neighbourhood development plans or orders need to gain the approval of a majority of voters of the neighbourhood to come into force. If proposals pass the referendum, the local planning authority is under a legal duty to bring them into force."

¹ https://www.planningportal.co.uk/info/200130/community_planning/200130/neighbourhood_planning

- 2.10 Under the Town and Country Planning Act 1990 (as amended) the Council has a statutory duty to assist communities in the preparation of neighbourhood development plans and orders and to take plans through a process of examination and referendum. The Localism Act 2011 (Part 6, Chapter 3) sets out the Local Planning Authority's responsibilities as:
- Designating a forum
 - Designating the area of the NDP
 - Advising or assisting communities in the preparation of a NDP
 - Checking a submitted plan meets the legal requirements
 - Arranging for the independent examination of the NDP
 - Determining whether the NDP meets the basic conditions and other legal requirements
 - Subject to the results of the referendum/s, bringing the NDP into force.
- 2.11 The basic conditions to be met by a draft NDP are set out in Schedule 4B of the Town and Country Planning Act 1990 (inserted by the Localism Act 2011) and are as follows:
- 1) Has regard to national policy and guidance from the Secretary of State
 - 2) Contributes to sustainable development
 - 3) General conformity with the strategic policy of the development plan for the area or any part of that area
 - 4) Doesn't breach or is otherwise compatible with EU obligations – this includes SEA Directive of 2001/42/EC

How you and your community can become involved in putting a neighbourhood development plan in place...

- 2.12 If you live in a parished area you will need to approach your parish council and ask them to consider producing a neighbourhood development plan as the qualifying body.
- 2.13 If you live in an area that is not parished it will be necessary to set up a neighbourhood forum. This will take time and commitment from the community.
- 2.14 While it may seem daunting there is help and funding available. Whilst the plan's development will take time and effort South Derbyshire District Council can support the process. If your parish or local community wishes to consider creating a neighbourhood development plan, the first point of contact at the District Council is the Community Partnership Officer (see below for contact details).

Sustainability Appraisal and Strategic Environmental Assessment

- 2.15 Sustainability Appraisal (SA) is a method designed to help planning authorities contribute to the aim of achieving sustainable development in preparing plans and policies. It is a mandatory requirement under the Planning and Compulsory Purchase Act 2004 for local authorities to undertake the SA of documents that comprise their Local Plan.

- 2.16 An SA report will be produced and consulted upon alongside each Local Plan document that the Council publishes. The process of SA fully incorporates the requirements of Strategic Environmental Assessment (SEA) in relation to plans and programmes, as required under the European SEA Directive (2001/42/EC) and the Environmental Assessment of Plans and Programmes Regulations 2004.

3 Who will be Involved

- 3.1 The Town and Country Planning (Local Planning) (England) Regulations 2012 ('the Regulations')² set out the legal requirements for consultation and public participation in respect of local planning documents. It is our intention to meet, and where possible exceed, the requirements of the regulations.

Specific Consultation Bodies

- 3.2 The Regulations specify that we must consult the "specific consultation bodies" if it is considered that the body will be affected by what is proposed to be covered in a Local Plan. The specific consultation bodies are specified in the Regulations and include organisations such as the Environment Agency, Highways England and Historic England.

General Consultation Bodies

- 3.3 In addition to the Specific Consultation Bodies we will also consult with General Consultation Bodies to seek their views. The Regulations indicate General Consultation Bodies should include:
- Voluntary bodies some or all of whose activities benefit any part of South Derbyshire;
 - Bodies which represent the interests of different racial, ethnic, or national groups in South Derbyshire;
 - Bodies which represent the interests of different religious groups in South Derbyshire;
 - Bodies which represent the interests of disabled persons in South Derbyshire; and
 - Bodies which represent the interests of persons carrying on business in South Derbyshire.

Individual Members of the Community and Businesses

- 3.4 Since 2009 the District Council has compiled a Local Plan Consultation Database, actively promoting the Database as the best way to be kept informed of progress on the Local Plan. This Database is being refreshed following the natural break that the adoption of the Local Plans Part 1 and 2 has facilitated, which has timed well with the change in Data Protection Act rules. Those wishing to remain on the Database will continue to be notified of all local plan related consultations and significant events.
- 3.5 General Consultation Bodies and Specific Consultation Bodies are consulted at the same time as those on the Local Plan Consultation Database. However, certain groups and organisations may have specialist knowledge or technical expertise with regard to particular subject areas. Where it is pragmatic and possible to do so, the District Council will use its knowledge of these local groups and organisations to identify which to engage with at an earlier stage.

² www.legislation.gov.uk/uksi/2012/767/contents Page 264 of 400

Seldom-Heard Groups

- 3.6 It is recognised that some sectors of the community may be more difficult to engage in the participation process. Examples of these seldom-heard groups include disabled people, elderly people, young people and those who have recently moved into the District. The Council will actively seek to engage with these groups in order to ensure they can make a contribution to planning the future of South Derbyshire.
- 3.7 The Council's Local Plan Consultation Database includes the contact details of many organisations and individuals representing or in contact with, seldom-heard groups. The District Council will be proactive in taking the opportunity to invite new contacts onto the Local Plan Consultation Database.

4 Possible Methods of Community Involvement

- 4.1 There are several potential methods of community involvement. These will vary in how they reach people and in terms of resource requirements. A range of involvement methods is set out in the table below. The table is not intended to be definitive and additional methods may be used where appropriate. Alternative methods suggested by the community or stakeholders will also be considered.
- 4.2 The type of methods employed will be tailored to suit the subject area of each document or type of planning application, and the resources available to us. It is recognised that some groups in the community are in a better position to participate than others, and that to be successful community involvement should be inclusive.
- 4.3 This Statement of Community Involvement recognises the limits of the District Council's resources and it attempts to make the most effective use of the resources available; it is inevitable that more consultation can always be done when resources are not finite. Where the need arises for more focused, resource-intensive methods then the District Council will, subject to the availability of resources, seek to utilise these methods in conjunction with local groups and stakeholders. However the inclusion of these potential methods in the SCI should not be considered as an undertaking that all methods will be available on demand during the production of each document produced.
- 4.4 Potential methods of community consultation and involvement include:

Method	Detail	Requirement Level
Local Plan Consultation Database	To contact all of those on the Local Plan consultation database, either by email or letter, informing them of the consultation	Compulsory
Correspondence with Statutory Bodies	To contact the Statutory Body, usually via email, to inform them of the consultation.	Compulsory
Hard copies of documents	Documents available at the District Council Offices and libraries within the District	Compulsory
Website	All live consultation documents will be made available on the District Council's website and a direct link to the relevant webpage will be included in consultation material.	Compulsory
Press Releases/Articles	Details of local plan consultations and drop-in events may be issued in a press release or in articles for local publications.	Used where practicable

Method	Detail	Requirement Level
Local Media	The District Council's communications team will advise on relevant local media contacts, including local community websites, and where appropriate, notify of any press releases.	Used where practicable
Social Media	Facebook and Twitter may be used to publicise consultations and public drop-in events. This is particularly useful for some seldom-heard groups in the District, such as young people.	Used where practicable
Area Forums	These are quarterly community-based meetings held in six area-based locations across the District. Can be particularly useful when discussing topics which fall wholly within a local area.	Used where practicable
Drop-in events, workshops and focus groups	Usually held in various locations across the District, drop-in events allow the public to discuss consultation proposals in detail and face to face with Officers. Where necessary, particularly relevant groups, stakeholders or individuals may be invited to take part in a focus group discussion or workshop.	Arranged where beneficial
Questionnaire	It is usual for a questionnaire to accompany a consultation, available both electronically and in hard copy format.	Produced where beneficial
Leaflets	Summary leaflets are usually produced to accompany a consultation. The leaflet is available online, at locations where hard copies of the documents are available for inspection and at drop-in events. It is, however, too expensive to produce a hard copy for each household within the District.	Produced where beneficial

Method	Detail	Requirement Level
Steering Group	From time to time, specific steering groups are established, often with elected Members, to engage with and address specific issues.	Arranged where beneficial
Sustainable Development Group	A sub-group of the Local Strategic Partnership meeting quarterly, incorporating a variety of local agencies.	Used where practicable

5 When consultation takes place in the production of Local Plan documents

5.1 There are three stages of Local Plan production where the Regulations require some form of consultation:

1. Preparation of a Local Plan - Regulation 18: Requires that certain specific and general consultation bodies (see section 3 above) are invited to make representations about what a Local Plan ought to contain.

2. Publication of a Local Plan - Regulation 19: Copies of a proposed Local Plan and associated documents are made available for inspection for 6 weeks. The Council invites interested parties (in addition to the specific and general consultation bodies) to make formal representations at this stage. This stage of consultation involves communities, businesses, Parish Councils, developers and other interested parties. This is effectively the final stage when formal representations can be made to the Council.

3. Submission of a Local Plan to the Secretary of State -Regulation 22: The proposed Local Plan and associated documents are submitted to the Secretary of State for examination. An Independent Inspector is subsequently appointed to examine the soundness of the plan. The Council provides the Independent Inspector with the formal representations made at the previous stages. At this stage, the Council cannot consider new formal representations, although opportunities exist for additional statements to be made to the Inspector to elaborate on representations previously made.

5.2 The regulatory stages outlined above may not always allow sufficient participation in the production of planning policy documents to fully examine the issues and potential options available. Therefore the Council would wish to retain the option of inserting an additional stage into the process after Regulation 18. This would allow for a period of public consultation to get feedback on the issues identified and likely preferred options for addressing these issues.

5.3 The following table gives an indication of the main stages in the production of a Local Plan document and outlines where involvement opportunities are available.

Main Local Plan Production Stages		
Regulatory Stage	What is involved	Who is involved
No regulation	Evidence Gathering	Selected stakeholders, groups, or organisations

Main Local Plan Production Stages		
Regulatory Stage	What is involved	Who is involved
Regulation 18	Notification of appropriate bodies and persons that a Local Plan document is being prepared and seek their views on what the document should contain.	Specific Consultation Bodies. Appropriate General Consultation Bodies. Local Plan Consultation Database
No regulation	Consultation on draft document examining issues and potential options.	Specific Consultation Bodies Appropriate General Consultation Bodies Local Plan Consultation Database
Regulation 19	Consultation on the Local Plan document that the Council intends to submit to the Secretary of State. Regulations require a minimum consultation period of 6 weeks.	Specific Consultation Bodies General Consultation Bodies Local Plan Consultation Database
Regulation 22	Submission of the proposed Local Plan document to the Secretary of State along with the Sustainability Appraisal, supporting evidence documents and copies of all representations to the Local Plan.	This is not a consultation stage. Notification of the submission of the Local Plan to the Secretary of State is given to Specific and General Consultation Bodies previously consulted in the Local Plan's production, those on the Local Plan Consultation Database and others who request to be notified.

Main Local Plan Production Stages		
Regulatory Stage	What is involved	Who is involved
Regulation 24	<p>Public examination of the Local Plan by an independently appointed Inspector. The Inspector will consider the issues raised through the representations and determine whether the plan is legally compliant and meets the tests of soundness, namely:</p> <ul style="list-style-type: none"> ▪ Positively Prepared ▪ Justified ▪ Effective ▪ Consistent with National Policy 	<p>All those who made representations</p> <p>Others who may wish to attend the examination sessions</p>
Regulation 26	Adoption of the local plan document by the Council.	All those who made representations or who requested to be notified of the adoption.

6 When consultation takes place in the production of Supplementary Planning Documents

- 6.1 Supplementary Planning Documents (SPDs) are intended to expand upon policies in local plan documents, providing further detail. They are not subject to an independent examination but are produced with community involvement and are subject to a period of formal public participation.
- 6.2 Regulations do not stipulate specific requirements on who should be involved with and informed of the production of an SPD. The opportunity will be taken for targeted consultation and engagement with relevant bodies in the production of an SPD, dependent on the subject matter. A consultation will also take place that invites representations from all general and specific consultees, as well as those on the Local Plan Consultation Database.

7 Involvement in Planning Applications

- 7.1 This Statement of Community Involvement also outlines how the community will be involved in the process of submitting and deciding individual planning applications. The definition of a planning application is set out in Appendix B.

Minimum requirements

- 7.2 We are already required to notify the local community on most planning applications submitted. We are also required to consult certain organisations if it is considered that their interests would be affected by the planning application. The specific organisations are specified in the Procedure Order³ and include organisations such as the Environment Agency, Highways England and Historic England.

Towards good practice

- 7.3 It is recognised that, in some cases, it will be beneficial and appropriate to involve more people and/or include them earlier in the process. Set out below are the additional actions we may take prior to and during the application stage. Also set out below are the actions to be taken following a decision.

Pre-application

- Actively encourage pre-application discussions with developers.
- Actively encourage developers of larger schemes to inform and involve the community in shaping their proposals.
- For smaller applications, actively encourage applicants to discuss their plans with neighbours prior to submitting their application.

Application Stage (minimum)

- Circulate details to the relevant Parish Council;
- Circulate details to the relevant Neighbourhood Planning Body;
- Circulate details to the relevant amenity groups, where it has been previously agreed those groups will be notified;
- Notify neighbours in accordance with our neighbour notification policy (Appendix A).

Application Stage (additional)

- Publish a list of applications received on the website⁴.
- Publish amendments to the application received before a decision is made.
- Accept comments after the minimum period where the decision has not yet been made under delegated powers or the planning officer's report not been published on a planning committee agenda.

³ www.legislation.gov.uk/ukxi/2015/595/contents/made

⁴ www.planning.south-derbys.gov.uk

Decision

- Place decision notices (and any associated legal agreements, Non-material Amendments and Approval of Conditions, where relevant) on the website along with the officer's report.
- Concerns about applications that may not have been implemented as approved can be raised with our enforcement team for investigation by completing the relevant form⁵.

⁵ www.south-derbys.gov.uk/our-services/planning-and-building-control/planning/report-works-or-activity

8 Managing the process

Feeding information into plan and decision making

- 8.1 The information obtained through community involvement will be collated and used to inform our decisions (as with the determination of planning applications, see section 7 above) and/or shape any documents the District Council produces.

Feeding back to those involved

- 8.2 Each local plan document will require a *Consultation Statement* to be produced alongside it. This must outline how the Statement of Community Involvement has been followed and how doing so has benefited document production. This will provide some indication of the benefits of the community's involvement. We aim to make the link between responses and the Council's decision or action clear.

Our feedback commitment

- 8.3 We aim to provide feedback on any participatory activities or consultation processes associated with local development documents within 10 weeks of their completion. Comments received by email will receive an acknowledgement email by return. The Local Plan Consultation Database will be used to keep interested parties informed of the progress on local development documents.

How will the processes be resourced?

- 8.4 It is clear that community involvement requires resources and time, particularly for activities such as the drop-in events. The Planning Authority receives funds through the Planning Services Budget from the Council and funds such as the New Homes Bonus from the Government.
- 8.5 The District Council will seek to optimise resource efficiency. This will be done by:
- Clearly defining the roles of the different individuals and groups involved.
 - Learning from and, where possible, utilising the skills of other organisations e.g. Local Strategic Partnership, Clinical Commissioning Groups and Planning Aid.
 - Wherever appropriate, combining and integrating involvement activities to ensure we do not over-consult people, thereby making more efficient use of time and resources.

Staff - Officers will be responsible for the delivery of the majority of the activities set out in this Statement of Community Involvement. Where needed, support will be sought from other Council departments. Furthermore we will review staff capabilities and work to fill any gaps as appropriate e.g. through training.

Consultants - Where it is felt that a process would benefit from additional support or expertise, for example in facilitating more interactive sessions, we will consider employing consultants. The decision to do so will be informed by a full review of the potential costs and benefits.

Equipment and material - We already have in place much of the equipment and material needed to undertake the activities outlined. Resources held by other Council departments can be utilised where needed.

Venues and other costs - Council facilities which are available free of charge will be utilised wherever possible. Where appropriate we will hire accessible, local venues that offer value for money. Where possible, activities will be combined with those of other Council departments to ensure that processes are efficient and costs are minimised.

Roles and responsibilities

- 8.6 There are a number of different individuals and groups who have a role to play in achieving effective community involvement in planning:
- **Role of developers** – to promote specific sites for development and, if appropriate for the development, fulfil community involvement requirements to the highest standard.
 - **Role of the community** - to raise concerns and/or state support for proposals in order to ensure that development takes place in an acceptable manner. We actively encourage all members of the community, including the business community, to get involved in policy development as it directly affects the area in which they live and/or work.
 - **Role of Parish Councils and other community networks** – to provide comment on individual planning applications and development proposals that have implications for their area. These organisations are also likely to be invited to represent community interests in involvement activities.
 - **Statutory consultees / specialist bodies** - provide information and comment on specialist matters.
 - **Role of officers** – to provide professional advice on planning matters and formulate draft policies and plans for Council approval. Officers will also be responsible for delivering community involvement activities.
 - **Role of members** – to make formal decisions regarding planning matters in accordance with the Council's rules and procedures, having taken full account of consultation responses.

Planning Aid

- 8.7 Recognising that Council officers are not always best placed to work with community groups and that some people prefer to seek independent advice, the Council will seek to ensure that people within the District are made aware of the role of the Planning Aid Service. It provides a free and independent advice service on all planning-related matters for individuals and community groups who cannot afford consultant's fees. Further information on Planning Aid is available at www.rtpi.org.uk/planning-aid/.

Making improvements

- 8.8 To make sure the Statement of Community Involvement is effective the District Council will monitor its value both in informing and shaping local plan documents and providing people in South Derbyshire with the opportunity to be more meaningfully involved in the planning process. The Statement of Community Involvement will be modified as lessons are learnt.
- 8.9 Progress on the local plan will be reviewed annually, and the District Council will continue to produce an Annual Monitoring Report.
- 8.10 This Statement of Community Involvement will be reviewed every two years to provide an opportunity to build on the commitments made and learn from our ongoing experience. If appropriate the document will be updated to reflect changing priorities. It will also be important to review each individual involvement activity or process. We aim to evaluate community involvement activities according to:
- the usefulness of the information produced in informing the document or decision
 - the usefulness of the process of involvement, for example in raising awareness, overcoming conflict or building ownership
 - how worthwhile the participants felt the process or activity to be.

For more information...

Our website

The South Derbyshire District Council planning pages contain information on the planning policy and development management processes and documents. You can view this at www.south-derbys.gov.uk.

Government Policy and Guidance

The Government has published a National Planning Policy Framework and associated Planning Practice Guidance. These are available at www.gov.uk.

Planning Portal

The Planning Portal aims to make information and services simpler and more accessible for those involved in the process, be they applicants, agents or local authorities. See www.planningportal.co.uk.

Planning Aid

A free and independent advice service on all planning-related matters for individuals and community groups who cannot afford consultant's fees. See www.rtpi.org.uk/planning-aid/.

Contact us

Planning Policy Team

For more information about the preparation of the local plan and this Statement of Community Involvement, please contact the Planning Policy Team:

Email: planning.policy@south-derbys.gov.uk

Write to: South Derbyshire District Council, Civic Offices, Civic Way, Swadlincote, Derbyshire, DE11 0AH

Development Management Team (planning applications)

For more information about Development Control and decisions made on planning applications, please contact the Development Management Team at the same address as above or:

Email: planning@south-derbys.gov.uk

Neighbourhood Planning

If your parish or local community wishes to consider creating a Neighbourhood Development Plan, the first point of contact at the District Council is the Community Partnership Officer:

Email: ian.hey@south-derbys.gov.uk

Write to: South Derbyshire District Council, Civic Offices, Civic Way, Swadlincote, Derbyshire, DE11 0AH

Tel: 01283 228741

Appendix A - Neighbour Notification Policy

(1) The Council is committed to the appropriate publicity, and will notify neighbours of planning applications as defined in the glossary.

(2) In all cases the principal means of notifying neighbours will be by letter to neighbours whose property lies closer than 4 metres from the application site boundary and upon whom the proposal(s) can reasonably be said to impinge in a detrimental fashion. This can include (but is not limited to)⁶:

- discrepancy with the Council's adopted planning policies;
- loss of privacy, light or sunlight;
- overbearing effects;
- visual intrusion;
- loss of character of the building or street scene;
- noise disturbance or other pollution;
- traffic generation;
- adequacy of access;
- adequacy of public services;
- loss of important site features.

The above rule will be applied as follows:

Any road less than 20 metres width will be discounted as if it was not there and the neighbour opposite consulted. Where a road is greater than 20 metres wide then the neighbour on the opposite side of the road is unlikely to be consulted unless the planning officer, on visiting the site, considers it appropriate to do so based on the nature of the proposed development. The distance of 4 metres (other than where there is a road) is sufficient to identify all neighbours immediately adjoining the site. At the discretion of the officer visiting, the site neighbours further away may be consulted if it appears that they might be unduly affected. In all cases:

- Measurement on site will be approximate by visual assessment;
- Notification will not be undertaken in the case of agricultural, unoccupied, or open land;
- Notification on proposals for erection of telecommunication masts will include schools and colleges within 400 metres of the site;
- Notification will not be undertaken in the case of other non-residential premises unless the planning officer considers it appropriate to do so.

(3) In addition to (2) above, site notices will be posted in exceptional cases at the discretion of the planning officer having regard to the widespread effect of the proposal on affected residential or commercial properties beyond the 4 metre threshold in the light of the above criteria. Appropriate cases would normally include:

1. Hot food takeaways.
2. Airfield developments.

⁶ These are known as material planning considerations. More information can be viewed at www.planningportal.co.uk/faqs/faq/4/what_are_material_planning_considerations

3. Marinas.
4. Golf courses and golf driving ranges.
5. Haulage yards and plant depots.
6. Livestock units.
7. Proposals for roads, railway and bus stations.
8. Motorway/Trunk road service stations.
9. Private hire/taxi businesses.
10. Mobile Phone Masts.

Site notices will be posted on or near the site. In the case of telecommunication masts, this will extend to each public highway within a 50 metre radius of the site.

(4) Neighbours will be given a minimum of 21 days (excluding bank holidays) within which to respond in writing, but responses received after the minimum period will be taken into account provided a decision has not been made under delegated powers or the officer's report has not been published on a planning committee agenda.

(5) Amendments to applications before a decision is made may be publicised further at the discretion of the planning officer responsible where, in their professional opinion, neighbours are likely to experience an increased or new adverse effect from the amended proposal. Normally 10 days will be allowed for further written comments.

(6) Decisions and the planning officer's report will be posted on the website.

(7) Non-material amendments to a planning permission after a decision has been made will be considered by the planning officer having regard to the significance of the amendment and its effect on those matters listed under (2) above. Notification of such applications will not be carried out as a matter of course. The amendments and any decision made will be published on the website.

Appendix B - Glossary

Adopted Local Plan	The South Derbyshire Local Plan, currently comprised of two parts. Part 1 was adopted in June 2016 and Part 2 adopted in November 2017
AMR (Annual Monitoring Report)	This charts progress of producing and implementing the policies and proposals making up the local plan (sometimes referred to as the Local Development Framework).
Approval of Conditions	Applications which seek approval of pre-commencement or pre-occupation conditions attached to a planning permission.
DP (Development Plan)	The statutory policy framework for considering planning applications, comprising strategic plans, local plan documents and neighbourhood plans
DPD (Development Plan Document)	A local policy document produced by the Council which makes up part or all of the Development Plan
Larger Schemes	Planning applications which meet the definition of a major application as set out in the Procedure Order
Local Development Framework (LDF)	A portfolio of documents and maps which set out the Council's planning policy framework
Neighbourhood Planning Body	A parish or town council or a neighbourhood forum (where there is no town or parish council) who is empowered to lead the neighbourhood planning process in a designated neighbourhood area.
Non-material Amendment	An application made under section 96A of the Town and Country Planning Act 1990 to amend an existing planning permission in a manner which, in the opinion of the Council, would not have material impacts on planning matters (as set out at paragraph 2 of Appendix A)
NPPF (National Planning Policy Framework)	The Government's policy on planning matters
Permitted Development	Development which already benefits for a general permission under the Town and Country Planning (General Permitted Development) (England) Order 2015
Planning applications	Full, outline and reserved matters applications; applications for removal or variation of conditions made under section 73 of the Town and Country Planning Act 1990; applications for Prior Approval made under Permitted Development allowances; applications for advertisement, listed building and relevant demolition consent; and notifications to carry out work to trees in Conservation Areas or protected by Tree Preservation Orders.

Policies Map	A map which identifies those areas to which specific policies apply
PPG (Planning Practice Guidance)	The Government's guidance on planning matters and the NPPF
Prior Approval	An application where the principle of development is already established through legislation and the Council is asked to consider the impact of certain matters, such as highway safety or flood risk. These are distinct from applications for Prior Notification where there is no duty for the Council to consult
Prior Notification	A notification to the Council where it is intended to use Permitted Development for certain developments
Procedure Order	The Town and Country Planning (Development Management Procedure) (England) Order 2015
Regulations	The Town and Country Planning (Local Development) (England) Regulations 2012
SA (Sustainability Appraisal)	A tool to ensure that policies in all LDDs reflect sustainable development principles
SCI (Statement of Community Involvement)	A statement which sets out how the Council will consult the community and stakeholders on the preparation of planning documents and the determination of planning applications
SEA (Strategic Environmental Assessment)	An EU requirement which applies to plans and policies where impacts will be of a strategic nature
SPD (Supplementary Planning Document)	A document which provides additional detailed guidance to support policies in Development Plan Documents
The Act	The Planning & Compulsory Purchase Act 2004

REPORT TO:	ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE	AGENDA ITEM: 16
DATE OF MEETING:	31st May 2018	CATEGORY: *see below DELEGATED/ RECOMMENDED
REPORT FROM:	STRATEGIC DIRECTOR (SERVICE DELIVERY)	OPEN **see below
MEMBERS' CONTACT POINT:	LIZ KNIGHT (ext. 5983) liz.knight@south-derbys.gov.uk	DOC:
SUBJECT:	HARTSHORNE CONSERVATION AREA AND AREA OF SPECIAL LOCAL CHARACTER	REF:
WARD(S) AFFECTED:	WOODVILLE	TERMS OF REFERENCE: *see below

1.0 Recommendations

1.1 That the Committee:

- Does not designate the Screw Mill area of Hartshorne as a Conservation Area due to its lack of architectural and historic merit.
- Does not designate the Upper Town Area as an Area of Special Local Character due to the degree of change and alteration in this area.

2.0 Purpose of Report

- 2.1 The report is being submitted for consideration after public consultation in February 2016. As part of this consultation comments were sought on the designation of a new Conservation Area at Screw Mill and the local designation of the area around the church, referred to as the Upper Town, as an Area of Special Local Character (ASLC). The delay in submitting this report is due to the absence of a permanent Conservation Officer from mid 2016 to the end of 2017. This resulted in a lack of resources to review the public consultation responses and undertake a further review of the proposals.
- 2.2 In light of representations received as part of the public consultation and a review of the areas it is considered that the Screw Mill area does not meet the high criteria for Conservation Area designation and that the Upper Town has also been subject to development and change, which has impacted on its historic character. It is not considered to merit ASLC designation whilst also noting that the more historic buildings within this area are covered by listing designation, which also extends to their setting.
- 2.3 The Committee is asked to consider whether it wishes to designate the Screw Mill area as a Conservation Area subject to further research and if it wishes to designate the Upper Town, an ASLC.

3.0 **Detail**

- 3.1 South Derbyshire has 22 Conservation Areas. The Council has a duty to review these areas from time to time and designate those areas of special architectural or historic interest as conservation areas (section 69 of the Planning (Listed Buildings and Conservation Areas Act)). The National Planning Policy Framework (NPPF) further states that when designating Conservation Areas, Local Planning Authorities should ensure that the area justifies the designation and that the concept is not devalued through the designation of areas that lack special interest (paragraph 127).
- 3.2 Any relevant proposals will need to demonstrate they preserve/enhance the architectural or historic character and appearance of the area and will need to be considered by the Local Planning Authority. Further restrictions include; planning permission is required for the demolition of any building/structure, greater protection for trees, some adverts require consent and special publicity is given to planning applications for development within the area. Permitted development rights can be further restricted with the serving of an Article 4 Direction. Where an Article 4 Direction is in force planning permission is required for particular types of development that is usually permitted, for example extensions, alterations/replacement of windows/doors, porches and boundary treatments. These features can all impact on, and contribute to, the historic and architectural character of an area.
- 3.3 ASLC is a local designation. Currently there are no ASLC designations in South Derbyshire. These areas are not considered to meet the high criteria set out for Conservation Areas, but acknowledge that the area retains some local historic/architectural merit worthy of consideration as part of the planning process. Designation as an ASLC does not impact on permitted development rights. It would, however, be considered a non-designated heritage asset and taken into consideration as part of a planning application.
- 3.4 *Background*
An appraisal of Hartshorne was undertaken in early 2016. Areas reviewed included Screw Mill, Upper Town and Lower Town (see background papers for copy of report and maps).
- 3.5 The appraisal recommended that for the;
- Lower Town. Due to the degree of change and alteration within this area, Lower Town was not considered to meet the criteria for heritage designation.
 - Upper Town. While there are buildings in this area of merit, the historic grain and layout has been eroded with later development and alterations to historic buildings and plots. While it would not meet the high standards for Conservation Area designation, consideration should be given to designating this as an Area of Special Local Character, a local designation that would be considered in any future planning applications in the area.
 - Screw Mill area. While the report advised that further research was required in relation to the Screw Mill area, it identified that it retained historic interest reflecting the industrial development of the area. Subject to further research it was recommended that this area be designated a new Conservation Area.
- 3.6 A draft of these proposals was published for public consultation in February 2016. As part of this consultation local residents, interested parties and stakeholders were informed and advised how to comment on the proposals. A public event was also

held with the opportunity for local residents to discuss the proposals and the impact of designation.

3.7 15 responses were received in total. These comprised, 1 no comment, 6 in support and 8 objections. Those supporting the proposals reinforced the historic character and interest of the area. Comments made included the use of designation to restrict development, however, it should be noted that designation is not designed to prevent change, but ensure that any proposals preserve/enhance the special character and appearance of the area. Those objecting to the proposal noted, particularly in the Screw Mill area, that due to the degree of alteration and change including the re-build of the mill, loss of historic and architectural detail to the cottages and the change of use and appearance of the mill pond (now the wood yard), the area did not meet the high standard required for Conservation Area designation. A similar argument was made for the Upper Town area noting the degree of change. Some went on to comment that the notable historic buildings in this area were offered protection, including to their setting, by their listed designation which would need to be considered as part of any planning application. Therefore, ASLC designation offered no greater protection.

3.8 The proposals and comments have been reviewed as part of this process and it is considered that the:

- Screw Mill area does not meet the high criteria for Conservation Area designation due to the degree of alteration and change that has taken place. This includes the re-building of the original mill, the loss of architectural features and details of the terrace including modern uPVC windows and doors that impact on the fabric, character and unity of the row and the change in use and appearance of the former mill pond which now functions as the wood yard. Due to the degree of alteration and change within the area, should it be designated as a Conservation Area, it is likely that it would immediately be considered 'at risk'.
- Upper Town. While there are buildings of merit within the area a number of these are already protected by listed building designation, which would also extend to their setting. Within the wider area modern and infill development and alterations to historic buildings has reduced the interest and historic low-density layout around this area. Therefore, it is not considered that the designation of the area as an ASLC is warranted or necessary and would not confer any greater significant protection than that provided by the listed buildings and their setting.

4.0 Financial Implications

4.1 Whilst it is not recommended that either of these designations are supported, were members to wish to proceed then consultants would need to be appointed to undertake further research to produce a more comprehensive appraisal in line with national requirements. Comments were received as part of the public consultation process relating to discrepancies in the accuracy of the appraisal and its historic research which would need further consideration. A more comprehensive document would be required in order to fulfil the criteria for Conservation Area designation as set out by Historic England (Historic England, Advice Note 1 (2016); Conservation Area Designation, Appraisal and Management). This would be in line with previous practice where consultants have completed Conservation Area Character Statements due to the lack of capacity within the existing workload of the Conservation Officer to undertake such a task. It would also serve to provide an independent review of the area in light of contrary professional views of the previous and existing Conservation Officer.

5.0 Corporate Implications

- 5.1 The conservation and designation of the historic environment relates to the Place objective of the Corporate Plan.

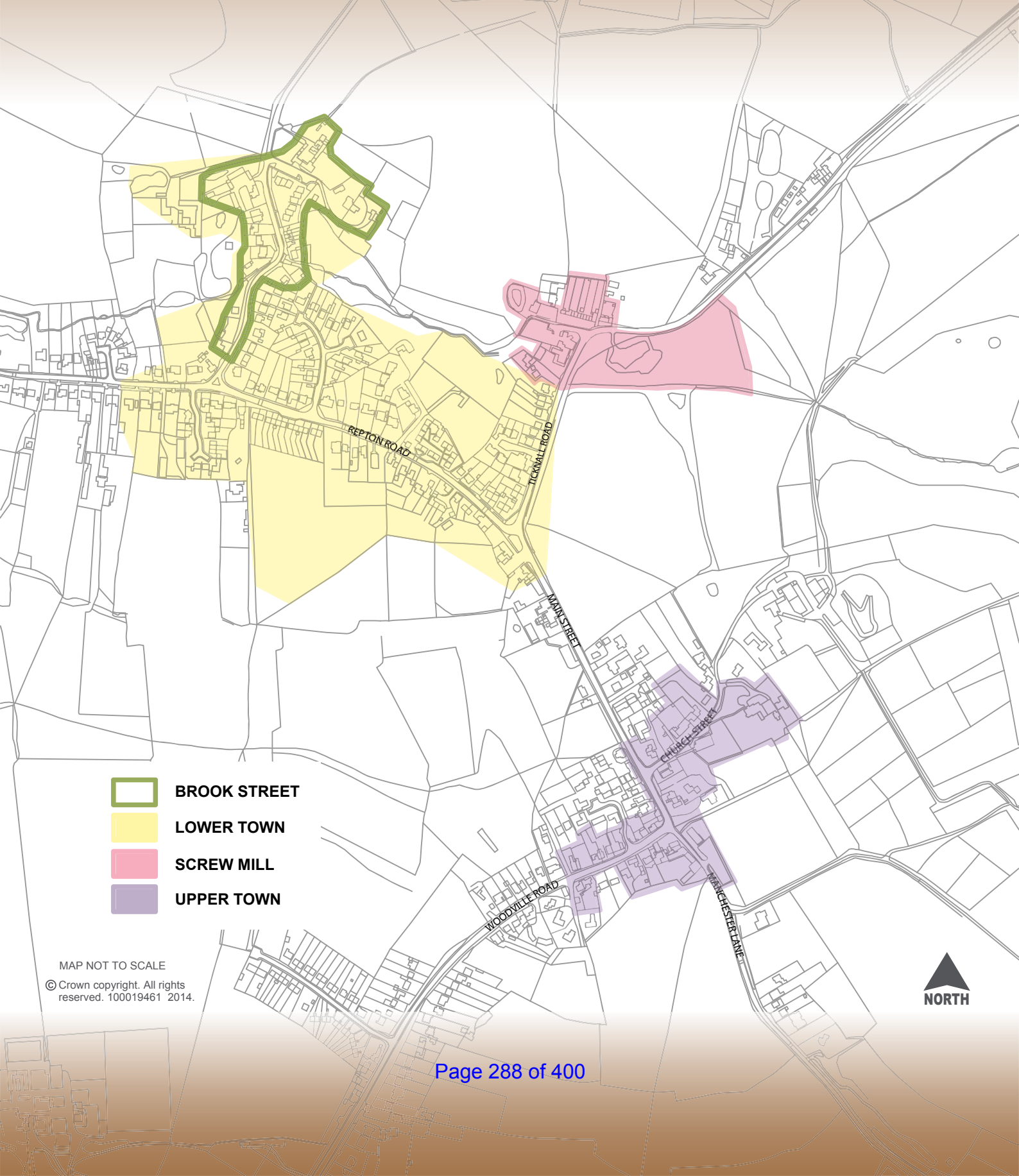
6.0 Community Implications



- 6.1 Should the area be designated as a Conservation Area there will be restrictions on demolition of buildings/structures, greater protection to trees and the need to demonstrate that proposals preserve/enhance the special historic and architectural character of the area. Further permitted development rights could be revoked and controlled with an Article 4 Direction. The designation as an ASLC does not confer any greater control over the area or impact on permitted development rights.
- 6.2 Research has shown that those living within a Conservation Area feel a greater sense of place and that buildings within a conservation area often command a higher price than similar properties outside the area by up to 9% (Historic England (2017); Heritage Counts).

7.0 Background Papers

- 7.1 Hartshorne Appraisal and Proposals Report
- 7.2 Screw Mill Area Map
- 7.3 Upper Town Map
- 7.4 Lower Town Map

Proposed Conservation Area in *Hartshorne* and area of special local character



-  **BROOK STREET**
-  **LOWER TOWN**
-  **SCREW MILL**
-  **UPPER TOWN**

MAP NOT TO SCALE

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Proposed Conservation Area in Screw Mill Area



Area of Special Local Character Upper Town



REPORT TO:	ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE	AGENDA ITEM: 17
DATE OF MEETING:	31st MAY 2018	CATEGORY: DELEGATED
REPORT FROM:	ALLISON THOMAS, STRATEGIC DIRECTOR (SERVICE DELIVERY)	OPEN
MEMBERS' CONTACT POINT:	RICHARD GROVES (01283) 595738 richard.groves@south-derbys.gov.uk	DOC: s:/local plan/committee reports/eds33
SUBJECT:	EAST MIDLANDS AIRPORT DRAFT NOISE ACTION PLAN	REF:
WARD(S) AFFECTED:	ALL WARDS	TERMS OF REFERENCE: EDS17

1.0 Recommendations

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

2.0 Purpose of Report

- 2.1 The purpose of this report is to seek approval for the establishment of a cross-party Member Working Panel with delegated authority to determine a Council response to the East Midlands Airport Draft Noise Action Plan. The response would then be reported to a later meeting of the Environmental and Development Services Committee for information.

3.0 Detail

- 3.1 The Department for the Environment, Food and Rural Affairs (DEFRA) has required that all major airports review their Noise Action Plans (NAPs) in 2018. The purpose of NAPs is to prevent and reduce environmental noise where necessary. Under the regulations affected airports must provide performance information and assess how effectively they are controlling the effect of noise arising from aircraft landing and take-off. East Midlands Airport's outgoing Noise Action Plan formed part of its Sustainable Development Strategy and was reported to this Committee at its meeting of 10 April 2014 (minute EDS/56 refers).
- 3.2 The publication date of the Draft Noise Action Plan meant that it was not possible to prepare a report to this Committee meeting setting out the content of the Plan and recommending an appropriate Council response. The Committee has addressed previous aviation- related consultations by giving delegated authority to cross-party

Member Working Panels to consider all relevant material and formulate Council responses. In recognition of the need to submit a Council response by the consultation end date, it is proposed that such a Member Working Panel be established to consider the Draft Noise Action Plan and formulate a Council response.

4.0 Conclusions

- 4.1 At its meeting of 28th September 2017, this Committee resolved to establish a cross-party Member Working Panel to consider the on-going Department for Transport consultations on the emerging National Aviation Strategy (Minute EDS/41 refers). It is proposed that the same approach be applied in regard to the Draft Noise Action Plan and that a Member Working Panel be established to determine a Council response to the consultation which would then be reported to a later meeting of this Committee for information. In accordance with previous practice, it is suggested that the Panel should comprise the Chair and Vice Chair of this Committee, Councillor Harrison to represent the locally affected residents and a representative of the Opposition party.

5.0 Financial Implications

- 5.1 There are no financial implications for the Council.

6.0 Corporate Implications

- 6.1 The East Midlands Airport Draft Noise Action Plan has implications for the following key aim of the Corporate Plan:
- “Enhance environmental standards”: the Draft Noise action Plan addresses the issue of potential noise exposure for local residents.

7.0 Community Implications

- 7.1 Aviation has implications for the following themes of the Sustainable Community Strategy:
- “Healthier Communities”: aircraft noise and emissions can potentially be harmful to human health.
 - “Sustainable Development”: aviation activity can impact upon the environment in terms of noise and emissions.

8.0 Background Papers

“East Midlands Airport Sustainable Development Plan”	2015
“East Midlands Airport Draft Noise Action Plan”	May 2018

REPORT TO:	ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE	AGENDA ITEM: 18
DATE OF MEETING:	31st MAY 2018	CATEGORY: DELEGATED
REPORT FROM:	STRATEGIC DIRECTOR (SERVICE DELIVERY)	OPEN
MEMBERS' CONTACT POINT:	CHRIS NASH Ext. 5926	DOC:
SUBJECT:	DEVELOPMENT FRAMEWORK DOCUMENT FOR INFINITY GARDEN VILLAGE	REF:
WARD(S) AFFECTED:	ASTON AND STENSON	TERMS OF REFERENCE:

1.0 Recommendations

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

2.0 Purpose of Report

- 2.1 Members may be familiar with the requirement under policy INF13 of the LP2 to prepare a joint DFD to guide the development and cross boundary collaboration between the Council, Derby City Council, Derbyshire County Council and developers. Members will also recall the resolution of the August 2017 meeting which authorised the establishment of a Liaison Group of neighbouring residents, businesses, developers and relevant Local Authorities to consider the proposals for the Garden Village as they emerge. This report aims to update members on progress towards the preparation of the DFD and seek authorisation for formal agreement of the final version as well as future revisions as the development of the Garden Village progresses.

3.0 Detail

Context and chronology

- 3.1 A series of masterplanning meetings have been held between the relevant Local Authorities and developers. Since early 2017, these have begun to shape a number

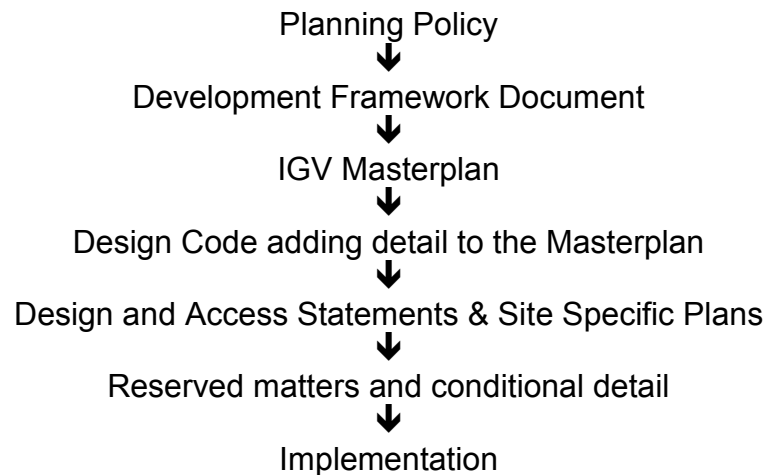
of design matters and projects towards the implementation of the Garden Village project.

- 3.2 An application has already been submitted within South Derbyshire for 100 dwellings, as part of the Wragley Way allocation (LP1 policy H15). This adjoins an allocation within the City for up to 180 dwellings – also to form part of the Garden Village. It is anticipated that applications for a phase of the South Derby Integrated Transport Link (SDITL) (LP1 policy INF4), a secondary school (LP2 policy INF12) and the ‘balance’ of the Wragley Way allocation (for around 1,950 dwellings in total, along with a primary school, local centre and the rest of phase 1 of the SDITL) will be submitted in the coming months.
- 3.3 An expression of interest was submitted on behalf of both South Derbyshire and Derby City Councils in July 2016. An announcement was made on the 2 January 2017 that financial support would be offered by the Homes and Community Agency, now Homes England (HE), to develop the Garden Village project. The Government is continuing to signal its support for such projects and continues to monitor the use of funds allocated to them.
- 3.4 The DFD is therefore an important piece of evidence to demonstrate positive and proactive actions towards the implementation of the Garden Village and delivery of homes for which funds were allocated.
- 3.5 Furthermore, pursuant to the resolution of the August 2017 meeting, the Liaison Group has now met on 5 times, with one of these meetings solely dedicated to considering the first draft of the DFD. Various comments we raised by members of that Group, particularly in respect of the impact of the development on local infrastructure.
- 3.6 A summary of comments received by the Liaison Group and the Ward Member for Stenson, as well as the Local Authorities and developers, are appended to this report. This has led to a further revision of the DFD as also appended to this report. At the time of writing, a further meeting with the Local Authorities is scheduled to resolve any outstanding points, with the aim of reporting these verbally at the meeting.

The draft DFD

- 3.7 The DFD is intended to guide the development and cross boundary collaboration between the various stakeholders. It is intended to be a document which is responsive to changing circumstances throughout the timeframe for delivery of the Garden Village. To this end, it is intended to regularly review its vision and objectives, and update it to act as a ‘living document’.
- 3.8 The DFD is intended to provide the framework and a masterplan for the consideration of planning applications within the Garden Village area, primarily to ensure that each planning application works towards creating the design vision for the site and contributes proportionally to the delivery of the required infrastructure to deliver the wider scheme. A design code is also envisaged, and this would sit alongside the masterplan. Below this, the detail of individual allocations and/or areas would be provided through Design and Access Statements at the relevant time, with it recognised that some elements of the village in the City already benefit from permission with specific layout and access parameters. In summary, the DFD would

act as a golden thread running through all stages of delivery, from concept to implementation:



- 3.9 The DFD vision is supplemented by broad principles for the site. It also identifies what is presently considered to be the required infrastructure to support the Garden Village and the mechanisms by which planning application proposals would contribute to the proportional delivery of that infrastructure. However, the DFD is not intended to provide a prescriptive set of criteria.
- 3.10 As it is anticipated that the delivery of the Garden Village will take many years, there is a need for the DFD to be responsive to change. The aim to establish an environment which delivers a good quality of life for residents and workers would always be at the heart of the document, but policy and other external influences may change with time. As a consequence, it is intended to regularly review the DFD and 'test' whether it would still achieve its vision and objectives. In order to assist in the efficiency and timeliness of such reviews, and so to not compromise any bids for external funding; it is recommended that changes arising are approved under delegated powers.
- 3.11 Such reviews would remain constrained by the scope of adopted planning policy, such that any changes to the DFD which would in effect promote a departure from the Development Plan would need to be considered by this Committee.

4.0 Financial Implications

- 4.1 The endorsement of the DFD, and subsequent agreement of its content between the relevant Local Authorities, would assist in demonstrating the Council's appropriate expenditure of the HE funding previously awarded, as well as continued collaborative between those Authorities, developers and the local community.
- 4.2 The agreement of the DFD would also aid in supporting any business case for future bids for external funding, by any of the relevant Local Authorities.

5.0 Corporate Implications

- 5.1 Approval of the recommendations set out above would support the delivery of the planned housing and employment allocations made within the LP1 and LP2 in a timely manner and in a co-ordinated approach with Derby City Council and Derbyshire County Council

6.0 Community Implications

- 6.1 The main elements of the Garden Village have been allocated within the LP1 and LP2 were consulted on several times and were considered through public examination processes.
- 6.2 The draft DFD has been directly informed by those involved in the Liaison Group, with it intended to continue seeking the Group's input into the document upon future reviews.

7.0 Background Information

- 7.1 The adopted LP1 and LP2 can be viewed at www.south-derbys.gov.uk/our-services/planning-and-building-control/planning/planning-policy/local-plan/adopted-local-plan.

Appendix A – Summary of comments received on the March version of the draft DFD

Appendix B – Latest draft of the DFD (May 2018)

How to read this document

The following provides a line by line summary of any comments made against each paragraph of the DFD (version 2.2, issued March 2018), with a response from the co-ordinating officer set against these (in blue). Grammatical and typographical errors are recorded in a similar fashion.

Where changes are made to the DFD, the new text is included as track changes (in red) along with the updated paragraph number (if relevant). Where new paragraphs are added, consequential re-numbering will take place to subsequent paragraphs without any additional comment.

The following table is provided as an example:

Para §	Current text	Comments (and response ➤)	Rev §	Proposed text
Para no. from v2.2	The existing text is provided here.	<p><u>Author:</u></p> <p>Comments made will be summarised here.</p> <p>➤ The response (action) of the DFD co-ordinating officer will be summarised in this manner.</p>	Para no. for v3.0	The existing <u>new</u> text is provided here <u>in track changes format for ease of legibility</u> .

Abbreviations of parties making comment:

BWB	BWB Consulting Limited (on behalf of WBD & HLM)
CllrDS	Cllr David Shepherd
DCC	Derby City Council officers
DCountyC	Derbyshire County Council officers
HLM	Hallam Land Management (including Design and Planning Group)
IGVLF	Infinity Garden Village Liaison Forum members
SDDC	South Derbyshire District Council officers
WBD	Wilson Bowden Developments (including landowners)

Para §	Current text	Comments (and response ➤)	Rev §	Proposed text
1.1	BACKGROUND			
1.1.1	On 2 January 2017 the Government announced its support for the delivery of 14 new garden villages across England. Infinity Garden Village (IGV) is one of these, located to the southern edge of Derby and straddling the administrative boundary of both South Derbyshire District Council (SDDC) and Derby City Council (DCC).	<p><u>DCC</u></p> <p>Grammatical correction</p> <p><u>IGVLE:</u></p> <p>Barrow on Trent Parish Clerk expressed a need to acknowledge administrative boundaries, and that they would likely be seeking a boundary change off the back of IGV.</p> <p>➤ Amendments made without committing to future changes, as these are dependent on other legislation/criteria.</p>	1.1.1	On 2 January 2017 the Government announced its support for the delivery of 14 new garden villages across England. Infinity Garden Village (IGV) is one of these, located to-on the southern edge of Derby and straddling the administrative boundary of both South Derbyshire District Council (SDDC) and Derby City Council (DCC). <u>At a sub-administrative level, the site presently affects Stenson Fields, Barrow upon Trent, Swarkestone and a small corner of Twyford & Stenson parishes within the District; and the Sinfin and Chellaston Wards within the City. It is also adjacent to the Chellaston Neighbourhood Area along its north-eastern edge.</u>
1.1.2	The IGV concept emerged from various components of proposed growth in the southern Derby area, now committed in the Local Plans of both Derby City and South Derbyshire, in the area of land framed by Rolls Royce to the north, Chellaston to the east, the A50 to the south and Sinfin in the west. The IGV is identified on Map 5 of the South Derbyshire Local Plan Part 2, reproduced on the next page for ease of reference.	<p><u>SDDC</u></p> <p>Adjustment to text to reflect update to plan provided on following page</p> <p>➤ Amendment made.</p>	1.1.2	The IGV concept emerged from various components of proposed growth in the southern Derby area, now committed in the Local Plans of both Derby City and South Derbyshire, in the area of land framed by Rolls Royce to the north, Chellaston to the east, the A50 to the south and Sinfin in the west. The IGV <u>area</u> is identified on Map 5 of the South Derbyshire Local Plan Part 2, reproduced on the next page for ease of reference.
1.1.3	The key components of Infinity Garden Village are: <ul style="list-style-type: none"> the delivery of around 1,950 new 	<p>➤ Reference to the INF13 plan included</p> <p><u>CLLrDS:</u></p> <p>Explain green and blue network, and should the school</p>	1.1.3	The key components of Infinity Garden Village, <u>as shown over the page,</u> are: <ul style="list-style-type: none"> the delivery of around 1,950 <u>2,130</u> new

Para §	Current text	Comments (and response ➤)	Rev §	Proposed text
	<p>homes on land at Wragley Way, supported by a primary school, local centre and extensive network of green and blue infrastructure (SDDC Policy H15);</p> <ul style="list-style-type: none"> the delivery of around 117 hectares of new employment space as an extension to Infinity Park Derby (SDDC Policy E4 and DCC Policy AC15); the delivery of a new secondary school (SDDC Policy INF12); and the delivery of new transport infrastructure including the Southern Derby Integrated Transport Link (SDITL) (SDDC Policy INF4) and a new junction on the A50 (SDDC Policy INF13). 	<p>take all the children of the existing Stenson Fields?</p> <ul style="list-style-type: none"> ➤ Explanation added to new glossary at end of DFD, but cannot control catchment for the school (this is a County matter) <p>Location of the secondary school should be in the Wragley Way development, and not Lowes Lane. Too close to Chellaston Academy.</p> <ul style="list-style-type: none"> ➤ This would be inconsistent with policy INF13, in that the site would not be located as shown, and it would compromise the 1,950 homes policy H15 seeks to deliver. Location informed by County at Local Plan stage. <p>Bullet point 4 (transport infrastructure) should be removed as SDITL is unlikely to go ahead, with part of Wragley Way now to be used and phase 2 to the A38 Rykneld Road unlikely in the near future.</p> <ul style="list-style-type: none"> ➤ The SDITL remains a policy commitment and it is not the intention of the IGV and current Local Plans to deliver the entire route, which has only ever been indicative. The aspiration remains to deliver an east/west route from the A514/A50 to the A38 over time - how this is done is to be determined under traffic modelling and applications <p><u>DCC:</u></p> <p>Concern the policies listed suggest it is more a SDDC centred document.</p> <ul style="list-style-type: none"> ➤ Policy section under chapter 2 incomplete on both sides of the boundary, and not previously 		<p>homes on land at Wragley Way, supported by a primary school, local centre and extensive network of green and blue infrastructure (SDDC Policy H15 <u>and DCC Policy AC18</u>);</p> <ul style="list-style-type: none"> the delivery of around 117 hectares of new employment space as an extension to Infinity Park Derby (SDDC Policy E4 and DCC Policy AC15); the delivery of a new secondary school (SDDC Policy INF12); and the delivery of new transport infrastructure including the Southern Derby Integrated Transport Link (SDITL) (SDDC Policy INF4 <u>and DCC Policy CP24</u>) and a new junction on the A50 (SDDC Policy INF13).

Para §	Current text	Comments (and response ➤)	Rev §	Proposed text
		mirrored in this summary correctly. Now aligned with chapter 2.		
1.1.4	The Expression of Interest for IGV highlighted the potential growth option for a further 1,200 homes on the Lowes Farm element of the IGV site. The land in question is not allocated for housing development in the SDDC Local Plan.	<p><u>CLlrDS:</u></p> <p>This is a new proposal, and is it fit to suggest this - why did this housing need not appear in the SDDC Local Plan? Also when initial highways solution appears to now be 'watered down'.</p> <ul style="list-style-type: none"> ➤ This paragraph is simply reporting what was included in the Expression of Interest, but also making clear the current policy status of it (none) <p><u>WBD:</u></p> <p>Could the words 'but will be considered through the local plan review process in due course' be added to the end?</p> <ul style="list-style-type: none"> ➤ This sentence is intended to make clear the current status of that land. Wording already accommodated at paras 3.1.7 and 5.1.3 <p><u>WBD & HLM:</u></p> <p>Secondary school need is wider than 'southern fringe of Derby'</p> <ul style="list-style-type: none"> ➤ Agreed. Additional text added. <p><u>DCountyC:</u></p> <p>Should include reference to the secondary school being appropriate here however.</p> <ul style="list-style-type: none"> ➤ Agreed and amended. 	1.1.4	<p>The Expression of Interest for IGV highlighted the potential growth option for a further 1,200 homes on the Lowes Farm element of the IGV site. The land in question is not allocated for housing development in the SDDC Local Plan.</p> <p><u>Similarly, potential for additional employment floorspace has been indicated. Again, this land is not allocated for employment development in either Local Plan. However, a broad location for the provision of a new secondary school has been indicated. This land was identified for early delivery to meet both the needs of IGV itself and the wider needs associated with other housing growth proposed on the southern fringe of Derby and the surrounding area.</u></p>

Para §	Current text	Comments (and response ➤)	Rev §	Proposed text
		<p><u>BWB</u></p> <p>Transport modelling is for up to 1,500</p> <ul style="list-style-type: none"> ➤ No change arising from this point - this number is presumed precautionary for purposes of modelling. <p><u>DCC:</u></p> <p>Paragraph fails to deal with extra employment land indicated on the emerging masterplan, part of which is within a green wedge</p> <ul style="list-style-type: none"> ➤ Noted and agreed. Matters regarding the green wedge are addressed elsewhere. 		
1.1.5	In recognition of the need to co-ordinate the delivery of these new homes and jobs with the delivery of infrastructure to support them, the South Derbyshire Local Plan Part 2 includes Policy INF13 with this specific aim in mind. Policy INF13 identifies the preparation of a joint Development Framework Document (DFD) in collaboration with SDDC, DCC, Derbyshire County Council ('the County Council') and the proposed developers.	<p><u>DCC:</u></p> <p>No amends to text proposed but question "shouldn't the DFD also be a joint document, it doesn't read like one".</p> <ul style="list-style-type: none"> ➤ Acknowledged that some omissions might have given that impression, but the DFD v2.2 is the result of 12 months of collaborative masterplanning work. Nonetheless, many changes now incorporated into latest draft. 	1.1.5	No change proposed
Map	N/A	<p><u>BWB</u></p> <p>Plan on page 2 - the alignment of link road is nowhere near that now proposed. Whilst indicative, it would be better if it was a bit closer to the current proposals</p> <ul style="list-style-type: none"> ➤ This may be the case, but the plan is included to show the allocations, etc. from an adopted policy point of view. This might be something 	Map	No change proposed

Para §	Current text	Comments (and response ➤)	Rev §	Proposed text
		to review.		
1.2	PURPOSE & SCOPE			
1.2.1	The purpose of this DFD is to both fulfil the requirement as set out in SDDC Policy INF13 and to guide the delivery of development in support of the IGV proposal.	<p><u>SDDC:</u></p> <p>Need to make clear that the DFD is not a ‘fixed’ matter and will be updated regularly.</p> <p>➤ Amendment made</p>	1.2.1	The purpose of this DFD is to both fulfil the requirement as set out in SDDC Policy INF13 and to guide the delivery of development in support of the IGV proposal. <u>It is intended that the DFD is regularly reviewed and updated to act as a ‘living document’, responsive to changing circumstances throughout the timeframe for delivery of IGV.</u>
1.2.2	<p>The DFD is intended to provide the framework, from which a series of themed masterplans are generated, for the consideration of planning applications within the Infinity Garden Village area, primarily to ensure that each planning application works towards creating the design vision for the site and contributes proportionally to the delivery of the required infrastructure to deliver the wider scheme. The detail of individual areas will be provided through Design and Access Statements at the relevant time. The DFD vision is expected to transfer through to the implementation of the development as follows:</p> <p style="text-align: center;">Planning Policy ⬇ Development Framework Document ⬇ Series of themed IGV Masterplans ⬇</p>	<p><u>IGVLF and DCC:</u></p> <p>What does a ‘series of themed IGV Masterplans’ entail? What are the timescales for delivery of each stage?</p> <p>➤ The themed masterplans was a reference to the multiple plans/layers which inform the present masterplan. On reflection, this is not the best terminology - particularly as there will be only one ‘masterplan’. Adjustments made.</p> <p>➤ The timescales for delivery of each stage are difficult to set out in the DFD given the bringing forward of applications will vary for different elements of the site, as will the implementation of the development. The timescale is however driven by the delivery of Local Plan housing and employment needs across respective plan periods (up to 2028). No change proposed.</p>	1.2.2	<p>The DFD is intended to provide the framework, from which and a series of themed masterplans are generated, for the consideration of planning applications within the Infinity Garden Village area, primarily to ensure that each planning application works towards creating the design vision for the site and contributes proportionally to the delivery of the required infrastructure to deliver the wider scheme. The detail of individual areas will be provided through Design and Access Statements at the relevant time, <u>with it recognised that some elements of the village already benefit from permissions with specific layout and access parameters. Whilst it will be necessary to mould the wider site around these and other constraints;-</u> The DFD vision is expected to transfer <u>all the way</u> through to the implementation of the development as follows:</p>

Para §	Current text	Comments (and response ➤)	Rev §	Proposed text
	<p>Design Code adding detail to the Masterplans</p> <p>⬇</p> <p>Design and Access Statements & Site Specific Plans</p> <p>⬇</p> <p>Reserved matters and conditional detail</p> <p>⬇</p> <p>Implementation</p>	<p><u>DCC:</u></p> <p>Need to recognise that a large element of the land within the City already has extant consent - with its own parameters plan/mitigation, etc. Need to think how best to reflect this.</p> <p>➤ Bearing in mind this is a high level document, a reference to this point is considered sufficient. Amended accordingly.</p>		<p>Planning Policy</p> <p>⬇</p> <p>Development Framework Document</p> <p>⬇</p> <p>Series of themed IGV Masterplans</p> <p>⬇</p> <p>Design Code adding detail to the Masterplans</p> <p>⬇</p> <p>Design and Access Statements & Site Specific Plans</p> <p>⬇</p> <p>Reserved matters and conditional detail</p> <p>⬇</p> <p>Implementation</p>
1.2.3	<p>The DFD vision is supplemented by broad principles for the site. The vision and principles should be fully realised through the series of themed masterplans, subsequent Design Code, and then and site specific statements and plans. The Vision should be seen as a golden thread which applies across all stages of design and delivery of the site. The DFD also identifies what is presently considered to be the required infrastructure to support Infinity Garden Village and the mechanisms by which planning application proposals will contribute to the proportional delivery of that infrastructure. However, the DFD is not intended to provide a prescriptive set of criteria and design principles that require strict adherence.</p>	<p>Typographical error and consequential change from para 1.2.2 changes.</p> <p><u>DCC:</u></p> <p>The fundamental infrastructure of the A50 junction and SDITL road should be separated out from the S106 requirements and it should be explicit who is paying for what (A50 Junction = public sector grant; link road = developers/ landowners; other infrastructure = S106)</p> <p>➤ Concerns with this statement. It is presumptuous in respect of receiving grant funding. It is also suggestive that once the A50 junction is funded, that there would be no justification for further bids for HIF/Garden Village funding, etc. Hence, amendment included to para 3.3.5 instead, which is more</p>	1.2.3	<p>The DFD vision is supplemented by broad principles for the site. The vision and principles should be fully realised through the series of themed masterplans, subsequent Design Code, and then and site specific statements and plans. The Vision should be seen as a golden thread which applies across all stages of design and delivery of the site. The DFD also identifies what is presently considered to be the required infrastructure to support Infinity Garden Village and the mechanisms by which planning application proposals will contribute to the proportional delivery of that infrastructure. However, the DFD is not intended to provide a prescriptive set of criteria and design principles that require strict adherence.</p>

Para §	Current text	Comments (and response ➤)	Rev §	Proposed text
		descriptive than para 1.2.3.		
1.2.4	It is anticipated that the delivery of IGV will take many years, during which the approach to later stages of design and implementation may change. What will not change is the need to establish an environment which delivers a good quality of life for residents and workers and flourishing habitats for wildlife. These factors form a key element of the vision for the site and are important in establishing an identity for IGV. However, it is also recognised that substantial changes in circumstances may arise which require amendment of the vision and the overarching principles.	<p>DCC:</p> <p>Suggested addition: ... for residents and workers and “through holistic mitigation that creates significant new green infrastructure and” flourishing habitats for wildlife....</p> <p>➤ Needs rephrasing for clarity, but addition acceptable</p>	1.2.4	It is anticipated that the delivery of IGV will take many years, during which the approach to later stages of design and implementation may change. What will not change is the need to establish an environment which delivers a good quality of life for residents and workers and, <u>by way of the creation of significant new green and blue infrastructure</u> , flourishing habitats for wildlife. These factors form a key element of the vision for the site and are important in establishing an identity for IGV. However, it is also recognised that substantial changes in circumstances may arise which require amendment of the vision and the overarching principles.
1.2.5	The DFD is formulated on the basis that infrastructure will be delivered primarily by developers (by way of financial contributions and/or directly as part of the implementation of the village), but it is also responsive to the possibility of early delivery of infrastructure, funded externally. Bids for Government funding have already been made and it is likely that more will follow.	<p><u>IGVLF</u>:</p> <p>Clarification of ‘bids’ needed</p> <p>➤ Amendments made</p> <p><u>DCountyC</u>:</p> <p>This section could be made more specific to include reference to the HIF Forward Funding bid for the HS2 East Midlands Garden Villages submitted on behalf of multiple authorities.</p> <p>➤ Noted, but not considered necessary. Amendments already made pursuant to IGVLF comment.</p> <p><u>DCC</u>:</p> <p>Page 304 of 400</p>	1.2.5	The DFD is formulated on the basis that infrastructure will be delivered primarily by developers (by way of financial contributions and/or directly as part of the implementation of the village), but it is also responsive to the possibility of early delivery of infrastructure, funded externally. Bids for Government funding have already been made, <u>such as that available under the Housing Infrastructure Fund and the Garden Towns Programme</u> , and it is likely that <u>more further expressions of interest and bids</u> will follow.

Para §	Current text	Comments (and response ➤)	Rev §	Proposed text
		<p>This needs to be more prescriptive - A50 Junction will not happen without public sector funding; link road and other infrastructure will be paid for by landowners and S106 contributions.</p> <p>➤ Document is not intended to be prescriptive - particularly when exact roadmap for a project of this scale will change over time. Amends included under IGVLf and DCountyC comments already address this point.</p>		
1.3	ENGAGEMENT			
1.3.1	An Infinity Garden Village Liaison Group has been established, consisting of elected Parish, District and City members, representing local constituencies; Council Officers from the District, City and County; business representatives; representatives from the landowners and proposed developers; and local residents.	<p><u>IGVLf</u>:</p> <p>Additional representatives to the forum requires an update to DFD.</p> <p><u>CLlrDS</u>:</p> <p>Quotes <u>DCLG garden villages guidance</u> (link) and queries why was liaison forum not established at the initial move to apply for garden village status, and expression of interest did not satisfy criteria.</p> <p>➤ This matter has been addressed elsewhere, outside of the DFD.</p>	1.3.1	An Infinity Garden Village Liaison Group has been established, consisting of elected Parish, District and City members, representing local constituencies; Council Officers from the District, City and County; <u>Neighbourhood Planning Bodies</u> , business representatives; representatives from the landowners and proposed developers; and local residents.
1.3.2	The Group will be used to share progress on the delivery of IGV and seek feedback from the community and to understand how they presently use the site, what it means to them and what their expectations are for the future. It is acknowledged that the existing community will one day form an essential part of the extended community that this development	<p><u>DCC</u>:</p> <p>Suggest that 'quality' is subjective. 'Meaningful' more appropriate.</p> <p>➤ Agreed and further developed as an amendment</p> <p>Page 305 of 400</p>	1.3.2	The Group will be used to share progress on the delivery of IGV and seek feedback from the community and to understand how they presently use the site, what it means to them and what their expectations are for the future. It is acknowledged that the existing community will one day form an essential part of the extended community that this development

Para §	Current text	Comments (and response ➤)	Rev §	Proposed text
	will create. The vision expresses a desire to create a strong sense of community, and efforts will be made to integrate the existing and new communities. Quality public engagement therefore forms a key element of achieving the vision and principles of this DFD.			will create. The vision expresses a desire to create a strong sense of community, and efforts will be made to integrate the existing and new communities. Quality-Regular, <u>meaningful, proportionate and relevant</u> public engagement therefore forms a key element of achieving the vision and principles of this DFD.

Para §	Current text	Comments	Rev §	Proposed text
2.1	SITE & SURROUNDING AREA			
2.1.1	The IGV area extends to over 450 hectares (as shown on page 2). The site is generally flat, comprising primarily agricultural land enclosed by hedgerows with limited tree planting and pockets of woodland. There are a combination of watercourses and open field drains across the site, and areas are prone to periodic flooding.	N/A	2.1.1	No change proposed
2.1.2	The landscape character of IGV falls within The Trent Valley Washlands, comprising of a mixture of Lowland Village Farmlands and Wet Pasture Meadows. These landscape character areas and their associated farms possess a special character that is described further in the Landscape Character of Derbyshire	<p><u>DCC:</u></p> <p>Suggest that Landscape Character of Derbyshire could be summarised.</p> <p>➤ Quite possibly but adds description where it is not necessary to support the purpose of the DFD. Similar approach would be needed to other constraint topics too.</p>	2.1.2	No change proposed
2.1.3	The site contains many special wildlife habitats, including for example semi-improved neutral grassland, species rich hedge with trees, wet and dry ditches, standing and flowing water, semi-natural broadleaved woodland.	<p><u>BWB & HLM:</u></p> <p>Correct wording for status of wildlife habitats? Need to reference the Local Nature Reserve.</p> <p>➤ Agreed. Amendments made, save for suggested commentary re: agricultural land being dominant (already included under 2.1.1)</p>	2.1.3	The site <u>contains a variety of</u> contains many special wildlife habitats, including for example semi-improved neutral grassland, species rich hedge with trees, wet and dry ditches, standing and flowing water, semi-natural broadleaved woodland. <u>The site includes a small part of the Sinfin Moor Local Nature Reserve (LNR), a statutory designated site that lies within the City.</u>
2.1.4	The existing Infinity Park to the north is part of the Nottingham and Derby Enterprise Zone which aims to create a focus for the further	<p><u>DCC:</u></p> <p>Again, need to recognise extant consents.</p> <p>Page 307 of 400</p>	2.1.4	The existing Infinity Park <u>at the northern end of the IGV</u> to the north is part of the Nottingham and Derby Enterprise Zone which

Para §	Current text	Comments	Rev §	Proposed text
	development of advanced manufacturing and related services, especially transport engineering supply chains. The first building on the enterprise zone, an innovation centre known as I-Hub, was opened in July 2016. The Rolls Royce manufacturing plant also lies within this area.	➤ Amended accordingly.		aims to create a focus for the further development of advanced manufacturing and related services, especially transport engineering supply chains. The first building on the enterprise zone, an innovation centre known as I-Hub, was opened in July 2016. The Rolls Royce manufacturing plant also lies within this area. <u>Permissions have already been granted for further employment floorspace within the DCC allocation within IGV.</u>
2.1.5	To the east is the residential suburb of Chellaston, the nearest parts of which are comprised of housing estates constructed during the 1990s and 2000s, bounded by the Sustrans cycle link that runs along the former Derby and Sandiacre canal corridor towards the City Centre. This canal corridor forms the eastern edge of IGV. An existing local centre within Chellaston is close to the IGV area, including a convenience store and the Chellaston Medical Centre.	<u>DCC:</u> Need to mention cross boundary housing site at Holmleigh Way as an extension to Chellaston. ➤ Amended accordingly.	2.1.5	To the east is the residential suburb of Chellaston, the nearest parts of which are comprised of housing estates constructed during the 1990s and 2000s, bounded by the Sustrans cycle link that runs along the former Derby and Sandiacre canal corridor towards the City Centre. This canal corridor forms the eastern edge of IGV <u>beyond which a cross-boundary housing site at Holmleigh Way is under construction.</u> An existing local centre within Chellaston is close to the IGV area, including a convenience store and the Chellaston Medical Centre.
2.1.6	The Derby Southern Bypass (A50) to the south provides a strategic link between the M1 in the east and the A38 and M6 to the west. Connectivity to the A38 provides further strategic links to Birmingham. Whilst the new T12 roadlink (Infinity Park Way) between the Bonnie Prince A50 junction to the south of Chellaston and Rolls Royce to the north has	<u>CLlrDS:</u> Notes concerns re: traffic congestion and that once 3,200 homes and Infinity Park are built, these concerns should have been addressed - what is the plan to mitigate? Is it the SDITL and if so, when will it commence? ➤ The SDITL is the mitigation presented to	2.1.6	The Derby Southern Bypass (A50) to the south provides a strategic link between the M1 in the east and the A38 and M6 to the west. Connectivity to the A38 provides further strategic links to Birmingham. Whilst the new T12 roadlink (Infinity Park Way) between the Bonnie Prince A50 junction to the south of Chellaston and Rolls Royce to the north has

Para §	Current text	Comments	Rev §	Proposed text
	now been provided, there remain traffic concerns in the area, particularly at peak times.	<p>secure the allocation at the Local Plan examination. Addition to para 3.3.4 to reassure on timing/delivery (also see existing text at a 3.3.2 and 3.3.3).</p> <p><u>DCC:</u></p> <p>Articulation required in respect of 'traffic concerns'.</p> <p>➤ Amended accordingly.</p>		now been provided, there remain traffic concerns in <u>respect of congestion at key junctions in</u> the area <u>- on both County Council and DCC roads</u> , particularly at peak times.
2.1.7	Stenson Road and Sinfin Lane (beyond Stenson Fields to the north of Wragley Way) provide connections into the City, whilst Wragley Way and Infinity Park Way presently provide a degree of east to west movement - although incomplete at present. Deep Dale Lane, Arleston Lane and Stenson Road provide key connections to the south, traversing the A50, towards the Trent and Mersey Canal. This conservation area provides an important leisure resource for the area and includes a marina and public house at Stenson.	<p><u>CLlrDS and IGVLF:</u></p> <p>Notes that Stenson Road provides a connection to the City and this is controlled by traffic lights and causing concern at peak times - a situation which would be made worse by IGV. Seeks reinstatement of the pedestrian bridge and two-way traffic under the IGV proposals.</p> <p>➤ The effect of this would need to be modelled as it may simply move congestion elsewhere. Feasibility of this (in part or in full) requires input from highway authorities and Network Rail such that it cannot be imposed as a requirement at this time. Suggest addition of aspirational wording in para 4.1.5</p> <p><u>IGVLF:</u></p> <p>Concern over perception of 'status' assigned to routes. Sinfin Moor Lane not mentioned.</p> <p>➤ Agreed. Amendments made</p> <p><u>DCC:</u></p> <p>Need to reflect the constrained nature of Stenson</p>	2.1.7	Stenson Road and Sinfin Lane (beyond Stenson Fields to the north of Wragley Way) provide <u>key but constrained</u> connections into the City, whilst Wragley Way and Infinity Park Way presently provide a degree of east to west movement - although incomplete at present. Deep Dale Lane, Arleston Lane and Stenson Road provide <u>key-rural and leisure</u> connections to the south, traversing the A50, towards the Trent and Mersey Canal. The <u>canal</u> is <u>a</u> conservation area <u>and</u> provides an important leisure resource for the area and includes a marina and public house at Stenson. <u>Sinfin Moor Lane presently provides a non-vehicular route between Sinfin and Chellaston.</u>

Para §	Current text	Comments	Rev §	Proposed text
		Road and Sinfin Lane. ➤ Amended accordingly. Which conservation area? ➤ Clarified accordingly.		
2.1.8	Sinfin to the north-west is one of the most deprived areas of Derby and is regularly in the bottom 20% of wards in the national index of multiple deprivation. Stenson Fields adjoins Sinfin. There are numerous services and facilities close by, within these areas including: <ul style="list-style-type: none"> ▪ Sinfin District Centre - including an Asda superstore, Sinfin Library and Health Centre; ▪ City of Derby Academy, a new independent secondary school; ▪ Stenson Fields and Ashcroft Primary Schools; ▪ Sinfin Park with several sports pitches; ▪ Sinfin Golf Course - a municipal 18-hole golf course; and ▪ Sinfin Moor Park Local Nature Reserve. 	<u>DCC:</u> Delete 'regularly' in first line. ➤ Amended. Additional text to describe facilities at Sinfin Park. ➤ Inserted. <u>DCountyC and DCC:</u> The Academy is not an 'independent school', it is an academy and is part of DCC's school place planning responsibilities. ➤ Deletion of 'independent'	2.1.8	Sinfin to the north-west is one of the most deprived areas of Derby and is regularly in the bottom 20% of wards in the national index of multiple deprivation. Stenson Fields adjoins Sinfin. There are numerous services and facilities close by, within these areas including: <ul style="list-style-type: none"> ▪ Sinfin District Centre - including an Asda superstore, Sinfin Library and Health Centre; ▪ City of Derby Academy, a new independent secondary school; ▪ Stenson Fields and Ashcroft Primary Schools; ▪ Sinfin Park with several sports pitches, <u>a play area, community buildings and cafe;</u> ▪ Sinfin Golf Course - a municipal 18-hole golf course; and ▪ Sinfin Moor Park Local Nature Reserve.
2.1.9	The western limit of IGV is formed by the Derby to Birmingham railway line, passing through Burton-upon-Trent to the south. Beyond this line is open agricultural land towards Findern and the A38.	<u>DCC:</u> Delete reference to Burton and clarify location of agricultural land ➤ Amended in respect of clarification. Reference to Burton retained, as this is a	2.1.9	The western limit of IGV is formed by the Derby to Birmingham railway line, passing through Burton-upon-Trent to the south . Beyond this line is open agricultural land <u>stretching west</u> towards Findern and the A38. <u>To the north-west, beyond the recently</u>

Para §	Current text	Comments	Rev §	Proposed text
		<p>further centre for employment and wider services, and reference elsewhere to the safeguarded site for a station in Stenson enhances the prospect of sustainable commuter movement in time.</p> <p>No reference to Primula Way allocation</p> <p>➤ Added reference.</p> <p><u>BWB & HLM:</u></p> <p>Suggested wording for Primula Way reference.</p> <p>➤ Added.</p>		<p><u>constructed housing development on Stenson Road, is a further allocation for housing within the SDDC Local Plan - known as Primula Way, allocated for circa 500 houses.</u></p>
		<p><u>SDDC and DCC:</u></p> <p>There is a need to provide an inherent link between the DFD and the masterplan, but also present the series of 'layers' which build up that masterplan.</p> <p>➤ Agreed. New paragraph to draw this in and plans added as appendices</p>	2.1.10	<p><u>Constraint and opportunities plans are included at Appendix 1. These visually present a context of the site and surrounding area, as well as the following policy constraints; and provide the 'layers' which inform the visionary plan included at Appendix 2.</u></p>
2.2	POLICY & IGV STATUS			
	N/A	<p><u>DCC:</u></p> <p>Suggest new introductory paragraph setting out that IGV straddles LA boundaries therefore covered by two LPs but the following sections of the DFD seek to bring together the overall policy context for IGV and set out the implications for development.</p> <p>➤ Amendment agreed</p> <p>Suggest a policy matrix similar to the one in the</p>	2.2.1	<p><u>IGV straddles the local authority boundaries for SDDC and DCC such that there are a number of relevant Local Plan policies for both authorities supporting the need for and steering the layout and infrastructure to support the village. Crucially both authorities rely on IGV for delivery of identified housing and employment needs, with both also within the same Housing Market Area. The following sections of the DFD seek to bring together the overall policy</u></p>

Para §	Current text	Comments	Rev §	Proposed text
		<p>Bouton Moor DFD would be a quick way to summarise policy position instead.</p> <ul style="list-style-type: none"> ➤ Possibly, but time constraints exist and this would require reformatting of the document. This can be reconsidered at a later date if felt necessary. 		<u>context for IGV and set out the implications for development.</u>
2.2.1	<p>The South Derbyshire Local Plan Part 1 was adopted in June 2016 and the Local Plan Part 2 was adopted in November 2017. The five policies most relevant to the delivery of Infinity Garden Village are:</p> <ul style="list-style-type: none"> ▪ Policy H15: Wragley Way (South of Derby) ▪ Policy E4: Strategic Location for Sinfin Moor Employment Site Extension ▪ Policy INF4: Transport Infrastructure Improvement Schemes ▪ Policy INF12: Provision of Secondary Education Facilities, and ▪ Policy INF13: Southern Derby Area and Infinity Garden Village. <p>These policies are set out below.</p> <p><i>[Tables]</i></p>	<p><u>WBD and DCountyC:</u></p> <p>Should text of policy INF12 not be included?</p> <ul style="list-style-type: none"> ➤ Correct. Now included <p><u>DCountyC:</u></p> <p>Text of policy INF4 includes reference to delivery of A50 junction with the A38 improvement scheme, A50 junction with the A514 improvement scheme and Swarkestone Causeway Bypass. These are not IGV infrastructure and could cause some confusion. It might be better to provide an extract from the policy, or alternatively add a disclaimer that the DFD is not necessarily bringing them all forward.</p> <ul style="list-style-type: none"> ➤ Not agreed. Criterion (ii) of H15 seeks contributions towards the A50 junction schemes, and this site may raise concerns regarding the causeway (which might require mitigation). Delivery of all three would be ‘working with partners’ and/or seeking contributions in line with INF4(B) 	2.2. 42	<p>No change proposed</p> <p><i>[Update to tables (not included in this document due to straight copy and paste from adopted policy)]</i></p>
2.2.2	<p>Whilst not directly relevant to the IGV, policy INF2C (Sustainable Transport) of the Local Plan Part 1 seeks to protect land adjacent to the</p>	<p><u>HLM:</u></p> <p>SDDC policy maps and the INF13 map do not show the station on the site, hgc instead west of the line adj. to</p>	2.2. 23	<p>Whilst not directly relevant to the IGV, policy INF2C (Sustainable Transport) of the Local Plan Part 1 seeks to protect land adjacent to the</p>

Para §	Current text	Comments	Rev §	Proposed text
	<p>Derby to Birmingham railway line:</p> <p><i>“v) Land is protected for against development that would prejudice the establishment of a new passenger railway stations at... Stenson Fields....”</i></p> <p>Whilst indicatively shown to the west of the railway line, IGV provides potential to provide for this aim of the Plan either directly through the safeguarding of land on the site, or indirectly through facilitating non-vehicular modes of transport to the western boundary of the site and a connection over the railway line.</p>	<p>the Primula Way allocation</p> <p>➤ Agreed. Relevant text removed.</p>		<p>Derby to Birmingham railway line:</p> <p><i>“v) Land is protected for against development that would prejudice the establishment of a new passenger railway stations at... Stenson Fields....”</i></p> <p>Whilst indicatively shown to the west of the railway line, IGV provides potential to provide for this aim of the Plan either directly through the safeguarding of land on the site, or indirectly through facilitating non-vehicular modes of transport to the western boundary of the site and a connection over the railway line.</p>
2.2.3	<p>Policy INF2B also states:</p> <p><i>“i) The Council will work in partnership with County Councils, neighbouring local authorities, the National Forest Company, charitable organisations, landowners and developers to secure the expansion, improvement and protection of walking and cycling networks, including public rights of way, cycle routes, greenways and supporting infrastructure. Routes should be coherent, direct, continuous, safe, secure and attractive and should contribute to the wider green infrastructure network wherever possible.”</i></p>	N/A	2.2.34	No change proposed

Para §	Current text	Comments	Rev §	Proposed text
2.2.4	<p>The Derby City Local Plan - Part 1 Core Strategy was adopted in January 2017. The two policies most relevant to the Infinity Garden Village are:</p> <ul style="list-style-type: none"> Policy AC15: Land South of Wilmore Road, Sinfin (Infinity Park Derby) Policy CP24: Transport Infrastructure <p>[Tables]</p>	<p>Missed DCC policy AC18</p> <ul style="list-style-type: none"> ➤ Reference added to para 2.2.4 and policy added to tables. <p>Grammatical/typographical change</p> <p><u>DCC:</u></p> <p>Need to add in CP18 but also summarise implications of CP1(b), CP2, CP3/4, CP16 and CP19. DCC can provide text.</p> <ul style="list-style-type: none"> ➤ Need to avoid the DFD becoming a planning statement. Policies included for both SDDC (para 2.2.2) and DCC are limited to allocation and supporting infrastructure policies only. General Development Management/constraint policies, whilst important, are not the <u>most</u> relevant (as per the introductory wording to the bulleted list). Do not intend to further expand the policy section unless there is a particular justification for inclusion of a further policy(ies). 	2.2.45	<p>The Derby City Local Plan - Part 1 Core Strategy was adopted in January 2017. The two <u>three</u> policies most relevant to the Infinity Garden Village are:</p> <ul style="list-style-type: none"> Policy AC15: Land South of Wilmore Road, Sinfin (Infinity Park Derby) <u>Policy AC18: Wragley Way</u> Policy CP24: Transport Infrastructure <p><u>These policies are set out below.</u></p> <p>[Update to tables (not included in this document due to straight copy and paste from adopted policy)]</p>
	N/A	<p><u>DCC:</u></p> <p>The policy discussion makes no reference to Green Wedges, despite the site taking in one in part and adjoining another. Protection of Green Wedge is a policy for DCC and the DFD (as a sub-policy document) cannot override this. Vision for these designations to be extended into South Derbyshire should also not be lost.</p> <ul style="list-style-type: none"> ➤ Valid discussion. Agreed that the DP policies take primary here, and none of the 	2.2.6	<p><u>There are further relevant policies within the DCC Core Strategy. Of significance is policy CP18 which designates and controls development within Green Wedges. There are two Green Wedges which either partly permeate into the site, or adjoin it. In the Green Wedge, policy CP18 confirms that development for public utilities will be allowed where it can be shown that a suitable site outside the Green Wedge is not available. It is</u></p>

Para §	Current text	Comments	Rev §	Proposed text
		allocations overrule the green wedge or presently erode the scope for extension of them. However, there is no policy designation in SDDC so any proposals for additional development beyond allocations will need to balance the competing interests at that point in time. For now, new paragraph added.		<u>an aim of the policy to ensure that development adjacent to a Green Wedge does not endanger the character and function of the wedge, whilst that where urban extensions occur the principle of the Green Wedge itself will be continued. This latter aim is recognised in SDDC policy INF13. Policy CP18 is also aided by DCC policies CP16 (Green Infrastructure) and CP19 (Biodiversity).</u>
2.2.5	The status of IGV is therefore enshrined in the Development Plans for both SDDC and DCC, and the DFD carries material weight under policies therein.	<u>DCC:</u> Suggest that 'The status of' is replaced with 'Delivering managed growth within what is not the' ➤ This does not make sense as an amendment. What is trying to be said here?	2.2. 37	No change proposed
	N/A	<u>DCC:</u> There is a need to be clear as to how non policy compliant proposals would be assessed, noting the DFD cannot 'overrule' the Development Plan. ➤ Agreed. Whilst such proposals would need to be considered on their merits in line with the statutory framework, clarity for all parties concerned is helpful at this point in time. New paragraph added.	<u>2.2.8</u>	<u>Notwithstanding the above policy position, it is recognised that the delivery of the IGV will require a financially viable development and proposals for additional development may be received. Such applications would be considered with regard to this DFD, but be primarily assessed against the prevailing planning policies of the relevant Local Plan(s). Where necessary, such applications would need to be supported by robust justification and, where relevant, a sequential test(s).</u>
2.3	THE VISION			
2.3.1	Infinity Garden Village will create a sustainable community to the south of the City of Derby,	Total housing number across authorities corrected. Page 315 of 400	2.3.1	Infinity Garden Village will create a sustainable community to the south of the City of Derby,

Para §	Current text	Comments	Rev §	Proposed text
	delivering around 1,950 new homes and at least 5,000 new jobs commensurate with infrastructure. It will include supporting community facilities, including primary and secondary schools, a new vibrant local centre, all set within high quality green and blue infrastructure to provide the Village with its own distinct character. Quality public spaces will unite and connect the community facilities together, creating spaces between buildings where people can meet, relax and spend time, providing opportunities for a strong local community to flourish and engage with its environment.	<p><u>DCC:</u></p> <p>Need something about connected routes and public transport in here.</p> <p>➤ Agreed and amended.</p>		delivering around 1,950 <u>2,130</u> new homes and at least 5,000 new jobs commensurate with infrastructure. It will include supporting community facilities, including primary and secondary schools, a new vibrant local centre, all set within high quality green and blue infrastructure to provide the Village with its own distinct character. Quality public spaces will unite and connect the community facilities together, creating spaces between buildings where people can meet, relax and spend time, providing opportunities for a strong local community to flourish and engage with its environment. <u>The village will also benefit from well-connected, convenient and attractive pedestrian, cycling, public transport and vehicular routes.</u>
2.3.2	Whilst being in part self-contained, the high quality green linkages will provide good accessibility to surrounding areas and within the development.	<p><u>DCC:</u></p> <p>Additional text suggested</p> <p>➤ Agreed and amended</p>	2.3.2	Whilst being in part self-contained, the high quality green linkages <u>delivered through IGV</u> will provide good accessibility to surrounding areas and <u>destinations</u> within the development.
2.3.3	<p>Infinity Garden Village will derive its distinctiveness from:</p> <ul style="list-style-type: none"> Substantial and high quality green and blue linkages, running north to south and east to west throughout the village to not only provide attractive, well used, and continuous networks for wildlife, pedestrians and cyclists within the village; but to also connect the 	<p><u>HLM:</u></p> <p>Concern that the 'centre of the village' could be misconstrued without clarification of the 5th bullet</p> <p>➤ Agreed. It is not intended to have the local centre on the eastern edge of the housing allocation, and to do so would conflict with adopted policies. Amendment made.</p> <p><u>DCountyC:</u></p> <p>Page 316 of 400</p>	2.3.3	<p>Infinity Garden Village will derive its distinctiveness from:</p> <ul style="list-style-type: none"> Substantial and high quality green and blue linkages, running north to south and east to west throughout the village to not only provide attractive, well used, and continuous networks for wildlife, pedestrians and cyclists within the village; but to also connect the

Para §	Current text	Comments	Rev §	Proposed text
	<p>village with surrounding areas and habitats;</p> <ul style="list-style-type: none"> ▪ The use of innovative Sustainable Drainage Systems (SuDS), ensuring that the water management strategy becomes a quality feature of the landscaping and an integral part of the layout; ▪ Incorporating existing wildlife habitats as much as possible, retaining hedgerows, trees, woodland and waterways and using these features as a base upon which to design the rest of the scheme, and supplementing them with new areas of habitat; ▪ The creation of community focused green spaces and gardens, where social interaction can be embraced; ▪ A strong and well defined 'centre' to the village, easily accessible to all and containing attractive and useable public realm and a mix of uses that are adequate to create a vibrant 'heart' with its use extending across different times of the day; ▪ A movement network which exhibits a range of different characters, with particular focus on the creation of green, well landscaped streetscapes, such as tree-lined avenues, and designed with the specific intention of encouraging travel by non-vehicular modes of transport, such as walking 	<p>Bullet point 3 - this needs to include reference to compensatory habitat where retention is not possible (i.e. to be consistent with NPPF para 109).</p> <p>➤ Agreed. Amendment made.</p> <p><u>DCC:</u></p> <p>Question what is most important? It has to look like a Garden Village, followed by a strong and well-defined centre.</p> <p>First bullet needs to reference green wedge</p> <p>➤ Amendment made</p> <p>Third bullet - mitigation for loss needs addressing</p> <p>➤ Incorporated under DCountyC comments</p> <p>Sixth bullet needs more explicit mention of public transport and non-car modes of transport, or is this about public realm and building accessibility?</p> <p>➤ This is about public realm. Comments incorporated into amends to seventh bullet.</p>		<p>village with surrounding areas and habitats, including green wedges within the City;</p> <ul style="list-style-type: none"> ▪ The use of innovative Sustainable Drainage Systems (SuDS), ensuring that the water management strategy becomes a quality feature of the landscaping and an integral part of the layout; ▪ Incorporating existing wildlife habitats as much as possible, retaining hedgerows, trees, woodland and waterways and using these features as a base upon which to design the rest of the scheme, and supplementing them with new areas of habitat, and providing compensatory habitat where retention is not possible; ▪ The creation of community focused green spaces and gardens, where social interaction can be embraced; ▪ A strong and well defined 'centre' to the residential element of the village, easily accessible to all and containing attractive and useable public realm and a mix of uses that are adequate to create a vibrant 'heart' with its use extending across different times of the day; ▪ A movement network which exhibits a range of different characters, with particular focus on the creation of green, well landscaped streetscapes,

Para §	Current text	Comments	Rev §	Proposed text
	and cycling.			such as tree-lined avenues, and designed with the specific intention of encouraging travel by non-vehicular modes of transport, such as walking and cycling, <u>as well as use of public transport</u> .
2.3.4	The Infinity Garden Village community will be a place where people can experience a very high quality of life, where neighbourhoods will have an attractive mix of housing and public open spaces and access to a range of new and existing community facilities including primary and secondary schools, healthcare, outdoor sport and recreational opportunities and a range of high quality jobs.	N/A	2.3.4	No change proposed
2.3.5	The delivery of high quality employment space will also be a key focus of the development. This would aspire to create a mix of premises suitable to accommodate research, manufacturing and distribution industries.	<p><u>DCC:</u> Suggest additional text from policy AC15 to reflect planes, trains and automobiles vision</p> <p>➤ Sourced from policy and added</p> <p><u>BWB & HLM:</u> Amendments suggested</p> <p>➤ Added</p>	2.3.5	The delivery of high quality employment space will also be a key focus of the development, <u>including. This would aspire to create</u> a mix of <u>high quality</u> premises suitable to accommodate research, manufacturing and distribution industries. <u>It is a particular aspiration of DCC to create a unique innovation and technology park that will showcase and support innovation related to the automotive, rail, aerospace and energy sectors.</u>

Para §	Current text	Comments	Rev §	Proposed text
3.1	LAND USES			
3.1.1	Whilst the plan on page 2 identifies the allocated developments in the Derby City and South Derbyshire Local Plans, the development of IGV will exceed the lifetime of both and hence needs to be responsive to changing housing, employment and infrastructure needs.	N/A	3.1.1	No change proposed
3.1.2	Fundamentally, the Village will have residential development to the south of Sinfin and Stenson Fields in the western part of the IGV area - this is the land allocated for around 1,950 dwellings at Wragley Way.	Total of housing across SDDC & DCC policies incorrect ➤ Corrected	3.1.2	Fundamentally, the Village will have residential development to the south of Sinfin and Stenson Fields in the western part of the IGV area - this is the land allocated for around 1,950,130 dwellings at Wragley Way.
3.1.3	The central area of the IGV will be focussed on employment. This will be serviced by a new road that will link the recently constructed T12 road in the north to a new junction on the A50 in the south.	<u>DCC:</u> Need for the mention of SDITL - seems forgotten ➤ Not forgotten, but can be reworded to make it clear what the 'new road' is Need to clarify approach to potential additional employment land. ➤ Agreed (similar to housing potential). Amendment made.	3.1.3	The central area of the IGV will be focussed on employment. This will be serviced by a new road part of the SDITL that will link the recently constructed T12 road in the north to a new junction on the A50 in the south. As part of the IGV proposals, this area has also been identified as having potential to deliver further employment floorspace, although this would need to be considered under a future Local Plan review or a planning application.
3.1.4	A blue/green corridor from Sinfin Moor Park in the north down to the A50 in the south will help to provide an appropriate interface between these primarily residential and employment land uses. Further blue/green corridors will reach out east and west through the wider village from this central 'spine'	Full stop missing ➤ Corrected <u>DCC:</u> Suggested additions, whilst reference to green wedge and potential for its extension is needed. Page 319 of 400	3.1.4	A multi-functional blue/green corridor from Sinfin Moor Park in the north down to the A50 in the south will extend the role of existing green infrastructure, from the Sinfin green wedge in Derby, and will help to provide an appropriate interface between these primarily residential and employment land uses. This has

Chapter 3: OVERARCHING PRINCIPLES

Para §	Current text	Comments	Rev §	Proposed text
		➤ Included		<u>the potential to act as an extension to the green wedge.</u> Further blue/green corridors will reach out east and west through the wider village from this central 'spine'.
3.1.5	New movement connections will be provided on an east to west axis and these will also run along green/blue linkages through the developments. Wherever possible, efforts will be made to combine transport routes with green/blue infrastructure in innovative and socially inclusive ways.	N/A	3.1.5	No change proposed
3.1.6	The linkages through the village will also connect with well-designed recreational infrastructure, with their location focussed towards the housing development.	N/A	3.1.6	No change proposed
3.1.6	To the east, land at Lowes Farm will deliver a new secondary school that will be accessed off the T12 route in the early years of delivering the village. As part of the IGV proposals, this area has also been identified as having a potential to deliver further homes, but that decision will be the subject of a future Local Plan review. This school should benefit from safe, direct and convenient pedestrian and cycle links so to encourage walking and cycling to school.	<p>Paragraph numbering issue</p> <p><u>CLlrDS:</u></p> <p>Location of school is unacceptable. If Stenson Ward is to have the housing, then the school should be located here too. Proposed site is too close to Chellaston Academy. Should be within walking distance of extreme west of site.</p> <p>➤ See comments under para 1.1.3. Emphasis added under para 3.2.6 and 4.1.3 regarding connections and timing of their delivery.</p> <p><u>DCC:</u></p> <p>Reference to public transport needed. Reordering also beneficial, whilst recognising green wedge and</p>	3.1.7	To the east, land at Lowes Farm will deliver a new secondary school that will be accessed off the T12 route in the early years of delivering the village. As part of the IGV proposals, this area has also been identified as having a potential to deliver further homes, but that decision will be the subject of a future Local Plan review. This school should benefit from safe, direct and convenient pedestrian and cycle links so to encourage walking and cycling to school. <u>Public transport routes created should also service this school, as well as the primary school in the housing allocation. As part of the IGV proposals, this area has also been identified as having a potential to deliver</u>

Para §	Current text	Comments	Rev §	Proposed text
		expansion of is appropriate given policy INF13. ➤ Agreed and amended		<u>further homes, but that decision will be the subject of a future Local Plan review. It is also recognised that this area could facilitate an extension of the Chellaston green wedge.</u>
3.1.7	In addition to homes, jobs and the new secondary school, Infinity Garden Village will also deliver at least one new mixed use local centre, providing a focus for the community, the potential location lying in the vicinity of the junction of Wragley Way and Arleston Lane. A new primary school is also proposed as part of the Wragley Way development and its position is also envisaged to be close to the centre of the Wragley Way housing allocation. Community facilities should be located close to this local centre and enlivened with quality public realm as far as possible in order to compliment the community 'heart' described in the vision.	Paragraph numbering issue <u>CllrDS:</u> This location should be slightly to the east of Arleston Lane and should be of sufficient size to accommodate all pupils from Stenson Fields (given some children have to attend Findern School). ➤ DFD is not intended to be prescriptive in respect of locations of particular uses/facilities. This will be led by masterplanning work and the Design and Access Statement (and indicative layout) with the outline application. Must be remembered that the school is primarily to mitigate the additional housing under IGV - not existing issues, whilst catchments are beyond our control. Potential however for new children on western end of IGV to migrate towards Findern School allowing capacity for Stenson Fields children at IGV. <u>DCC:</u> Need to be clearer on number, role and location of new centre. Also the masterplan shows new retail facilities at the A50 junction - we need to be clear if this is supported through the DFD or not. ➤ Not possible to be clear on number and	<u>3.1.8</u>	In addition to homes, jobs and the new secondary school, Infinity Garden Village will also deliver at least one new mixed use local centre, providing a focus for the community <u>and catering for convenience needs</u> , the <u>potential-preferred</u> location lying in the vicinity of the junction of Wragley Way and Arleston Lane. <u>Any further retail elsewhere within IGV will need to be evidenced and justified against prevailing retail policy.</u> A new primary school is also proposed as part of the Wragley Way development and its position is also envisaged to be close to the centre of the Wragley Way housing allocation. Community facilities should be located close to this local centre and enlivened with quality public realm as far as possible in order to compliment the community 'heart' described in the vision.

Para §	Current text	Comments	Rev §	Proposed text
		precise location of local centre at this time, but its role and broad location is already set out sufficiently. Agreed on provision of retail facilities near A50 - this is not within the scope of adopted policies. Masterplan will also need to be adjusted.		
	N/A	IGVLF: Need for a broad principle in respect of the timing and delivery of the land uses. ➤ Added accordingly.	3.1.9	<u>All of the above land uses, connections and facilities, along with off-site works and mitigation where necessary, will need to be delivered in a timely manner. Phasing plans will be developed at the planning applications stage.</u>
3.2	MOVEMENT FRAMEWORK			
3.2.1	The Movement Framework encompasses vehicular, pedestrian and cycle links. In respect of movements, the framework is focussed on the delivery of four new elements of infrastructure: 1) Phase 1 of the SDITL. This runs from the western boundary of the Infinity Garden Village area through to the T12 roadlink in the north; 2) A new junction on the A50. The SDITL will link into this new junction to facilitate both east-west and north-south movements; and 3) A network of green and blue infrastructure providing for inter-connected routes to both encourage	IGVLF: Bullet point 2 - impression given by 'north-south movements' in the context of the A50 junction. Bullet points 2 & 3 - 'and' incorrectly positioned. ➤ Amendments made DCC: Need to explain how these elements of infrastructure will be financed. ➤ Whole section for this at 3.3, subject to addition reference to bus routes at 3.3.8. First time that SDITL has been mentioned - needs explaining earlier. ➤ Mentioned at 1.1.3 and 3.1.3, and in policies	3.2.1	The Movement Framework encompasses vehicular, pedestrian and cycle links. In respect of movements, the framework is focussed on the delivery of four new elements of infrastructure: 1) Phase 1 of the SDITL, .- This <u>which</u> runs from the western boundary of the Infinity Garden Village <u>IGV</u> area through to the T12 road link <u>in the north,</u> <u>provides the majority of required mitigation for traffic generated from the village;</u> 2) A new junction on the A50 <u>into which-</u> The the SDITL will link <u>into this new junction-</u> to facilitate both east-west and north-south <u>more direct</u> movements <u>to</u>

Para §	Current text	Comments	Rev §	Proposed text
	<p>commuting to places of work and services, and promote higher levels of leisure and recreational use.</p> <p>4) A viable network of estate roads which could support bus routes, allowing for direct and regular bus services to take residents and workers to and from their homes and places of work and education.</p>	<p>summary. No need to repeat it here.</p> <p>Bullet point 2 - Does it? 2 separate functions - it was suggested that the new link road might be the only mitigation for increased traffic volume and this needs explaining.</p> <p>➤ Bullet points 1 and 2 rephrased.</p> <p><u>BWB & HLM:</u></p> <p>Grammatical corrections and suggested addition to end of bullet point 2, relating to the A50 junction providing mitigation to the wider network.</p> <p>➤ Grammatical changes accepted. Suggested addition altered to recognise that mitigation to wider network is not certain without modelling having been completed.</p>		<p>and from the strategic road network, and potentially provide mitigation on the wider network;and</p> <p>3) A network of green and blue infrastructure providing for inter-connected routes to both encourage commuting to places of work and services, and promote higher levels of leisure and recreational use-; and</p> <p>4) A viable network of estate roads which could support bus routes, allowing for direct and regular bus services to take residents and workers to and from their homes and places of work and education.</p>
3.2.2	<p>It is anticipated that the delivery of the new A50 junction and that part of the SDITL from the new junction up to T12 will be delivered first. This is in order to provide a dedicated access to Infinity Park Derby to allow the extension of Infinity Park Derby to proceed and to also alleviate traffic pressures on the Bonnie Prince junction on the A50.</p>	<p><u>DCountyC:</u></p> <p>‘Part’ delivery of the SDITL first seems to be inconsistent with 3.3.2 whereby delivery of the SDITL would be delivered in phases - presumably as and when each individual landowner deemed it in their interests.</p> <p>➤ Clarification needed. See amendments at 3.3.2</p> <p><u>DCC:</u></p> <p>Do we want to say this in advance of modelling results? Seems unwise to propose timing in advance of modelling outputs and HE agreement. It could perhaps talk about the potential benefits without the timings. Also, does not give the impression that the</p>	3.2.2	<p>It is anticipated that the delivery of the new A50 junction and that part of the SDITL from the new junction up to T12 will be delivered first. This is in order to provide a dedicated access to Infinity Park Derby to allow the extension of Infinity Park Derby to proceed and to also alleviate traffic pressures on the Bonnie Prince junction on the A50. It would also assist in the early delivery of housing to the eastern end of the Wragley Way housing land.</p>

Para §	Current text	Comments	Rev §	Proposed text
		<p>housing land will come forward later?</p> <ul style="list-style-type: none"> ➤ It is clear from the masterplanning meetings, and now what has also been communicated to the IGVLf, that the road application is likely autumn 2018. In the context of the sub-chapter (movement framework) and the preceding paragraph of 4 pieces of movement infrastructure, this appears correct. However, suggested that we add a reference to the scope for this to unlock delivery of some housing. <p><u>BWB & HLM:</u></p> <p>Suggestion that additional text does not limit it to delivery of eastern end of housing land.</p> <ul style="list-style-type: none"> ➤ Existing knowledge of highway impacts would make development at the western end inappropriate without the link to the new A50 in place. Delivery must therefore begin from the eastern end of the allocation until the link road is substantially in place. 		
3.2.3	The development will provide a network of connected and continuous dedicated pedestrian and cycle linkages, some set within green/blue corridors to provide high quality non-car transport options between homes and places of work, local services and facilities both within the Infinity Garden Village and within the neighbouring areas of Chellaston, Sinfon and Stenson Fields. Linkages will run both north to south and also east to west.	N/A	3.2.3	No change proposed

Para §	Current text	Comments	Rev §	Proposed text
	These corridors will help to provide a green framework within which development parcels will sit and promote the drawing in of a green environment into these parcels.			
3.2.4	The focus towards delivery of the SDITL, A50 junction and pedestrian and cycle linkages will result in some existing routes becoming downgraded from vehicular routes to greenways. These may be on or off the site, and will be informed by traffic modelling for the wider village and subsequent development proposals.	N/A	3.2.4	No change proposed
3.2.5	Public Transport provision will be provided to connect the village to Sinfin, Stenson Fields, Chellaston, Rolls Royce and Derby City Centre. The detailed design will facilitate circulatory bus routes broadly following the entire SDITL route, although the street network and layout should also be designed to have regard to the most viable public transport routes for operators.	<p><u>CLlrDS</u>:</p> <p>Local members need to be part of the liaison between bus companies and the Councils regarding routes.</p> <p>➤ Comments incorporated.</p> <p><u>IGVLF</u>:</p> <p>‘Provision will be provided’? Re-word?</p> <p>➤ Corrected</p>	3.2.5	Public Transport provision will be provided secured to connect the village to Sinfin, Stenson Fields, Chellaston, Rolls Royce and Derby City Centre. The detailed design will facilitate circulatory bus routes broadly following the entire SDITL route, although the street network and layout should also be designed to have regard to the most viable public transport routes for operators. There shall be liaison between the service providers, Councils, and developers in establishing the routes.
	N/A	<p>See comments at 3.1.6</p> <p><u>DCountyC</u>:</p> <p>No mention is made in Section 3 to the use of Compulsory Purchase Orders, where necessary, which would assist land assembly enormously.</p>	3.2.6	The timing and delivery of all these connections and services will be integral to ensuring a sustainable form of development at all stages in the delivery of IGV. Early delivery will be encouraged where there is the capacity for associated infrastructure to sustain this,

Para §	Current text	Comments	Rev §	Proposed text
		➤ Incorporated into this new paragraph		<u>whilst use of Compulsory Purchase Powers may be considered if absolutely necessary.</u>
3.3	FINANCING & DELIVERY			
3.3.1	Key issues for development of Infinity Garden Village are the delivery of the SDITL and the new junction on the A50. The provision of and/or contributions to the construction of the SDITL is a requirement of SDDC policy H15 and DCC policy CP24, whilst other off-site infrastructure improvements may also be required.	N/A	3.3.1	No change proposed
3.3.2	The developers of the Wragley Way housing allocation are providing for the delivery of the SDITL that will pass through its land interest - to the eastern and western extremities of the allocation site. This will be delivered in phases as the Wragley Way site is built out and be designed so not to prejudice the ability of this east to west link to cater for any future development needs on the southern edge of Derby.	See comments at 3.2.2 <u>DCC:</u> Suggested addition ➤ Included	3.3.2	The developers of the Wragley Way housing allocation are providing for the delivery of the SDITL that will pass through its land interest - to the eastern and western extremities of the allocation site. <u>Across the housing allocation</u> T <u>this will be designed in response to the transport modelling and</u> delivered in phases as the Wragley Way site is built out and be designed so not to prejudice the ability of this east to west link to cater for any future development needs on the southern edge of Derby.
3.3.3	The Infinity Park employment extension requires the SDITL to extend from the T12 road in the north to this development site and to the south, to connect to the A50. The new junction on the A50 at Deepdale Lane will not only provide better access to the Infinity Park	<u>DCC:</u> Suggested correction ➤ Amended Page 326 of 400	3.3.3	The Infinity Park employment extension requires the SDITL to extend from the T12 road in the north to this development site and to the south, to connect to the A50. The A new junction on the A50 at Deepdale Lane will not only provide better access to the Infinity

Para §	Current text	Comments	Rev §	Proposed text
	Southern Extension; it will also assist in tying the two elements of the SDITL together.			Park Southern Extension; it will also assist in tying the two elements of the SDITL together.
3.3.4	The landowners who are required to deliver the SDITL and new junction on the A50 through to the T12 link road, together with the IGV developers and the three local authorities, are jointly pursuing the delivery of this infrastructure to unlock both housing and employment development as part of IGV. This is perhaps seen as a crucial part of the SDITL in unlocking the delivery of the IGV.	<p>See comments at 2.1.6</p> <p><u>DCC:</u></p> <p>Somehow need to reflect that there are unresolved issues over the north/south alignment</p> <ul style="list-style-type: none"> ➤ Mixed messages on this point. These comments suggest the alignment is not agreed, but the opposite message received at March Masterplanning meeting (para 3.3 of the notes). No amends proposed. <p><u>BWB & HLM:</u></p> <p>Suggestion that A50 should be referenced separately in additional text.</p> <ul style="list-style-type: none"> ➤ Not required. Paragraph begins by referencing the SDITL and A50 'as one'. 	3.3.4	The landowners who are required to deliver the SDITL and new junction on the A50 through to the T12 link road, together with the IGV developers and the three local authorities, are jointly pursuing the delivery of this infrastructure to unlock both housing and employment development as part of IGV. This is perhaps seen as a crucial part of the SDITL in unlocking the delivery of the IGV <u>and forms the primary element of infrastructure, currently being developed ahead of a formal planning application.</u>
3.3.5	Planning applications for housing, employment or commercial uses will need to demonstrate that the development proposed is proportionally contributing to the delivery of this key piece of infrastructure. A mechanism to ensure this is achieved will be developed. Any development coming forward in advance of this infrastructure being provided will need to demonstrate that it can be accommodated without resulting in any severe highways impacts and without the need for the SDITL.	<p>See comments at 1.2.3</p> <p><u>DCC:</u></p> <p>Who will develop the mechanism and when?</p> <ul style="list-style-type: none"> ➤ Amendment made, although it is noted that the City have already allowed development which could have contributed accordingly, so no longer possible to prevent any delivery until this is in place. <p>Word change/addition suggested</p> <ul style="list-style-type: none"> ➤ 'Severe' used to reflect NPPF para 32, but 	3.3.5	Planning applications for housing, employment or commercial uses will need to demonstrate that the development proposed is proportionally contributing to the delivery of this key piece of infrastructure. A mechanism to ensure this is achieved will be developed <u>promptly between the authorities and the promoters/landowners whilst continued efforts will be made to secure available grant funding.</u> Any development coming forward in advance of this infrastructure being provided will need to demonstrate that it can be accommodated

Para §	Current text	Comments	Rev §	Proposed text
		<p>agreed that we should strive for a better outcome.</p> <p><u>BWB & HLM:</u></p> <p>Suggest deletion of “and without the need for the SDITL”</p> <ul style="list-style-type: none"> ➤ Deletion not appropriate as it has been established at the SDDC Local Plan Part 1 stage that the SDITL is required to mitigate the housing allocation (presuming no other solution is provided). To deviate from this finding requires particular justification, particularly when development may then prejudice delivery if later found to be needed. 		without resulting in any severe-unacceptable highways impacts and without <u>triggering</u> the need for the SDITL.
3.3.6	Provision must also be made for all development within Infinity Garden Village to contribute proportionately to the overall cost of delivering the remaining infrastructure required to support development and community needs (in so far as relevant to the type of development concerned). This is in relation to both on-site (i.e. within the boundaries of specific development proposals), within the wider Infinity Garden Village, and off-site.	N/A	3.3.6	No change proposed
3.3.7	The vast majority of infrastructure provision will be provided as part of planning application proposals. In respect of the Wragley Way housing proposals, the developer will need to ensure the phased delivery of necessary	<p><u>IGVLE:</u></p> <p>No mention of healthcare provision.</p> <ul style="list-style-type: none"> ➤ Not a requirement under policy H15, but HLM and the CCG have indicated scope to secure a 	3.3.7	The vast majority of infrastructure provision will be provided as part of planning application proposals. In respect of the Wragley Way housing proposals, the developer will need to ensure the phased delivery of necessary

Para §	Current text	Comments	Rev §	Proposed text
	<p>infrastructure within the allocated site including:</p> <ul style="list-style-type: none"> ▪ New primary school; ▪ New local centre(s); ▪ Community facilities; ▪ Recreational facilities; ▪ Open space and landscaping. <p>Given the Vision for the IGV, early delivery of social infrastructure, and green/blue linkages, will be promoted, subject to phasing and viability.</p>	<p>site/facility if feasible</p> <p><u>DCC</u>:</p> <p>Addition suggested</p> <p>➤ Amendment made</p>		<p>infrastructure within the allocated site including:</p> <ul style="list-style-type: none"> ▪ New primary school; ▪ New local centre(s); ▪ <u>Community facilities;</u> ▪ <u>Healthcare facilities, where feasible;</u> ▪ Recreational facilities; ▪ Open space and landscaping. <p>Given the Vision for the IGV, early delivery of social infrastructure, and green/blue linkages, will be promoted, subject to phasing and viability.</p>
3.3.8	All development proposals will need to make appropriate provision for drainage, landscaping, estate roads, cycling and walking connections and open space, having regard to the Vision and the more detailed proposals set out within this DFD.	See comments at 3.2.1	3.3.8	All development proposals will need to make appropriate provision for drainage, landscaping, estate roads, <u>bus routes</u> , cycling and walking connections and open space, having regard to the Vision and the more detailed proposals set out within this DFD.
3.3.9	The proposed secondary school on the Lowes Farm site will be delivered by the County Education Authority, funded in part by contributions from various residential development proposals in and around Derby - including housing development within IGV.	N/A	3.3.9	No change proposed
3.3.10	<p>Infrastructure will be required outside of the employment and housing allocations to support the Infinity Garden Village proposals. This includes:</p> <ul style="list-style-type: none"> ▪ Those parts of the SDITL that are not 	<p><u>WBD</u>:</p> <p>The paragraph needs reference to the creation of a mechanism to achieve these items.</p> <p>➤ Agreed. Text added</p>	3.3.10	<p>Infrastructure will be required outside of the employment and housing allocations to support the Infinity Garden Village proposals. This includes:</p> <ul style="list-style-type: none"> ▪ Those parts of the SDITL that are not

Para §	Current text	Comments	Rev §	Proposed text
	<p>part of the Wragley Way housing site or part of the Infinity Park Derby Southern Extension;</p> <ul style="list-style-type: none"> ▪ The new junction on the A50; ▪ Walking and cycling connections between the Wragley Way housing site and Infinity Park Derby Southern Extension, and also between Sinfin and Chellaston and the new secondary school site; ▪ Potential vehicular connections between the SDITL and Infinity Park Derby Southern Extension (as may be informed by transport modelling); ▪ Drainage, landscaping and open space provision along those areas of the SDITL not within the allocations; ▪ Any compensatory measures as a result of the SDITL, particularly in relation to sports pitches and the local nature reserve. 	<p><u>DCC:</u></p> <p>Suggested addition/alteration of text and addition of bullets:</p> <ul style="list-style-type: none"> ▪ Green Wedge protection for Sinfin Moor. ▪ Local district centre, shopping facilities <p>➤ This paragraph is about infrastructure required outside of the allocations. A local district centre is not justified in adopted policies, whilst green wedge protection is not infrastructure provision - this is a constraint to minimise and mitigate effects upon. However, it could be phrased to 'offset' any necessary loss of green wedge.</p> <p>➤ Changes/additions to text accepted.</p> <p>Question how the effect on the LNR affects local plan requirements.</p> <p>➤ Not affected by employment or housing allocations (white land within IGV designation). Considered that list is therefore already sufficient.</p> <p>More discussion needed about ensuring developments within the city and South Derbyshire are complementary.</p> <p>➤ This is a design principle - nothing to do with delivery.</p>		<p>part of the Wragley Way housing site or part of the Infinity Park Derby Southern Extension;</p> <ul style="list-style-type: none"> ▪ The new junction on the A50; ▪ Walking and cycling connections between the Wragley Way housing site and Infinity Park Derby Southern Extension, and also between Sinfin and Chellaston and the new secondary school site; ▪ Potential vehicular connections between the SDITL and Infinity Park Derby Southern Extension (as may be informed by transport modelling); ▪ Drainage, landscaping and open space provision along those areas of the SDITL not within the allocations; ▪ Any compensatory measures as a result of the SDITL, particularly in relation to sports pitches and the local nature reserve <u>as well as offsetting any necessary loss of green wedge through creation of new suitable space for future designation.</u> <p><u>A mechanism to ensure this infrastructure is delivered at the correct time will be developed.</u></p>
3.4	CLIMATE CHANGE & ENERGY CONSUMPTION	N/A		
3.4.1	Drainage infrastructure must be designed to account for climate change predictions,	<p><u>DCC:</u></p> <p>Page 330 of 400</p>	3.4.1	Drainage infrastructure must be designed <u>holistically, so that infrastructure for one</u>

Para §	Current text	Comments	Rev §	Proposed text
	including an element of 'urban creep' to offset changes to property over the lifetime of the village.	Suggested insertion of text ➤ Amendment made		development within IGV does not prejudice another being bought forward, and to account for climate change predictions, including an element of 'urban creep' to offset changes to property over the lifetime of the village.
3.4.2	To reflect the drainage dynamics of the existing site, water consumption should also be reduced. Domestic and commercial properties will be expected to deploy water efficient fittings and fixtures to reduce daily consumption, linked to rainwater capture and greywater harvesting in certain circumstances.	N/A	3.4.2	No change proposed
3.4.3	Soft landscaping should be promoted within individual properties and the public realm given careful siting and choice of trees, etc. can assist with cooling of buildings and improvement of air quality.	<u>DCC:</u> Suggested insertion of text ➤ Amendment made	3.4.3	Soft landscaping should be promoted within individual properties and the public realm given careful siting and choice of trees, etc. can assist with surface water drainage , cooling of buildings and improvement of air quality.
3.4.4	Employment and domestic buildings should be built to low-carbon standards with high levels of energy efficiency (above that required by building regulations where feasible). Orientation of buildings should maximise solar gain to reduce reliance on artificial methods of heating and lighting. Inclusion of solar arrays on roofs to employment units, linked to battery storage (subject to related noise, etc. impacts) should be considered, whilst individual energy generation technologies for dwellings (e.g. ground and/or air source heat pumps, solar thermal and solar PV) should also be promoted	<u>DCC:</u> Suggested insertion of text ➤ Amendment made <u>DCountyC:</u> Reference needs to be made to the importance of the provision of low emissions vehicle charging infrastructure as part of housing and employment development. ➤ Agreed, particularly as this can form one of the unique selling points of the status of the Page 331 of 400	3.4.4	Employment and domestic buildings should be built to low-carbon standards with high levels of energy efficiency (above that required by building regulations where viable /feasible). Orientation of buildings should maximise solar gain to reduce reliance on artificial methods of heating and lighting. Inclusion of solar arrays on roofs to employment units, linked to battery storage (subject to related noise, etc. impacts) should be considered, whilst individual energy generation technologies for dwellings (e.g. ground and/or air source heat pumps, solar thermal and solar PV) should also be promoted

Para §	Current text	Comments	Rev §	Proposed text
	where feasible.	IGV. Amendment made.		where feasible. <u>Low emissions vehicle charging points should also be included so to encourage a shift from fossil fuel powered motor vehicles to electric vehicles.</u>
3.4.5	Consideration will also be given to district-wide energy generation, distribution and use by way of community heat and electricity infrastructure.	<u>DCC</u> : Suggested insertion of text ➤ Amendment made	3.4.5	Consideration will also be given to district-wide energy generation, distribution and use by way of community heat and electricity infrastructure, <u>especially given opportunities presented by the significant commercial development to the north around the Rolls-Royce campus.</u>

Para §	Current text	Comments	Rev §	Proposed text
4.1	HIGHWAYS			
4.1.1	In addition to the SDITL, Infinity Garden Village will include a variety of road types suited to the needs of the types of development they serve. The design and route of the SDITL and other roads will be agreed with the relevant Planning and Highway Authorities, with reference being made to national design guidance set out in Manual for Streets (I and II).	<p><u>DCountyC:</u></p> <p>The function of SDITL needs to be clarified once we see the effects of the A50 junction. At this stage it might be sensible to make reference to MfS or the Design Manual for Roads and Bridges</p> <ul style="list-style-type: none"> ➤ Valid point - presumptuous otherwise. Amendment made. <p><u>DCC:</u></p> <p>Relevant planning and highway authorities need defining</p> <ul style="list-style-type: none"> ➤ Considered to be unnecessary given the purpose of the document and that fact that these will vary from development to development across the entire site. 		In addition to the SDITL, Infinity Garden Village will include a variety of road types suited to the needs of the types of development they serve. The design and route of the SDITL and other roads will be agreed with the relevant Planning and Highway Authorities, with reference being made to national design guidance set out in Manual for Streets (I and II) <u>or Design Manual for Roads and Bridges, as appropriate.</u>
4.1.2	Effort will be made, particularly where within or adjoining residential development, to design the streets so that they incorporate hard and soft landscaping features to make them visually attractive and suitable for all ages and abilities. The coming together of blue and green infrastructure along these routes will be of particular importance.	N/A		No change proposed
4.1.3	Conjoined and segregated walking and cycling routes will be provided to provide a choice of safe, convenient and attractive routes through the development and to nearby areas. This may include the use of shared surfaces where	<p>See comments at 3.1.6.</p> <p>Page 333 of 400</p>		Conjoined and segregated walking and cycling routes will be provided <u>at the appropriate times</u> to provide a choice of safe, convenient and attractive routes through the <u>development village</u> and to nearby areas. This may include

Para §	Current text	Comments	Rev §	Proposed text
	appropriate.			the use of shared surfaces where appropriate, <u>as well as temporary routes whilst surrounding development is built out.</u>
	N/A	<p><u>DCC:</u></p> <p>This section needs more on the approach to public transport</p> <ul style="list-style-type: none"> ➤ Agreed, and best practice from other sites can inform this accordingly. Paragraph added. 	<u>4.1.4</u>	<p><u>New and/or extended bus services will be facilitated through the site by the creation of logical, convenient and well-designed routes. Attention will need to be given to the timing and frequency of such services, recognising the modern 24-hour employment models for many logistics and manufacturing companies, as well as the point at which there is sufficient 'mass' to make services viable. Effort will be made to engage with such operator(s) at an early stage so to inform planning applications and layouts.</u></p>
4.1.4	Provision for on and off-street parking will be made in a mixture of styles. Consideration will be given the level of allocated parking for particular uses and size of dwellings proposed.	N/A	<u>4.1.5</u>	No change proposed
	N/A	See comments at 2.1.7	<u>4.1.6</u>	<p><u>It will be important to minimise and mitigate any adverse effects of existing routes beyond IGV. Consideration will be given to downgrading Arlestone Lane and Deep Dale Lane (within the site) to a greenway, and enhancing Sinfin Moor Lane as a greenway, along with measures to discourage use of Deep Dale Lane south of the A50. Consideration may also be given to reinstating two-way vehicular movement and a pedestrian bridge over the railway at Stenson Road.</u></p>

Para §	Current text	Comments	Rev §	Proposed text
4.2	DRAINAGE			
4.2.1	Existing drainage networks within the Infinity Garden Village will be retained and improved, incorporated within 'green infrastructure' areas where possible. These will form a critical part of the unique identity of the village and will contribute to and connect with new drainage networks created.	<p><u>DCC:</u></p> <p>Can we be certain that existing drainage networks will be retained?</p> <p>➤ Valid point. Amendment made.</p>		<p><u>It will be expected that Existing-existing</u> drainage networks within the Infinity Garden Village will be retained and improved, <u>as far as is practicable</u>, and incorporated within 'green infrastructure' areas where possible. These will form a critical part of the unique identity of the village and will contribute to and connect with new drainage networks created.</p>
4.2.2	Existing flood risk will be mitigated whilst new surface water drainage will be delivered in a variety of methods, creating multiple 'trains' of water attenuation and treatment which can be accessible to and enjoyed by residents and employees within IGV.	N/A		No change proposed
4.3	LANDSCAPING & OPEN SPACE			
4.3.1	Infinity Garden Village will provide significant areas of new landscaping and open space. This will include both formal and more natural planted areas. Housing development will include all levels of children's play areas and further opportunities for informal sport and recreation. It will also include provision of allotments and orchards to promote social cohesion and sustainable lifestyles.	N/A		No change proposed
4.3.2	Existing hedgerows and trees will be retained within open spaces and enhanced with additional planting where possible. Existing	<p><u>DCC:</u></p> <p>Suggested insertion of text</p> <p>Page 335 of 400</p>		Existing <u>public open space, sports pitches</u> , hedgerows and trees will be retained within open spaces and enhanced with additional

Para §	Current text	Comments	Rev §	Proposed text
	watercourses will similarly be retained and enhanced, whilst shared open space use of SuDS will be incorporated where practical.	➤ Amendment made		planting where possible. Existing watercourses will similarly be retained and enhanced, whilst shared open space use of SuDS will be incorporated where practical.
4.4	UTILITIES			
4.4.1	Utility networks will be extended and reinforced to serve Infinity Garden Village, including provision for high speed broadband. This should include fibre to premises connections so ensure high speed delivery all the way from the exchange to devices. Attention will be given to siting of below ground utilities to enable future transport needs to be met whilst also minimising disruption to landscaped areas.	N/A		No change proposed
4.5	SOCIAL, HEALTH & EDUCATION			
4.5.1	The community and education facilities and services provided within Infinity Garden Village will aim to primarily meet many of the day-to-day needs of those living and working within the development. Where certain needs cannot be met within the village, such as secondary healthcare or certain types of sport provision; safe and convenient links will be provided to other nearby facilities and services, such as those at the Sinfin District Centre and further afield within Derby. This may require off-site works to secure physical improvements and in turn more attractive connections and routes.	<p><u>CllrDS and IGVLf:</u></p> <p>Any s106 contributions generated must be spent for residents in the locality and not in Littleover. A site should be allocated and the CCG urged to engage with local GPs to see what facilities they would require to serve the new development.</p> <p>➤ Comments incorporated, noting that an on-site solution may not be deliverable given the CCG's operational model.</p> <p><u>IGVLf:</u></p> <p>Timing of constructing the secondary school and the</p>		The community, healthcare and education facilities and services provided within Infinity Garden Village will aim to primarily meet many of the day-to-day needs of those living and working within the development. This will include the safeguarding of suitable sites where appropriate. The Clinical Commissioning Group (CCG) will be encouraged to deliver primary healthcare needs on site. Where certain needs cannot be met within the village, such as secondary healthcare or certain types of sport provision; safe and convenient links will be provided to other nearby facilities and

Para §	Current text	Comments	Rev §	Proposed text
	These links will also promote two-way movement, and encourage existing residents to utilise the provision made within IGV and contribute to its vibrancy. Facilities should be co-located wherever appropriate to encourage linked trips, create a community 'heart' and increase the likelihood of walking and cycling.	<p>delivery of roads/connections - could there be a mismatch leading to long, circuitous routes for children?</p> <p>➤ This concern would be minimised through triggers under s106 obligations and the phasing plan (see 3.1.9 and 3.2.6)</p> <p><u>DCC:</u></p> <p>Off-site works reference also needs to account for potential developer contributions to services/proposals within City or elsewhere</p> <p>➤ Amendment made</p>		services, such as those at the Sinfin District Centre and further afield within Derby. This may require off-site works <u>and/or financial contributions</u> to secure physical improvements and in turn more attractive connections and routes. These links will also promote two-way movement, and encourage existing residents to utilise the provision made within IGV and contribute to its vibrancy. Facilities should be co-located wherever appropriate to encourage linked trips, create a community 'heart' and increase the likelihood of walking and cycling.
4.5.2	The sports needs for the residents of IGV will be primarily catered for by supporting the development of the Parklife Hub within Derby City. That said, all residents should have high quality green spaces within walking distance of their homes to encourage informal sports activity.	<p><u>DCC:</u></p> <p>Change reference to potential project.</p> <p>➤ Amendment made.</p>		The sports needs for the residents of IGV will be primarily catered for by supporting the <u>development of the Parklife Hubimprovement of facilities</u> within Derby City. That said, all residents should have high quality green spaces within walking distance of their homes to encourage informal sports activity.
4.6	RETAIL			
4.6.1	Infinity Garden Village will include retail services, focussed on meeting local needs including those living within the Wragley Way housing development, working at Infinity Park and using the SDITL. Retail should be integrated with areas of public realm. For example, a public square fronted with retail, a café and the primary school, or a	<p><u>IGVLF:</u></p> <p>Questioned the scale of the local centre and the magnitude and impact on roads.</p> <p>➤ Addressed in para 3.1.8 and elsewhere in the DFD.</p> <p><u>DCC:</u></p> <p>Page 337 of 400</p>		No change proposed

Para §	Current text	Comments	Rev §	Proposed text
	pedestrianised street with shop units fronting it. Car orientated retail areas are not part of the vision for IGV.	<p>Scale and function of local centre needs clarifying.</p> <ul style="list-style-type: none"> ➤ Addressed in para 3.1.8. <p>Talk about this more in the section on infrastructure. Does the document refer to S106 obligations?</p> <ul style="list-style-type: none"> ➤ This is the section on infrastructure. Not considered necessary to expand further than the discussion already provided here and at 3.1.8. Not considered necessary to refer to s106 obligations when only gravitas for retail is under SDDC policy H15 and there is no expectation of s106 control/mitigation required. <p>Car orientated retail areas are not part of the vision?</p> <ul style="list-style-type: none"> ➤ Correct. There is no policy basis for an out-of-town retail park or A50 services here. 		

Para §	Current text	Comments	Rev §	Proposed text
5.1	AMOUNT & LOCATION			
5.1.1	The Wragley Way cross boundary allocation will deliver around 1,950 new homes. A variety of types and tenures of dwellings will be provided, including Affordable Housing. Dwellings should also be designed with the increasing trend of working from home in mind, as well as facilitating the co-location of multiple generations to deal with an aging population.	<p>Total of housing across SDDC & DCC policies incorrect</p> <ul style="list-style-type: none"> ➤ Corrected <p><u>DCC:</u></p> <p>Additions suggested</p> <ul style="list-style-type: none"> ➤ Amendments made 		The Wragley Way cross boundary allocation will deliver around 4,9502,130 new homes. A variety of types and tenures of dwellings will be provided, including up to 30% Affordable Housing. Dwellings should also be designed with adaptation in mind reflecting the increasing trend of working from home in mind , as well as facilitating the co-location of multiple generations to deal with an ageing , less mobile population.
5.1.2	Delivery of the housing will be phased. The first completions will be on land adjacent to Wragley Way, within Derby City. Other early phases are likely to be in the eastern part of the allocation, with development generally progressing westwards as the western arm of the SDITL is built out. A number of house builders may be active on the site at any one time.	<p><u>BWB & HLM:</u></p> <p>Detail of consented sites/phases and pending sites/phases advanced.</p> <ul style="list-style-type: none"> ➤ Do not wish to include this as it requires revision each and every time an application is made/approved. Current wording sufficiently flexible and appropriate. 		No change proposed
5.1.3	Any delivery of homes at Lowes Farm, in the western part of Infinity Garden Village, will be the subject of a future Local Plan review.	<p><u>HLM and WBD:</u></p> <p>East/west error</p> <ul style="list-style-type: none"> ➤ Corrected 		Any delivery of homes at Lowes Farm, in the western-eastern part of Infinity Garden Village, will be the subject of a future Local Plan review.
5.2	DESIGN PRINCIPLES			
5.2.1	The design principles that have informed any housing proposals will be set out within documents submitted as part of the planning	<p><u>DCC:</u></p> <p>Refer to Garden Village design from the off.</p> <p>Page 339 of 400</p>		The approach to design must incorporate the IGV Vision, promoting the ethos of a garden village which has a distinctive character as set

Para §	Current text	Comments	Rev §	Proposed text
	application, including the Design and Access Statement. Key opportunities and constraints will be summarised, along with any measures required to mitigate potential adverse impacts.	➤ Agreed there is a need to remind/focus attention on this point. Amendment made.		<u>out at sub-section 2.3. The</u> design principles that have informed any housing proposals will be set out within documents submitted as part of the planning application, including the Design and Access Statement. Key opportunities and constraints will be summarised, along with any measures required to mitigate potential adverse impacts.
5.2.2	Proposals must form an integral part of the comprehensive Infinity Garden Village proposals and make a positive contribution to the high standards of development and distinctiveness within the development. Crucially, the proposals must demonstrate how the Vision has been carried through from this DFD and set out how it is intended to deliver the Vision at the reserved matters and implementation stages.	N/A		No change proposed
5.2.3	Housing densities will vary throughout the site, responding to its proximity to services and facilities and the character of the site in the immediate area.	N/A		No change proposed
	N/A	<p><u>SDDC:</u></p> <p>No commentary regarding tenures.</p> <p>➤ Added</p>	5.2.4	<u>Housing tenures will also vary, with a policy compliant level of affordable housing sought unless it can be shown to compromise viability of the housing allocations. A mix of affordable housing types is envisaged, in line with the National Planning Policy Framework, with a focus towards addressing identified local needs first. Consideration will also be given to</u>

Para §	Current text	Comments	Rev §	Proposed text
				<u>Registered Provider led phases and financial contributions partially in lieu of on-site provision.</u>
5.2.4	The design principles set out in the Local Plans and Supplementary Planning Documents should be followed. Due to the garden village status of this site, the National Forest chapter of the SDDC Local Plan should be respected.	N/A	<u>5.2.5</u>	No change proposed
5.2.5	Although all policy design principles should be comprehensively addressed, particular importance should be placed on the need for the garden village to possess a green character and create a sense of community.	N/A	<u>5.2.6</u>	No change proposed

Para §	Current text	Comments	Rev §	Proposed text
6.1	AMOUNT & LOCATION			
6.1.1	Developers/landowners to clarify hectares/floorspace figures based on allocations, noting that SDDC provides for a figure based on hectares, not floorspace.	<p>Updated on the basis of hectares.</p> <p><u>BWB & HLM:</u></p> <p>Subsequent comments that the total hectares is incorrect and should be 129.6. Also suggested that recognition should be given to potential to increase this total, as part of a plan review. Other changes to wording suggested.</p> <p>➤ Total of allocation is correct - adding the SDDC and DCC totals together. Reference to further employment land not appropriate at the current time, given the DFD cannot presume or override the policy position of both authorities (as with housing). This change is not accepted. Some other suggested amendments made</p>		<p>Developers/landowners to clarify hectares/floorspace figures based on allocations, noting that SDDC provides for a figure based on hectares, not floorspace. A</p> <p><u>total of 116.8 hectares of land is allocated by both SDDC and DCC for employment purposes. The allocation within South Derbyshire is identified for development beyond 2018 for B1(b), B1(c), B2 and B8 purposes as part of the Infinity Park extension within the City, which similarly allows for B1, B2 and B8 uses but focusses on a new high quality business park - with a DCC aspiration to showcase and support innovation related to the automotive, rail, aerospace and energy sectors. To this end, the City allocation limits the amount of B8 development to 50% of overall floorspace.</u></p>
6.1.2	The majority of the employment opportunities will be located within Infinity Park Derby and the Infinity Park Extension land to the south, but there will also be employment opportunities within the local centre(s), schools and parks. The construction phase of IGV will also offer a sustained form of employment to the construction and housebuilding industries.	N/A		No change proposed
6.1.3	Encouragement will be given to creation of live-work units where appropriate, as well as attracting independent local business	N/A		No change proposed

Para §	Current text	Comments	Rev §	Proposed text
	opportunities within the local centre(s).			
6.2	DESIGN PRINCIPLES			
6.2.1	Employment development will provide flexible design opportunities to meet the needs of modern businesses whilst ensuring high design standards, including provision for sustainable urban drainage infrastructure; efficient buildings along with promotion of energy generation; safe, convenient and attractive walking, cycling and recreational routes; and good public transport accessibility. It will be necessary to demonstrate how the Vision has been carried through from this DFD and set out how it is intended to deliver the Vision at the reserved matters and implementation stages.	N/A		No change proposed
6.2.2	The design principles set out in the Local Plans and Supplementary Planning Documents should be followed. Due to the garden village status of this site, the National Forest chapter of the SDDC Local Plan should be respected.	N/A		No change proposed
6.2.3	Although all policy design principles should be comprehensively addressed, particular importance should be placed on the need for the garden village to possess a green character and create communal spaces for recreation and eating at lunchtime, etc.	N/A		No change proposed

Para §	Current text	Comments	Rev §	Proposed text
7.1	DESIGN AND ACCESS STATEMENTS	N/A		No change proposed
	Design and Access Statements will be required as part of all relevant planning applications. They will set out and explain how the development proposal complies with the requirements of this DFD and demonstrate how the Vision has been carried through. The Design and Access Statements should also set out how it is intended to deliver the Vision at the reserved matters and implementation stages.	N/A		No change proposed
7.2	PLANNING APPLICATIONS			
7.2.1	It is expected that Infinity Garden Village will be developed over a period of between 10 and 20 years. Over this period, planning applications seeking approval for the principle of types of development (outline applications) will be submitted. All outline applications, to the extent relevant, will need to demonstrate how they comply with the requirements of this DFD, alongside relevant provisions of the Local Plan(s), by way of Design and Access Statements (DAS).	N/A		No change proposed
	N/A	<p><u>DCountyC:</u></p> <p>Planning applications for certain elements of the IGV may be subject to the EIA Regulations and require submission of an Environment Statement in support of the planning application.</p> <p>➤ Amendment made</p>	<u>7.2.2</u>	<u>Planning applications for certain elements of the IGV may also be subject to the EIA Regulations and require submission of an Environment Statement in support of the planning application. The need for and scope of such a statement will be established at an early stage so to ensure the smooth submission</u>

Para §	Current text	Comments	Rev §	Proposed text
				<u>and assessment of the application(s).</u>
7.2.2	Where the principle of development is granted, the developer(s) will be expected to enter into a legal agreement to provide the mechanisms for delivery of on and off-site infrastructure, including financial contributions and affordable housing. Where appropriate, agreements will be consolidated and reviewed across the development period so to reflect changes in circumstances - particularly in respect of third-party projects and off-site infrastructure.	N/A	<u>7.2.3</u>	No change proposed
7.2.3	Detailed applications (reserved matters and/or full applications) will also be submitted over this period. All such applications, to the extent relevant, will need to demonstrate how they comply with the requirements of the relevant DAS, alongside relevant provisions of the Local Plan(s).	N/A	<u>7.2.4</u>	No change proposed
7.3	MANAGEMENT OF INFRASTRUCTURE			
7.3.1	As has been set out above, Infinity Garden Village will provide a wide range of infrastructure. Some of this, such as the majority of roads and utilities, will be 'adopted' by statutory authorities and undertakers and maintained at the public expense. Developers will be required to pay an initial 'commuted sum' towards its upkeep.	N/A		No change proposed
7.3.2	Ownership and management of some other	N/A		No change proposed

Para §	Current text	Comments	Rev §	Proposed text
	infrastructure, such as SuDS, play areas, open space and landscaping, may be adopted by the local authority in full or in part, or retained by an appointed management company. All applications will be required to demonstrate how relevant infrastructure will be maintained and managed over the long term.			
7.3.3	Provision will also be made to ensure that areas transferred to management companies are subject to a regular review and replacement/upgrade of facilities within those areas (such as children's play areas, footpaths and footbridges, etc.)	<p><u>DCC:</u></p> <p>The IPD Management Company is mentioned</p> <ul style="list-style-type: none"> ➤ No further explanation as to what this comment seeks is provided. No amendment made at this time. 		No change proposed

GLOSSARY**GLOSSARY**

<u>Blue infrastructure</u>	<u>Open areas of sustainable drainage systems, comprising of watercourses, swales and attenuation basins</u>
<u>CCG</u>	<u>Clinical Commissioning Group</u>
<u>DCC</u>	<u>Derby City Council</u>
<u>Green infrastructure</u>	<u>Open areas of planted landscaping, comprising pedestrian and cycle routes through public open spaces, woodland planting, children's play areas and village greens</u>
<u>Green wedge</u>	<u>Areas of predominantly open land that penetrate the City from the surrounding countryside, providing separation between different neighbourhoods and land uses</u>
<u>Infinity Park</u>	<u>The existing employment area adjacent to the Rolls Royce works to the north of IGV</u>
<u>Infinity Park extension</u>	<u>The allocated extension within the City to the existing Infinity Park</u>
<u>IGV</u>	<u>Infinity Garden Village, as defined by policy INF13 (map 5) of the SDDC Local Plan Part 2</u>
<u>SDDC</u>	<u>South Derbyshire District Council</u>
<u>SDITL</u>	<u>Southern Derby Integrated Transport Link</u>

[Appendix 1: Constraints and opportunities plans](#)

[Appendix 2: IGV Visionary plan](#)

DEVELOPMENT FRAMEWORK DOCUMENT

Infinity Garden Village

Version control

Version	Status	Dated
1.0	DRAFT	November 2017
1.1	DRAFT	January 2018
2.0	DRAFT	February 2018
2.1	DRAFT	February 2018
2.2	DRAFT	March 2018
3.0	DRAFT	May 2018
3.1	DRAFT	May 2018

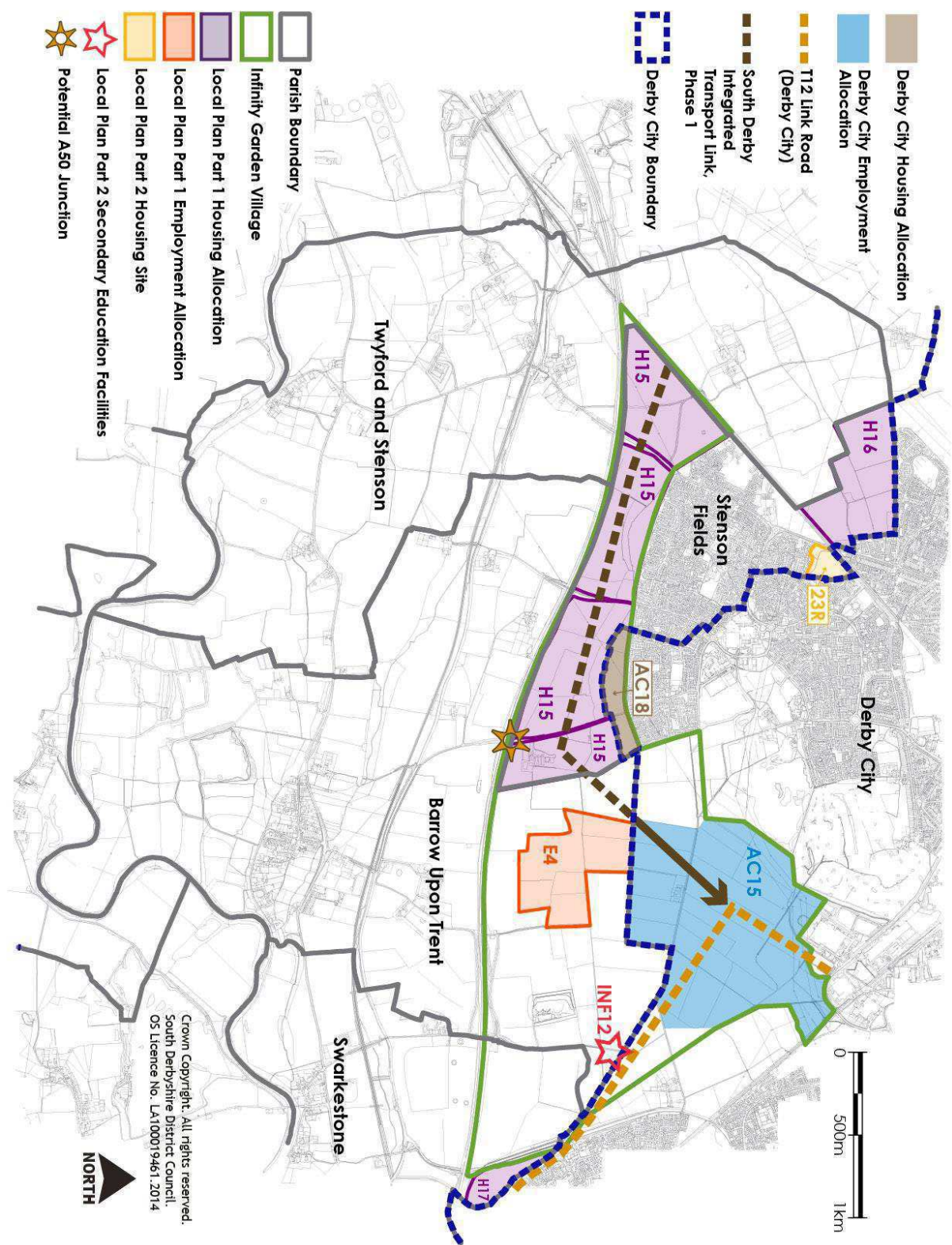
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INTRODUCTION

1.1 BACKGROUND

- 1.1.1 On 2 January 2017 the Government announced its support for the delivery of 14 new garden villages across England. Infinity Garden Village (IGV) is one of these, located on the southern edge of Derby and straddling the administrative boundary of both South Derbyshire District Council (SDDC) and Derby City Council (DCC). At a sub-administrative level, the site presently affects Stenson Fields, Barrow upon Trent, Swarkestone and a small corner of Twyford & Stenson parishes within the District; and the Sinfen and Chellaston Wards within the City. It is also adjacent to the Chellaston Neighbourhood Area along its north-eastern edge.
- 1.1.2 The IGV concept emerged from various components of proposed growth in the southern Derby area, now committed in the Local Plans of both Derby City and South Derbyshire, in the area of land framed by Rolls Royce to the north, Chellaston to the east, the A50 to the south and Sinfen in the west. The IGV area is reproduced on the next page for ease of reference.
- 1.1.3 The key components of Infinity Garden Village, as shown over the page, are:
- the delivery of around 2,130 new homes on land at Wragley Way, supported by a primary school, local centre and extensive network of green and blue infrastructure (SDDC Policy H15 and DCC Policy AC18);
 - the delivery of around 117 hectares of new employment space as an extension to Infinity Park Derby (SDDC Policy E4 and DCC Policy AC15);
 - the delivery of a new secondary school (SDDC Policy INF12); and
 - the delivery of new transport infrastructure including the Southern Derby Integrated Transport Link (SDITL) (SDDC Policy INF4 and DCC Policy CP24) and a new junction on the A50 (SDDC Policy INF13).
- 1.1.4 The Expression of Interest for IGV highlighted the potential growth option for a further 1,200 homes on the Lowes Farm element of the IGV site. The land in question is not allocated for housing development in the SDDC Local Plan. Similarly, potential for additional employment floorspace has been indicated. Again, this land is not allocated for employment development in either Local Plan. However, a broad location for the provision of a new secondary school has been indicated. This land was identified for early delivery to meet both the needs of IGV itself and the wider needs associated with other housing growth proposed on the southern fringe of Derby and the surrounding area.
- 1.1.5 In recognition of the need to co-ordinate the delivery of these new homes and jobs with the delivery of infrastructure to support them, the South Derbyshire Local Plan Part 2 includes Policy INF13 with this specific aim in mind. Policy INF13 identifies the preparation of a joint Development Framework Document (DFD) in collaboration with SDDC, DCC, Derbyshire County Council ('the County Council') and the proposed developers.



1.2 PURPOSE & SCOPE

- 1.2.1 The purpose of this DFD is to both fulfil the requirement as set out in SDDC Policy INF13 and to guide the delivery of development in support of the IGV proposal. It is intended that the DFD is regularly reviewed and updated to act as a ‘living document’, responsive to changing circumstances throughout the timeframe for delivery of IGV.
- 1.2.2 The DFD is intended to provide the framework and a masterplan for the consideration of planning applications within the Infinity Garden Village area, primarily to ensure that each planning application works towards creating the design vision for the site and contributes proportionally to the delivery of the required infrastructure to deliver the wider scheme. The detail of individual areas will be provided through Design and Access Statements at the relevant time, with it recognised that some elements of the village already benefit from permissions with specific layout and access parameters. Whilst it will be necessary to mould the wider site around these and other constraints; the DFD vision is expected to transfer all the way through to the implementation of the development as follows:



- 1.2.3 The DFD vision is supplemented by broad principles for the site. The vision and principles should be fully realised through the masterplan, subsequent Design Code, and site specific statements and plans. The Vision should be seen as a golden thread which applies across all stages of design and delivery of the site. The DFD also identifies what is presently considered to be the required infrastructure to support Infinity Garden Village and the mechanisms by which planning application proposals will contribute to the proportional delivery of that infrastructure. However, the DFD is not intended to provide a prescriptive set of criteria and design principles that require strict adherence.

- 1.2.4 It is anticipated that the delivery of IGV will take many years, during which the approach to later stages of design and implementation may change. What will not change is the need to establish an environment which delivers a good quality of life for residents and workers and, by way of the creation of significant new green and blue infrastructure, flourishing habitats for wildlife. These factors form a key element of the vision for the site and are important in establishing an identity for IGV. However, it is also recognised that substantial changes in circumstances may arise which require amendment of the vision and the overarching principles.
- 1.2.5 The DFD is formulated on the basis that infrastructure will be delivered primarily by developers (by way of financial contributions and/or directly as part of the implementation of the village), but it is also responsive to the possibility of early delivery of infrastructure, funded externally. Bids for Government funding have already been made, such as that available under the Housing Infrastructure Fund and the Garden Towns Programme, and it is likely that further expressions of interest and bids will follow.

1.3 ENGAGEMENT

- 1.3.1 An Infinity Garden Village Liaison Group has been established, consisting of elected Parish, District and City members, representing local constituencies; Council Officers from the District, City and County; Neighbourhood Planning Bodies, business representatives; representatives from the landowners and proposed developers; and local residents.
- 1.3.2 The Group will be used to share progress on the delivery of IGV and seek feedback from the community and to understand how they presently use the site, what it means to them and what their expectations are for the future. It is acknowledged that the existing community will one day form an essential part of the extended community that this development will create. The vision expresses a desire to create a strong sense of community, and efforts will be made to integrate the existing and new communities. Regular, meaningful, proportionate and relevant public engagement therefore forms a key element of achieving the vision and principles of this DFD.

CONTEXT

2.1 SITE & SURROUNDING AREA

- 2.1.1 The IGV area extends to over 450 hectares (as shown on page 2). The site is generally flat, comprising primarily agricultural land enclosed by hedgerows with limited tree planting and pockets of woodland. There are a combination of watercourses and open field drains across the site, and areas are prone to periodic flooding.
- 2.1.2 The landscape character of IGV falls within The Trent Valley Washlands, comprising of a mixture of Lowland Village Farmlands and Wet Pasture Meadows. These landscape character areas and their associated farms possess a special character that is described further in the Landscape Character of Derbyshire.
- 2.1.3 The site contains a variety of wildlife habitats, including for example semi-improved neutral grassland, species rich hedge with trees, wet and dry ditches, standing and flowing water, semi-natural broadleaved woodland. The site includes a small part of the Sinfin Moor Local Nature Reserve (LNR), a statutory designated site that lies within the City.
- 2.1.4 The existing Infinity Park to the north is part of the Nottingham and Derby Enterprise Zone which aims to create a focus for the further development of advanced manufacturing and related services, especially transport engineering supply chains. The first building on the enterprise zone, an innovation centre known as I-Hub, was opened in July 2016. The Rolls Royce manufacturing plant also lies within this area. Permissions have already been granted for further employment floorspace within the DCC allocation within IGV.
- 2.1.5 To the east is the residential suburb of Chellaston, the nearest parts of which are comprised of housing estates constructed during the 1990s and 2000s, bounded by the Sustrans cycle link that runs along the former Derby and Sandiacre canal corridor towards the City Centre. This canal corridor forms the eastern edge of IGV beyond which a cross-boundary housing site at Holmleigh Way is under construction. An existing local centre within Chellaston is close to the IGV area, including a convenience store and the Chellaston Medical Centre.
- 2.1.6 The Derby Southern Bypass (A50) to the south provides a strategic link between the M1 in the east and the A38 and M6 to the west. Connectivity to the A38 provides further strategic links to Birmingham. Whilst the new T12 roadlink (Infinity Park Way) between the Bonnie Prince A50 junction to the south of Chellaston and Rolls Royce to the north has now been provided, there remain concerns in respect of congestion at key junctions in the area - on both County Council and DCC roads, particularly at peak times.

- 2.1.7 Stenson Road and Sinfin Lane (beyond Stenson Fields to the north of Wragley Way) provide key but constrained connections into the City, whilst Wragley Way and Infinity Park Way presently provide a degree of east to west movement - although incomplete at present. Deep Dale Lane, Arlestone Lane and Stenson Road provide rural and leisure connections to the south, traversing the A50, towards the Trent and Mersey Canal. The canal is a conservation area and provides an important leisure resource for the area and includes a marina and public house at Stenson. Sinfin Moor Lane presently provides a non-vehicular route between Sinfin and Chellaston.
- 2.1.8 Sinfin to the north-west is one of the most deprived areas of Derby and is in the bottom 20% of wards in the national index of multiple deprivation. Stenson Fields adjoins Sinfin. There are numerous services and facilities close by, within these areas including:
- Sinfin District Centre - including an Asda superstore, Sinfin Library and Health Centre;
 - City of Derby Academy, a new secondary school;
 - Stenson Fields and Ashcroft Primary Schools;
 - Sinfin Park with several sports pitches, a play area, community buildings and cafe;
 - Sinfin Golf Course - a municipal 18-hole golf course; and
 - Sinfin Moor Park Local Nature Reserve.
- 2.1.9 The western limit of IGV is formed by the Derby to Birmingham railway line, passing through Burton-upon-Trent. Beyond this line is open agricultural land stretching west towards Findern and the A38. To the north-west, beyond the recently constructed housing development on Stenson Road, is a further allocation for housing within the SDDC Local Plan - known as Primula Way, allocated for circa 500 houses.
- 2.1.10 Constraint and opportunities plans are included at Appendix 1. These visually present a context of the site and surrounding area, as well as the following policy constraints; and provide the 'layers' which inform the visionary plan included at Appendix 2.

2.2 POLICY & IGV STATUS

- 2.2.1 IGV straddles the local authority boundaries for SDDC and DCC such that there are a number of relevant Local Plan policies for both authorities supporting the need for and steering the layout and infrastructure to support the village. Crucially both authorities rely on IGV for delivery of identified housing and employment needs, with both also within the same Housing Market Area. The following sections of the DFD seek to bring together the overall policy context for IGV and set out the implications for development.
- 2.2.2 The South Derbyshire Local Plan Part 1 was adopted in June 2016 and the Local Plan Part 2 was adopted in November 2017. The five policies most relevant to the delivery of Infinity Garden Village are:

- Policy H15: Wragley Way (South of Derby)
- Policy E4: Strategic Location for Sinfin Moor Employment Site Extension
- Policy INF4: Transport Infrastructure Improvement Schemes
- Policy INF12: Provision of Secondary Education Facilities, and
- Policy INF13: Southern Derby Area and Infinity Garden Village.

These policies are set out below.

Policy H15: Wragley Way (South of Derby)

A Residential development on Land at Wragley Way will provide for around 1,950 dwellings within South Derbyshire.

B The Council will require the below listed site specifics and accordance with other Local Plan policies:

- i) New highway infrastructure to mitigate the transport impact on the local and strategic road networks of the whole site. This will include the provision of and/or contributions to the construction of the South Derby Integrated Transport link;
- ii) Developer contributions are to be made towards improvements to the A50/A514 and A50/A38 junctions to safeguard the operation of the Strategic Road Network;
- iii) Any development should not prejudice the construction of a potential junction connecting the site to the A50, which may potentially be needed following the completion of the South Derby Integrated Transport Link;
- iv) The provision of sufficient new primary school provision on site for the development as a whole;
- v) High quality pedestrian and cycle links should be provided across the site and to the nearby residential, retail, and employment developments together with recreational areas;
- vi) The number of homes to be occupied before completion of the South Derby Integrated Transport Link shall be agreed with the Council;
- vii) A new on-site local shopping centre shall be provided which should be commensurate in size to the needs of the community, taking into account the surrounding retail provision available. The location of the centre should be the focal point at the heart of the new community;
- viii) The east, south and west of the site will require a green buffer and landscaping from the railway line and the A50 and enhancements to a defensible boundary along Sinfin Moor;
- ix) Improvements to existing green infrastructure shall be made, along with the provision of new green infrastructure on site.

Policy E4: Strategic Location for Sinfin Moor Employment Site Extension

Land at Sinfin Moor is identified for development beyond 2018 for Use Class B1(b), B1(c), B2 and B8 purposes as an extension to planned new employment development at Sinfin Moor.

Explanation

Land measuring around 30 ha is identified as having the potential to create a comprehensive, coordinated and well integrated extension to Derby City's proposed Infinity Park at Sinfin Moor....

Policy INF4: Transport Infrastructure Improvement Schemes

A The Council will work with partners to deliver the following transport schemes...:

- ii) South Derby Integrated Transport Link phases 1 and 2
- iii) A50 junction with the A38 improvement scheme
- iv) A50 junction with the A514 improvement scheme
- v) Swarkestone Causeway Bypass

B Where required to mitigate the transport impacts of the development, the Council will seek to negotiate financial contributions toward these schemes. Proposals that would prejudice their implementation will not be permitted.

C In determining the detailed alignments and designs of these schemes regard shall be had to the following:

- i) Minimising the impact on the environment, heritage assets and natural features;
- ii) Taking full account of recreational routes along, or affected by, the schemes;
- iii) Providing for the needs of pedestrians, cyclists and people with impaired mobility;
- iv) Mitigating any potential flood risk impact.

Policy INF12: Provision of Secondary Education Facilities

Land at Southern Derby Area/Infinity Garden Village (shown on Map 5) is allocated for secondary education provision. The site will be identified through the provisions of Policy INF13. The school will provide for:

- i) a minimum 800 pupil place secondary school; and
- ii) of a minimum of 10 hectares; and
- iii) served directly from a distributor road access; and
- iv) be designed and laid out so as to minimise any undue impacts on surrounding land uses and the wider environment; and
- v) include assessment and any necessary mitigation of transport impact on the surrounding road network and pedestrian and cycle links.

Policy INF13: Southern Derby Area and Infinity Garden Village

Development proposals and cross boundary collaboration will be supported in the Southern Derby Area as shown on Map 5 for a mix of uses as part of the Infinity Garden Village development.

In order to implement this development comprehensively and support the required infrastructure delivery, a joint development framework document will be prepared to guide the development and cross boundary collaboration between the Council, Derby City Council, Derbyshire County Council and developers.

The development framework document once approved will guide the delivery of the following development in support of the Infinity Garden Village proposal:

- Policy H15 Wragley Way (LP1)
- Policy E4 Strategic Location for Infinity Park Extension (LP1)
- The South Derby Integrated Transport Link (LP1 Policy INF4)
- A new Local Shopping Centre (LP1 Policy H15 vii)
- Green and Blue Infrastructure (LP1 Policy H15 ix) across the Southern Derby Area with consideration to Derby City's Green Wedge policy
- New secondary school (LP2 Policy INF12), the location of which is to be defined by the development framework document
- An A50 junction at Deepdale Lane to serve the Southern Derby Area proposals (LP1 Policy H15 iii)

Until the development framework document is approved, any necessary infrastructure required to deliver the comprehensive approach will be supported.

- 2.2.3 Whilst not directly relevant to the IGV, policy INF2C (Sustainable Transport) of the Local Plan Part 1 seeks to protect land adjacent to the Derby to Birmingham railway line:

“v) Land is protected for against development that would prejudice the establishment of a new passenger railway stations at... Stenson Fields....”

Whilst indicatively shown to the west of the railway line, IGV provides potential to provide for this aim of the Plan through facilitating non-vehicular modes of transport to the western boundary of the site and a connection over the railway line.

- 2.2.4 Policy INF2B also states:

“i) The Council will work in partnership with County Councils, neighbouring local authorities, the National Forest Company, charitable organisations, landowners and developers to secure the expansion, improvement and protection of walking and cycling networks, including public rights of way, cycle routes, greenways and supporting infrastructure. Routes should be coherent, direct, continuous, safe, secure and attractive and should contribute to the wider green infrastructure network wherever possible.”

- 2.2.5 The Derby City Local Plan - Part 1 Core Strategy was adopted in January 2017. The three policies most relevant to the Infinity Garden Village are:

- Policy AC15: Land South of Wilmore Road, Sinfin (Infinity Park Derby)
- Policy AC18: Wragley Way
- Policy CP24: Transport Infrastructure

These policies are set out below.

Policy AC15: Land South of Wilmore Road, Sinfin (Infinity Park Derby)

86.8 hectares of land is allocated to the south of Wilmore Road for the development of a new high quality business park accommodating B1, B2 and B8 uses. The site is identified for the development of a unique, innovation and technology park that will showcase and support innovation related to the automotive, rail, aerospace and energy sectors. It will provide high quality accommodation for companies in the manufacturing and manufacturing services

sectors.

The first development within the 'Infinity Park Derby' area of the site will be an 'Innovation Hub' including an 'Innovation Centre'. The Innovation Centre will provide managed workspace and showcase R&D facilities, networks and support that will be offered to companies locating in this area of the City.

The Council will:

- (a) support proposals which deliver a new link road between Wilmore Road and Holmleigh Way, provided that they do not prejudice the future restoration of the Derby and Sandiacre Canal. The road link will provide direct access to the new employment area from the A50. Developers of plots accessing the new road will be required to contribute towards design and construction costs
- (b) permit the development of offices (B1a) within all areas of the site, subject to the provisions of Policy CP11. The Council will have regard to the complementarity of such proposals with the vision for the site and the relationship with surrounding uses
- (c) limit the amount of B8 development across the whole site to 50% of overall floorspace, excluding complementary uses, in order to ensure that development is in-keeping with the vision for the area and does not prejudice the development of other employment sites within the city
- (d) encourage the development of on-site, small scale, complementary uses to serve the immediate employment area, where they would not undermine the overall strategy of the Plan and where proposals optimise the employment generating potential of the area. Complementary uses should be located centrally within the development to encourage walking and cycling
- (e) require the layout, scale, function and mix of development to respect the proximity of residential properties to the east and west of the site and open countryside to the south of the site. The layout and mix of development should also be compatible with the reasonable operation of the Rolls-Royce test beds on Wilmore Road
- (f) require proposals to maximise the development potential of the allocated area and exhibit high standards of urban design and landscaping throughout the site
- (g) ensure that access to the land to the south of Sinfin Moor Lane minimises the impact on the recreational and biodiversity value of the route and surrounding hedgerows
- (h) require comprehensive flood alleviation measures to satisfactorily mitigate flood risk, whilst maximising the developable area of the site
- (i) seek to protect and enhance the biodiversity resources and rights of way within the site and the amenity of nearby residential areas by requiring the provision of a network of green infrastructure throughout the site, including the provision of structural planting and non-motorised multi-user routes, including:
 - 1. A landscaped buffer along both sides of Main Drain / Sinfin Moor Lane
 - 2. A landscaped buffer along both sides of Cuttle Brook
 - 3. Structural planting on the eastern and western edges of the site, incorporating the rights of way

4. A landscaped multi-user route incorporating the rights of way from Sinfin Moor Lane to Wilmore Road
5. Measures to conserve and extend the woodland at Moor Plantation; and
6. Measures to maximise the biodiversity and amenity value of the areas of the site used for surface water management and flood risk mitigation

The Council will require appropriate alternative provision to be made to mitigate the loss or damage of environmental and recreational assets.

- (j) support proposals for delivery of the 'South Derby Integrated Transport Link', subject to the requirements of Policy CP24, and proposals that help provide sustainable and accessible links to new housing at Wragley Way
- (k) seek to ensure that the site is developed comprehensively and that development on one part of the site does not prejudice development of the remainder, its long term expansion or implementation of the 'South Derby Integrated Transport Link'
- (l) require proposals to take proper account of the Local Geological Site designation covering the area
- (m) work with developers, bus operators and other public transport providers to ensure that the site is adequately served by public transport, at an appropriate point in the phasing of development.

Policy AC18: Wragley Way

Land south of Wragley Way will form part of a new sustainable urban extension to Derby, the majority of which will be within South Derbyshire. Land within the City will deliver a minimum of 180 new, high quality, mixed tenure homes. The whole strategic location south of the urban extent of the City will provide over 2,000 new homes and supporting infrastructure when complete.

The City Council will work with South Derbyshire District Council to ensure that the new neighbourhood is comprehensively masterplanned, embraces high quality design standards and delivers a sustainable addition to the city. It will provide a range of new homes and will integrate with existing development along Wragley Way, helping to form a seamless extension to the built area of the City.

Similarly, green infrastructure links and pedestrian and cycle routes should be established to allow people to walk and cycle through the site and provide access to the new local facilities. They should also provide access to the existing local facilities at Sinfin District Centre, employment opportunities and links to the open countryside in South Derbyshire and the recreational benefits which it provides.

The Council will work with South Derbyshire District Council to ensure that :

- (a) new highway infrastructure is provided to help mitigate the impact of the development on the local and strategic road networks. This will include the development of, or contributions towards, the construction of the South Derby Integrated Transport Link. The potential for a new junction onto the A50 to be delivered in the future should not be prejudiced. Contributions may also be required towards improvements to the Strategic Road Network as necessary
- (b) appropriate primary school provision is made to serve the wider development as a whole
- (c) secondary school needs are met through the extension of existing facilities

- and/or the provision of a new secondary school
- (d) new on-site local shopping and community facilities are provided to meet the needs arising from the new development
 - (e) appropriate flood mitigation and drainage measures are implemented
 - (f) appropriate landscaping/buffering is provided between new homes and the proposed employment site south of Wilmore Road (Infinity Park), the Derby to Birmingham railway line west of Stenson Road, the Local Wildlife Site/Local Nature Reserve at Sinfin Moor Lane Meadows and between new homes and the A50 trunk road
 - (g) a mix of new green infrastructure is provided to meet the needs of residents. Green infrastructure should be integrated to create a cross boundary network of green spaces
 - (h) improvements to the Green Wedge at Sinfin Moor. The boundaries of the Green Wedge should also be strengthened
 - (i) cycleway and pedestrian links are provided and/or improved across and around the site including links to Infinity Park, the local District Centre at Sinfin and to the open countryside and wider rights of way network

Within the City, the City Council will require development:

- (j) to be designed to integrate fully with the larger element of the development in South Derbyshire, particularly in terms of scale, design and road, cycle and pedestrian links
- (k) where appropriate, to contribute to the provision of supporting infrastructure which will be required as a result of the development. Supporting infrastructure will be carefully planned and co-ordinated between the two authorities and may be required within the City and/or South Derbyshire

Policy CP24: Transport Infrastructure

The Council will work with partners to deliver the Council's long term transport strategy in association with the Local Transport Plan and support the implementation of strategic proposals and initiatives that help create an economically and environmentally sustainable transport network.

Initiatives will include...:

- (b) implementation of 'T12' and the 'South Derby Integrated Transport Link' Phases 1 and 2...
- (d) implementation of improvements at the A50 junctions with the A514 and A38...
- (h) implementation of a strategic cycle network...
- (j) implementing the restoration of the Derby Canal...

The Council will seek to negotiate financial contributions to these schemes in appropriate circumstances. Proposals that prejudice the implementation of these schemes will not be permitted.

The detailed route of the South Derby Integrated Transport Link (CP24b) will be subject to further investigation. However, in determining the final route and design, regard should be had to the following issues:

- minimising the impact on the environment and natural features, including the impact on noise and residential amenity

- taking full account of recreational routes along, or affected by, the link
- safeguarding the option to restore the Derby and Sandiacre Canal for navigation
- providing for the needs of pedestrians, cyclists and disabled people.

- 2.2.6 There are further relevant policies within the DCC Core Strategy. Of significance is policy CP18 which designates and controls development within green wedges. There are two green wedges which either partly permeate into the site, or adjoin it. In the green wedge, policy CP18 confirms that development for public utilities will be allowed where it can be shown that a suitable site outside the green wedge is not available. It is an aim of the policy to ensure that development adjacent to a green wedge does not endanger the character and function of the wedge, and where urban extensions occur, the principle of the green wedge itself will be continued. This latter aim is recognised in SDDC policy INF13. Policy CP18 is also aided by DCC policies CP16 (Green Infrastructure) and CP19 (Biodiversity).
- 2.2.7 The status of IGV is therefore enshrined in the Development Plans for both SDDC and DCC, and the DFD carries material weight under policies therein.
- 2.2.8 Notwithstanding the above policy position, it is recognised that the delivery of the IGV will require a financially viable development and proposals for additional development may be received. Such applications would be considered with regard to this DFD, but be primarily assessed against the prevailing planning policies of the relevant Local Plan(s). Where necessary, such applications would need to be supported by robust justification and, where relevant, a sequential test(s).

2.3 THE VISION

- 2.3.1 Infinity Garden Village will create a sustainable community to the south of the City of Derby, delivering around 2,130 new homes and at least 5,000 new jobs commensurate with infrastructure. It will include supporting community facilities, including primary and secondary schools, a new vibrant local centre, all set within high quality green and blue infrastructure to provide the Village with its own distinct character. Quality public spaces will unite and connect the community facilities together, creating spaces between buildings where people can meet, relax and spend time, providing opportunities for a strong local community to flourish and engage with its environment. The village will also benefit from well-connected, convenient and attractive pedestrian, cycling, public transport and vehicular routes.
- 2.3.2 Whilst being in part self-contained, the high quality green linkages delivered through IGV will provide good accessibility to surrounding areas and destinations within the development.
- 2.3.3 Infinity Garden Village will derive its distinctiveness from:

- Substantial and high quality green and blue linkages, running north to south and east to west throughout the village to not only provide attractive, well used, and continuous networks for wildlife, pedestrians and cyclists within the village; but to also connect the village with surrounding areas and habitats , including green wedges within the City;
- The use of innovative Sustainable Drainage Systems (SuDS), ensuring that the water management strategy becomes a quality feature of the landscaping and an integral part of the layout;
- Incorporating existing wildlife habitats as much as possible, retaining hedgerows, trees, woodland and waterways and using these features as a base upon which to design the rest of the scheme, supplementing them with new areas of habitat, and providing compensatory habitat where retention is not possible;
- The creation of community focused green spaces and gardens, where social interaction can be embraced;
- A strong and well defined ‘centre’ to the residential element of the village, easily accessible to all and containing attractive and useable public realm and a mix of uses that are adequate to create a vibrant ‘heart’ with its use extending across different times of the day;
- A movement network which exhibits a range of different characters, with particular focus on the creation of green, well landscaped streetscapes, such as tree-lined avenues, and designed with the specific intention of encouraging travel by non-vehicular modes of transport, such as walking and cycling, as well as use of public transport.

2.3.4 The Infinity Garden Village community will be a place where people can experience a very high quality of life, where neighbourhoods will have an attractive mix of housing and public open spaces and access to a range of new and existing community facilities including primary and secondary schools, healthcare, outdoor sport and recreational opportunities and a range of high quality jobs.

2.3.5 The delivery of high quality employment space will also be a key focus of the development, including a mix of high quality premises suitable to accommodate research, manufacturing and distribution industries. It is a particular aspiration of DCC to create a unique innovation and technology park that will showcase and support innovation related to the automotive, rail, aerospace and energy sectors.

OVERARCHING PRINCIPLES

3.1 LAND USES

- 3.1.1 Whilst the plan on page 2 identifies the allocated developments in the Derby City and South Derbyshire Local Plans, the development of IGV will exceed the lifetime of both and hence needs to be responsive to changing housing, employment and infrastructure needs.
- 3.1.2 Fundamentally, the Village will have residential development to the south of Sinfin and Stenson Fields in the western part of the IGV area - this is the land allocated for around 2,130 dwellings at Wragley Way.
- 3.1.3 The central area of the IGV will be focussed on employment. This will be serviced by part of the SDITL that will link the recently constructed T12 road in the north to a new junction on the A50 in the south. As part of the IGV proposals, this area has also been identified as having potential to deliver further employment floorspace, although this would need to be considered under a future Local Plan review or a planning application.
- 3.1.4 A multi-functional blue/green corridor from Sinfin Moor Park in the north down to the A50 in the south will extend the role of existing green infrastructure, from the Sinfin green wedge in Derby, and help to provide an appropriate interface between these primarily residential and employment land uses. This has the potential to act as an extension to the green wedge. Further blue/green corridors will reach out east and west through the wider village from this central 'spine'.
- 3.1.5 New movement connections will be provided on an east to west axis and these will also run along green/blue linkages through the developments. Wherever possible, efforts will be made to combine transport routes with green/blue infrastructure in innovative and socially inclusive ways.
- 3.1.6 The linkages through the village will also connect with well-designed recreational infrastructure, with their location focussed towards the housing development.
- 3.1.7 To the east, land at Lowes Farm will deliver a new secondary school that will be accessed off the T12 route in the early years of delivering the village. This school should benefit from safe, direct and convenient pedestrian and cycle links so to encourage walking and cycling to school. Public transport routes created should also service this school, as well as the primary school in the housing allocation. As part of the IGV proposals, this area has also been identified as having a potential to deliver further homes, but that decision will be the subject of a future Local Plan review. It is also recognised that this area could facilitate an extension of the Chellaston green wedge.

- 3.1.8 In addition to homes, jobs and the new secondary school, Infinity Garden Village will also deliver at least one new mixed use local centre, providing a focus for the community and catering for convenience needs, the preferred location lying in the vicinity of the junction of Wragley Way and Arleston Lane. Any further retail elsewhere within IGV will need to be evidenced and justified against prevailing retail policy. A new primary school is also proposed as part of the Wragley Way development and its position is also envisaged to be close to the centre of the Wragley Way housing allocation. Community facilities should be located close to this local centre and enlivened with quality public realm as far as possible in order to compliment the community 'heart' described in the vision.
- 3.1.9 All of the above land uses, connections and facilities, along with off-site works and mitigation where necessary, will need to be delivered in a timely manner. Phasing plans will be developed at the planning applications stage, whilst use of Compulsory Purchase Powers may be considered if absolutely necessary.

3.2 MOVEMENT FRAMEWORK

- 3.2.1 The Movement Framework encompasses vehicular, pedestrian and cycle links. In respect of movements, the framework is focussed on the delivery of four new elements of infrastructure:
- 1) Phase 1 of the SDITL, which runs from the western boundary of the IGV area through to the T12 roadlink in the north, provides the majority of required mitigation for traffic generated from the village;
 - 2) A new junction on the A50 into which the SDITL will link to facilitate more direct movements to and from the strategic road network, and potentially provide mitigation on the wider network;
 - 3) A network of green and blue infrastructure providing for inter-connected routes to both encourage commuting to places of work and services, and promote higher levels of leisure and recreational use; and
 - 4) A viable network of estate roads which could support bus routes, allowing for direct and regular bus services to take residents and workers to and from their homes and places of work and education.
- 3.2.2 It is anticipated that the delivery of the new A50 junction and that part of the SDITL from the new junction up to T12 will be delivered first. This is in order to provide a dedicated access to Infinity Park Derby to allow the extension of Infinity Park Derby to proceed and to also alleviate traffic pressures on the Bonnie Prince junction on the A50. It would also assist in the early delivery of housing to the eastern end of the Wragley Way housing land.

- 3.2.3 The development will provide a network of connected and continuous dedicated pedestrian and cycle linkages, some set within green/blue corridors to provide high quality non-car transport options between homes and places of work, local services and facilities both within the Infinity Garden Village and within the neighbouring areas of Chellaston, Sinfyn and Stenson Fields. Linkages will run both north to south and also east to west. These corridors will help to provide a green framework within which development parcels will sit and promote the drawing in of a green environment into these parcels.
- 3.2.4 The focus towards delivery of the SDITL, A50 junction and pedestrian and cycle linkages will result in some existing routes becoming downgraded from vehicular routes to greenways. These may be on or off the site, and will be informed by traffic modelling for the wider village and subsequent development proposals.
- 3.2.5 Public Transport provision will be secured to connect the village to Sinfyn, Stenson Fields, Chellaston, Rolls Royce and Derby City Centre. The detailed design will facilitate circulatory bus routes broadly following the entire SDITL route, although the street network and layout should also be designed to have regard to the most viable public transport routes for operators. There shall be liaison between the service providers, Councils, and developers in establishing the routes.
- 3.2.6 The timing and delivery of all these connections and services will be integral to ensuring a sustainable form of development at all stages in the delivery of IGV. Early delivery will be encouraged where there is the capacity for associated infrastructure to sustain this.

3.3 FINANCING & DELIVERY

- 3.3.1 Key issues for development of Infinity Garden Village are the delivery of the SDITL and the new junction on the A50. The provision of and/or contributions to the construction of the SDITL is a requirement of SDDC policy H15 and DCC policy CP24, whilst other off-site infrastructure improvements may also be required.
- 3.3.2 The developers of the Wragley Way housing allocation are providing for the delivery of the SDITL that will pass through its land interest - to the eastern and western extremities of the allocation site. Across the housing allocation this will be designed in response to the transport modelling and delivered in phases as the Wragley Way site is built out and be designed so not to prejudice the ability of this east to west link to cater for any future development needs on the southern edge of Derby.
- 3.3.3 The Infinity Park employment extension requires the SDITL to extend from the T12 road in the north to this development site and to the south, to connect to the A50. A new junction on the A50 at Deep Dale Lane will not only provide better access to the Infinity Park Southern Extension; it will also assist in tying the two elements of the SDITL together.

- 3.3.4 The landowners who are required to deliver the SDITL and new junction on the A50 through to the T12 link road, together with the IGV developers and the three local authorities, are jointly pursuing the delivery of this infrastructure to unlock both housing and employment development as part of IGV. This is perhaps seen as a crucial part of the SDITL in unlocking the delivery of the IGV and forms the primary element of infrastructure, currently being developed ahead of a formal planning application.
- 3.3.5 Planning applications for housing, employment or commercial uses will need to demonstrate that the development proposed is proportionally contributing to the delivery of this key piece of infrastructure. A mechanism to ensure this is achieved will be developed promptly between the authorities and the promoters/landowners whilst continued efforts will be made to secure available grant funding. Any development coming forward in advance of this infrastructure being provided will need to demonstrate that it can be accommodated without resulting in any unacceptable highways impacts and without triggering the need for the SDITL.
- 3.3.6 Provision must also be made for all development within Infinity Garden Village to contribute proportionately to the overall cost of delivering the remaining infrastructure required to support development and community needs (in so far as relevant to the type of development concerned). This is in relation to both on-site (i.e. within the boundaries of specific development proposals), within the wider Infinity Garden Village, and off-site.
- 3.3.7 The vast majority of infrastructure provision will be provided as part of planning application proposals but in line with the overarching development principles set out in the DFD. In respect of the Wragley Way housing proposals, the developer will need to ensure the phased delivery of necessary infrastructure within the allocated site including:
- New primary school;
 - New local centre(s);
 - Community facilities;
 - Healthcare facilities, where feasible;
 - Recreational facilities;
 - Open space and landscaping.
- Given the Vision for the IGV, early delivery of social infrastructure, and green/blue linkages, will be promoted, subject to phasing and viability.
- 3.3.8 All development proposals will need to make appropriate provision for drainage, landscaping, estate roads, bus routes, cycling and walking connections and open space, having regard to the Vision and the more detailed proposals set out within this DFD.
- 3.3.9 The proposed secondary school on the Lowes Farm site will be delivered by the County Education Authority, funded in part by contributions from various residential development proposals in and around Derby - including housing development within IGV.
- 3.3.10 Infrastructure will be required outside of the employment and housing allocations to support the Infinity Garden Village proposals. This includes:

- Those parts of the SDITL that are not part of the Wragley Way housing site or part of the Infinity Park Derby Southern Extension;
- The new junction on the A50;
- Walking and cycling connections between the Wragley Way housing site and Infinity Park Derby Southern Extension, and also between Sinfin and Chellaston and the new secondary school site;
- Potential vehicular connections between the SDITL and Infinity Park Derby Southern Extension (as may be informed by transport modelling);
- Drainage, landscaping and open space provision along those areas of the SDITL not within the allocations;
- Any compensatory measures necessary to mitigate impact or loss, particularly in relation to public open space, sports pitches and the local nature reserve as well as offsetting any necessary loss of green wedge through creation of new suitable space for future designation.

A mechanism to ensure this infrastructure is delivered at the correct time will be developed.

3.4 CLIMATE CHANGE & ENERGY CONSUMPTION

- 3.4.1 Drainage infrastructure must be designed holistically, so that infrastructure for one development within IGV does not prejudice another being brought forward, and to account for climate change predictions, including an element of 'urban creep' to offset changes to property over the lifetime of the village.
- 3.4.2 To reflect the drainage dynamics of the existing site, water consumption should also be reduced. Domestic and commercial properties will be expected to deploy water efficient fittings and fixtures to reduce daily consumption, linked to rainwater capture and greywater harvesting in certain circumstances.
- 3.4.3 Soft landscaping should be promoted within individual properties and the public realm given careful siting and choice of trees, etc. can assist with surface water drainage, cooling of buildings and improvement of air quality.
- 3.4.4 Employment and domestic buildings should be built to low-carbon standards with high levels of energy efficiency (above that required by building regulations where viable/feasible). Orientation of buildings should maximise solar gain to reduce reliance on artificial methods of heating and lighting. Inclusion of solar arrays on roofs to employment units, linked to battery storage (subject to related noise, etc. impacts) should be considered, whilst individual energy generation technologies for dwellings (e.g. ground and/or air source heat pumps, solar thermal and solar PV) should also be promoted where feasible. Low emissions vehicle charging points should also be included so to encourage a shift from fossil fuel powered motor vehicles to electric vehicles.
- 3.4.5 Consideration will also be given to district-wide energy generation, distribution and use by way of community heat and electricity infrastructure, especially given opportunities presented by the significant commercial development to the north around the Rolls-Royce campus.

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INFRASTRUCTURE

4.1 HIGHWAYS

- 4.1.1 In addition to the SDITL, Infinity Garden Village will include a variety of road types suited to the needs of the types of development they serve. The design and route of the SDITL and other roads will be agreed with the relevant Planning and Highway Authorities, with reference being made to national design guidance set out in Manual for Streets (I and II) or Design Manual for Roads and Bridges, as appropriate.
- 4.1.2 Effort will be made, particularly where within or adjoining residential development, to design the streets so that they incorporate hard and soft landscaping features to make them visually attractive and suitable for all ages and abilities. The coming together of blue and green infrastructure along these routes will be of particular importance.
- 4.1.3 Conjoined and segregated walking and cycling routes will be provided at the appropriate times to provide a choice of safe, convenient and attractive routes through the village and to nearby areas. This may include the use of shared surfaces where appropriate, as well as temporary routes whilst surrounding development is built out.
- 4.1.4 New and/or extended bus services will be facilitated through the site by the creation of logical, convenient and well-designed routes. Attention will need to be given to the timing and frequency of such services, recognising the modern 24-hour employment models for many logistics and manufacturing companies, as well as the point at which there is sufficient 'mass' to make services viable. Effort will be made to engage with such operator(s) at an early stage so to inform planning applications and layouts.
- 4.1.5 Provision for on and off-street parking will be made in a mixture of styles. Consideration will be given the level of allocated parking for particular uses and size of dwellings proposed.
- 4.1.6 It will be important to minimise and mitigate any adverse effects of existing routes beyond IGV. Consideration will be given to downgrading Arleston Lane and Deep Dale Lane (within the site) to a greenway, and enhancing Sinfin Moor Lane as a greenway, along with measures to discourage use of Deep Dale Lane south of the A50. Consideration may also be given to reinstating two-way vehicular movement and a pedestrian bridge over the railway at Stenson Road.

4.2 DRAINAGE

- 4.2.1 It will be expected that existing drainage networks will be retained and improved, as far as is practicable, and incorporated within 'green infrastructure' areas where possible. These will form a critical part of the unique identity of the village and will contribute to and connect with new drainage networks created.

- 4.2.2 Existing flood risk will be mitigated whilst new surface water drainage will be delivered in a variety of methods, creating multiple ‘trains’ of water attenuation and treatment which can be accessible to and enjoyed by residents and employees within IGV.

4.3 LANDSCAPING & OPEN SPACE

- 4.3.1 Infinity Garden Village will provide significant areas of new landscaping and open space. This will include both formal and more natural planted areas. Housing development will include all levels of children’s play areas and further opportunities for informal sport and recreation. It will also include provision of allotments and orchards to promote social cohesion and sustainable lifestyles.
- 4.3.2 Existing public open space, sports pitches, hedgerows and trees will be retained within open spaces and enhanced with additional planting where possible. Existing watercourses will similarly be retained and enhanced, whilst shared open space use of SuDS will be incorporated where practical.

4.4 UTILITIES

- 4.4.1 Utility networks will be extended and reinforced to serve Infinity Garden Village, including provision for high speed broadband. This should include fibre to premises connections so ensure high speed delivery all the way from the exchange to devices. Attention will be given to siting of below ground utilities to enable future transport needs to be met whilst also minimising disruption to landscaped areas.

4.5 SOCIAL, HEALTH & EDUCATION

- 4.5.1 The community, healthcare and education facilities and services provided within Infinity Garden Village will aim to primarily meet many of the day-to-day needs of those living and working within the development. This will include the safeguarding of suitable sites where appropriate. The Clinical Commissioning Group (CCG) will be encouraged to deliver primary healthcare needs on site. Where certain needs cannot be met within the village, such as secondary healthcare or certain types of sport provision; safe and convenient links will be provided to other nearby facilities and services, such as those at the Sinfin District Centre and further afield within Derby. This may require off-site works and/or financial contributions to secure physical improvements and in turn more attractive connections and routes. These links will also promote two-way movement, and encourage existing residents to utilise the provision made within IGV and contribute to its vibrancy. Facilities should be co-located wherever appropriate to encourage linked trips, create a community ‘heart’ and increase the likelihood of walking and cycling.
- 4.5.2 The sports needs for the residents of IGV will be primarily catered for by supporting the improvement of facilities within Derby City. That said, all residents should have high quality green spaces within walking distance of their homes to encourage informal sports activity.

4.6 RETAIL

- 4.6.1 Infinity Garden Village will include retail services, focussed on meeting local needs including those living within the Wragley Way housing development, working at Infinity Park and using the SDITL. Retail should be integrated with areas of public realm. For example, a public square fronted with retail, a café and the primary school, or a pedestrianised street with shop units fronting it. Car orientated retail areas are not part of the vision for IGV.

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HOUSING

5.1 AMOUNT & LOCATION

- 5.1.1 The Wragley Way cross boundary allocation will deliver around 2,130 new homes. A variety of types and tenures of dwellings will be provided, including up to 30% Affordable Housing. Dwellings should also be designed with adaptation in mind reflecting the increasing trend of working from home, as well as facilitating the co-location of multiple generations to deal with an ageing, less mobile population.
- 5.1.2 Delivery of the housing will be phased. The first completions will be on land adjacent to Wragley Way, within Derby City. Other early phases are likely to be in the eastern part of the allocation, with development generally progressing westwards as the western arm of the SDITL is built out. A number of house builders may be active on the site at any one time.
- 5.1.3 Any delivery of homes at Lowes Farm, in the eastern part of Infinity Garden Village, will be the subject of a future Local Plan review.

5.2 DESIGN PRINCIPLES

- 5.2.1 The approach to design must incorporate the IGV Vision, promoting the ethos of a garden village which has a distinctive character as set out at sub-section 2.3. The design principles that have informed any housing proposals will be set out within documents submitted as part of the planning application, including the Design and Access Statement. Key opportunities and constraints will be summarised, along with any measures required to mitigate potential adverse impacts.
- 5.2.2 Proposals must form an integral part of the comprehensive Infinity Garden Village proposals and make a positive contribution to the high standards of development and distinctiveness within the development. Crucially, the proposals must demonstrate how the Vision has been carried through from this DFD and set out how it is intended to deliver the Vision at the reserved matters and implementation stages.
- 5.2.3 Housing densities will vary throughout the site, responding to its proximity to services and facilities and the character of the site in the immediate area.
- 5.2.4 Housing tenures will also vary, with a policy compliant level of affordable housing sought unless it can be shown to compromise viability of the housing allocations. A mix of affordable housing types is envisaged, in line with the National Planning Policy Framework, with a focus towards addressing identified local needs first. Consideration will also be given to Registered Provider led phases and financial contributions partially in lieu of on-site provision.
- 5.2.4 The design principles set out in the Local Plans and Supplementary Planning Documents should be followed. Due to the garden village status of this site, the National Forest chapter of the SDDC Local Plan should be respected.

- 5.2.5 Although all policy design principles should be comprehensively addressed, particular importance should be placed on the need for the garden village to possess a green character and create a sense of community.

EMPLOYMENT

6.1 AMOUNT & LOCATION

- 6.1.1 A total of 116.8 hectares of land is allocated by both SDDC and DCC for employment purposes. The allocation within South Derbyshire is identified for development beyond 2018 for B1(b), B1(c), B2 and B8 purposes as part of the Infinity Park extension within the City, which similarly allows for B1, B2 and B8 uses but focusses on a new high quality business park - with a DCC aspiration to showcase and support innovation related to the automotive, rail, aerospace and energy sectors. To this end, the City allocation limits the amount of B8 development to 50% of overall floorspace.
- 6.1.2 The majority of the employment opportunities will be located within Infinity Park Derby and the Infinity Park extension land to the south, but there will also be employment opportunities within the local centre(s), schools and parks. The construction phase of IGV will also offer a sustained form of employment to the construction and housebuilding industries.
- 6.1.3 Encouragement will be given to creation of live-work units where appropriate, as well as attracting independent local business opportunities within the local centre(s).

6.2 DESIGN PRINCIPLES

- 6.2.1 Employment development will provide flexible design opportunities to meet the needs of modern businesses whilst ensuring high design standards, including provision for sustainable urban drainage infrastructure; efficient buildings along with promotion of energy generation; safe, convenient and attractive walking, cycling and recreational routes; and good public transport accessibility. It will be necessary to demonstrate how the Vision has been carried through from this DFD and set out how it is intended to deliver the Vision at the reserved matters and implementation stages.
- 6.2.2 The design principles set out in the Local Plans and Supplementary Planning Documents should be followed. Due to the garden village status of this site, the National Forest chapter of the SDDC Local Plan should be respected.
- 6.2.3 Although all policy design principles should be comprehensively addressed, particular importance should be placed on the need for the garden village to possess a green character and create communal spaces for recreation and eating at lunchtime, etc.

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IMPLEMENTATION

7.1 DESIGN AND ACCESS STATEMENTS

- 7.1.1 Design and Access Statements will be required as part of all relevant planning applications. They will set out and explain how the development proposal complies with the requirements of this DFD and demonstrate how the Vision has been carried through. The Design and Access Statements should also set out how it is intended to deliver the Vision at the reserved matters and implementation stages.

7.2 PLANNING APPLICATIONS

- 7.2.1 It is expected that Infinity Garden Village will be developed over a period of between 10 and 20 years. Over this period, planning applications seeking approval for the principle of types of development (outline applications) will be submitted. All outline applications, to the extent relevant, will need to demonstrate how they comply with the requirements of this DFD, alongside relevant provisions of the Local Plan(s), by way of Design and Access Statements (DAS).
- 7.2.2 Planning applications for certain elements of the IGV may also be subject to the EIA Regulations and require submission of an Environment Statement in support of the planning application. The need for and scope of such a statement will be established at an early stage so to ensure the smooth submission and assessment of the application(s).
- 7.2.3 Where the principle of development is granted, the developer(s) will be expected to enter into a legal agreement to provide the mechanisms for delivery of on and off-site infrastructure, including financial contributions and affordable housing. Where appropriate, agreements will be consolidated and reviewed across the development period so to reflect changes in circumstances - particularly in respect of third-party projects and off-site infrastructure.
- 7.2.4 Detailed applications (reserved matters and/or full applications) will also be submitted over this period. All such applications, to the extent relevant, will need to demonstrate how they comply with the requirements of the relevant DAS, alongside relevant provisions of the Local Plan(s).

7.3 MANAGEMENT OF INFRASTRUCTURE

- 7.3.1 As has been set out above, Infinity Garden Village will provide a wide range of infrastructure. Some of this, such as the majority of roads and utilities, will be 'adopted' by statutory authorities and undertakers and maintained at the public expense. Developers will be required to pay an initial 'commuted sum' towards its upkeep.

- 7.3.2 Ownership and management of some other infrastructure, such as SuDS, play areas, open space and landscaping, may be adopted by the local authority in full or in part, or retained by an appointed management company. All applications will be required to demonstrate how relevant infrastructure will be maintained and managed over the long term.
- 7.3.3 Provision will also be made to ensure that areas transferred to management companies are subject to a regular review and replacement/upgrade of facilities within those areas (such as children's play areas, footpaths and footbridges, etc.)

GLOSSARY

Blue infrastructure	Open areas of sustainable drainage systems, comprising of watercourses, swales and attenuation basins
CCG	Clinical Commissioning Group
DCC	Derby City Council
Green infrastructure	Open areas of planted landscaping, comprising pedestrian and cycle routes through public open spaces, woodland planting, children's play areas and village greens
Green wedge	Areas of predominantly open land that penetrate the City from the surrounding countryside, providing separation between different neighbourhoods and land uses
Infinity Park	The existing employment area adjacent to the Rolls Royce works to the north of IGV
Infinity Park extension	The allocated extension within the City to the existing Infinity Park
IGV	Infinity Garden Village, as defined by policy INF13 (map 5) of the SDDC Local Plan Part 2
SDDC	South Derbyshire District Council
SDITL	Southern Derby Integrated Transport Link

Appendix 1: Constraints and opportunities plans

Appendix 2: IGV Visionary plan

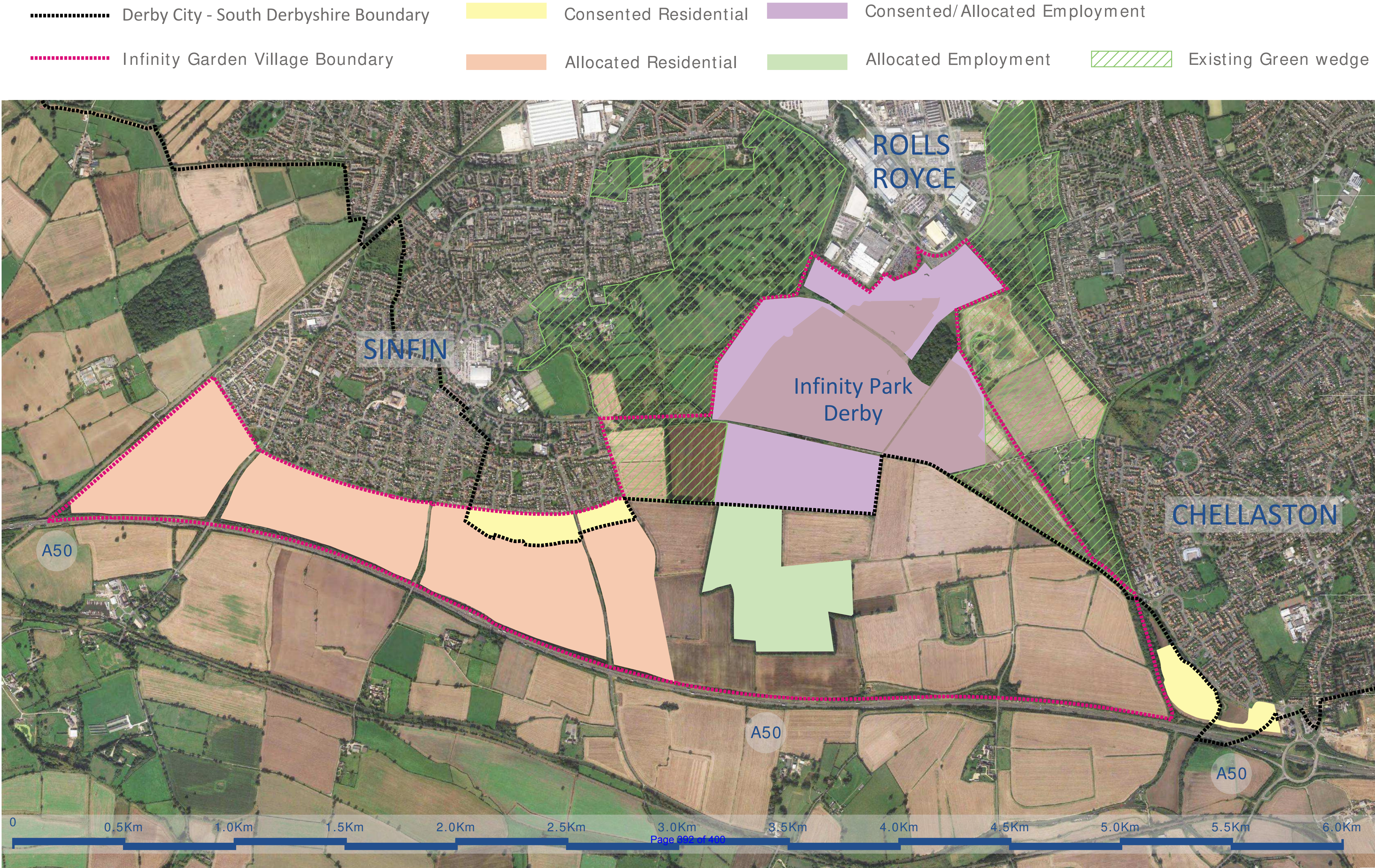


CONSTRAINTS Composite



CONSTRAINTS

Existing Policy



CONCEPT MASTERPLAN

- Derby City - South Derbyshire Boundary

Consented Residential

Infinity Park

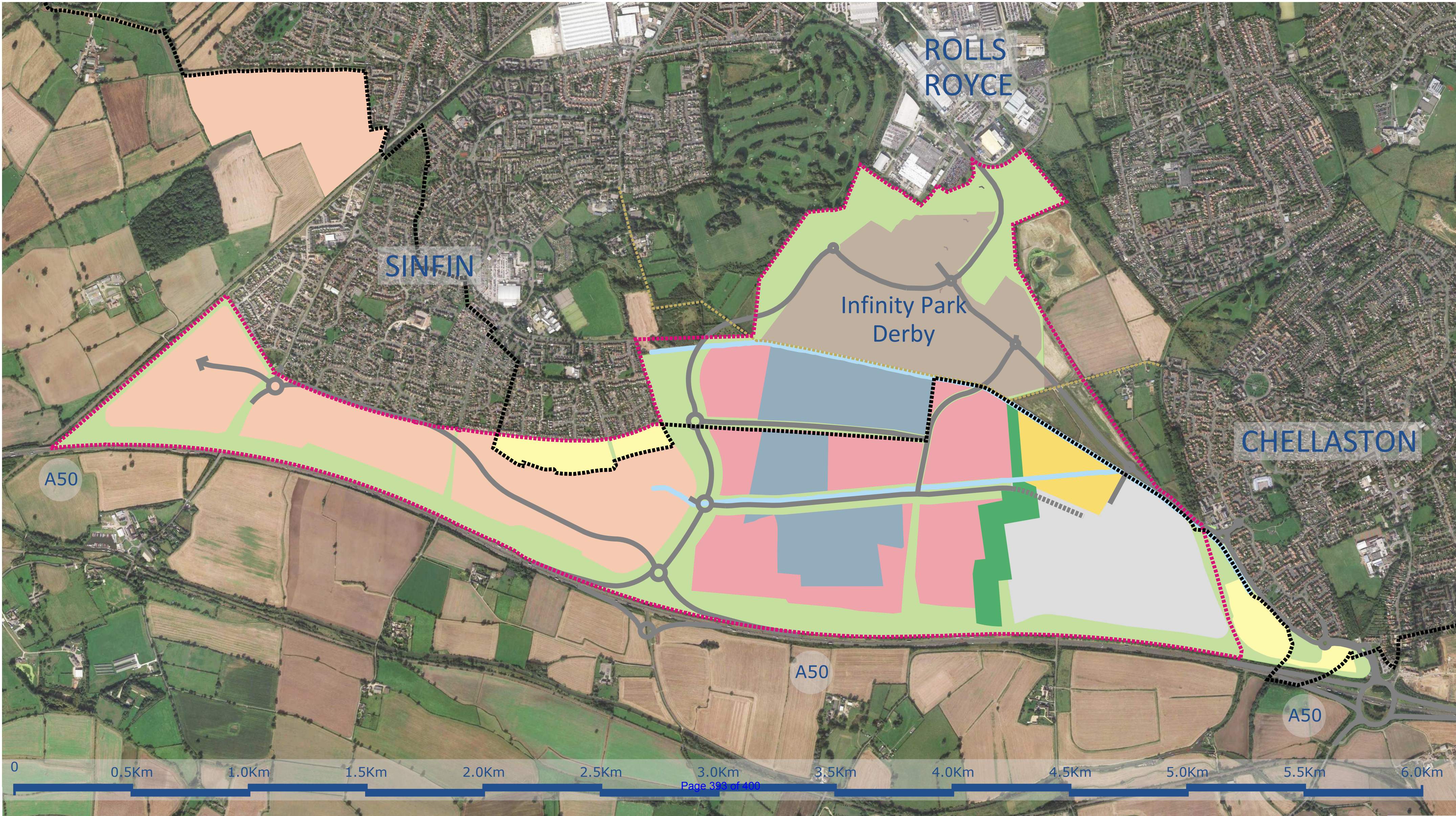
Potential Residential
- Infinity Garden Village Boundary

Allocated Residential

Allocated Commercial

Potential Commercial

Proposed School



REPORT TO:	ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE	AGENDA ITEM: 19
DATE OF MEETING:	31st May 2018	CATEGORY: DELEGATED
REPORT FROM:	STRATEGIC DIRECTOR (SERVICE DELIVERY)	OPEN
MEMBERS' CONTACT POINT:		DOC:
SUBJECT:	COMMITTEE WORK PROGRAMME	REF:
WARD(S) AFFECTED:	ALL	TERMS OF REFERENCE: G

1.0 Recommendations

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

2.0 Purpose of Report

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

3.0 Detail

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

4.0 Financial Implications

4.1 None arising directly from this report.

5.0 Background Papers

5.1 Work Programme.

Environmental & Development Committee – 31st May 2018 Work Programme

Work Programme Area	Date of Committee meetings	Contact Officer (Contact details)
Reports Previously Considered By Last 3 Committees		
Environmental Education Service: Service Development Proposal	25 th January 2018	Kate Allies Environmental Development Manager (01283) 535039
Derbyshire Annual Monitoring Report 2016-17 and Infrastructure Delivery Plan Update	25 th January 2018	Kevin Exley Planning Policy Officer (01283) 228717
Future of Local Planning	25 th January 2018	Karen Beavin Planning Policy Team Leader (01283) 595749
Corporate Plan 2016-21: Performance Report (1 October – 31 December 2017)	1 st March 2018	Keith Bull Head of Communications (01283) 228705
Enforcement and Compliance report	1 st March 2018	Matt Holford Environmental Health Manager (01283) 595856
Key Performance Indicators – Licensing Department	1 st March 2018	Emma McHugh Senior Licensing Officer (01283) 595716

Drakelow Park Update	1 st March 2018	Tony Sylvester Planning Services Manager (01283) 595743
Designation of a Neighbourhood Area	1 st March 2018	Ian Hey Community Partnership Officer (01283) 228741
Swadlincote Heritage Trail	1 st March 2018	Kate Allies Environmental Development Manager (01283) 228741
'Towards a Minerals Local Plan' Consultation	19 th April 2018	Richard Groves Planning Policy Officer (01283) 595738
Local Green Spaces Sustainability Appraisal Scoping Consultation	19 th April 2018	Kevin Exley Planning Policy Officer (Sustainability) (01283) 228717
Highways England A38 Derby Junctions Scheme – Statement of Community Consultation	19 th April 2018	Richard Groves Planning Policy Officer (01283) 595738
Consultation on Draft National Planning Policy Framework	19 th April 2018	Kevin Exley Planning Policy Officer (Sustainability) (01283) 228717
Feasibility Study for a Business Improvement District (BID) for the National Forest	19 th April 2018	Mike Roylance Economic Development Manager (01283) 595725

Service Policies	19 th April 2018	David Hucker Interim Director (01283) 595775
Swadlincote Townscape Heritage Lottery Fund – Grants Panel Membership	19 th April 2018	Liz Knight Conservation Officer (01283) 595983
Provisional Programme of Reports To Be Considered by Committee		
Corporate Plan 2016-21: Performance Report Q4	31 st May 2018	Keith Bull Head of Communications (01283) 228705
Service Plans	31 st May 2018	Keith Bull Head of Communications (01283) 228705
Local Development Scheme	31 st May 2018	Karen Beavin Planning Policy Team Leader (01283) 595749
Draft Statement of Community Involvement	31 st May 2018	Karen Beavin Planning Policy Team Leader (01283) 595749
Repton Neighbourhood Development Plan	31 st May 2018	Ian Hey Community Partnership Officer (01283) 228741

Hartshorne Conservation Area	31 st May 2018	Liz Knight Conservation Officer (01283) 595983
East Midlands Airport Noise Action Plan	31 st May 2018	Richard Groves Planning Policy Officer (01283) 595738
Southern Derby Area Development Framework Document	31 st May 2018	Tony Sylvester Planning Services Manager (01283) 595743
Charitable Collections Policy – Request to Consider Application of Policy	31 st May 2018	Emma McHugh Senior Licensing Officer (01283) 595716
Adoption of Sexual Entertainment Venues	31 st May 2018	Emma McHugh Senior Licensing Officer (01283) 595716
Key Performance Indicators – Licensing Department	31 st May 2018	Emma McHugh Senior Licensing Officer (01283) 595716
Enforcement and Compliance Report	31 st May 2018	Matt Holford Environmental Health Manager (01283) 595856
Corporate Plan 2016-21: Performance Report Q1	16 th August 2018	Keith Bull Head of Communications (01283) 228705

Local Green Spaces DPD	16 th August 2018	Karen Beavin Planning Policy Team Leader (01283) 595749
Draft Waste Local Plan	16 th August 2018	Richard Groves Planning Policy Officer (01283) 595738
Key Performance Indicators – Licensing Department	16 th August 2018	Emma McHugh Senior Licensing Officer (01283) 595716
Licensing of Activities Involving Animals	16 th August 2018	Emma McHugh Senior Licensing Officer (01283) 595716
Boulton Moor Development Framework Document	31 st May 2018	Karen Beavin Planning Policy Team Leader (01283) 595749
Private Hire Licensing Convictions Policy and Conditions	27 th September 2018	Emma McHugh Senior Licensing Officer (01283) 595716
Gambling Act 2005 Statement of Licensing Policy	27 th September 2018	Emma McHugh Senior Licensing Officer (01283) 595716
Corporate Plan 2016-21: Performance Report Q2	15 th November 2018	Keith Bull Head of Communications (01283) 228705

Corporate Plan 2016-21: Performance Report Q3	28 th February 2019	Keith Bull Head of Communications (01283) 228705
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