

# RECORD OF DECISIONS

## ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE

At the Meeting of the Environmental and Development Services Committee held on 2nd February 2006, the following decisions were taken.

Urgent decisions or those exempt from call-in are indicated in the third column of the table. These decisions cannot be called in and are effective immediately.

All other decisions may be called in until 5.00 p.m. Friday, 10th February 2006.

A request to call in a decision must be made by at least three Members representing at least two political groups. The request must be made in writing to the Chief Executive<sup>1</sup>.

If no request to call in a decision is received within this time limit then the decision becomes effective immediately.

<u>Agenda Item No.</u> <sup>3</sup>	<b><u>OPEN REPORTS</u></b>	<u>Urgent/ Call-in Exempt</u>
7.	<p><b><u>AGENDA ITEM</u></b> DERBYSHIRE COUNTY COUNCIL – STREET SCENE REVIEW</p> <p><b>DECISION:</b><sup>2</sup> That the item be deferred.</p>	
8.	<p><b><u>AGENDA ITEM</u></b> HERITAGE GRANTS SUB-COMMITTEE</p> <p><b>DECISION:</b> That the Minutes of the Heritage Grant Sub-Committee Meeting held on 14th November 2005 be received.</p>	
9.	<p><b><u>AGENDA ITEM</u></b> 2005/2008 SERVICE PLANS – MONITORING REPORTS</p> <p><b>DECISION:</b> That the Committee receives the Service Plan Monitoring Report for the Planning Services Division for the period 1st April to 31st December 2005.</p>	
11.	<p><b><u>AGENDA ITEM</u></b> FOOD ENFORCEMENT – AUTHORISATION</p> <p><b>DECISION:</b> Under new food hygiene legislation:-</p> <p>(1) That the Committee delegates authority of the powers for the following Acts of Parliament and Regulations made under those relevant acts to the Director of Community Services and the Head of Environmental Services, who will subsequently authorise the delegation of specified statutory powers to suitably qualified Officers.</p> <p>(2) That the Director of Community Services or Head of Environmental Services be authorised to amend the statutory powers of authorised Officers without future referral to the appropriate committee, if any of the following legislation is extended, amended or varied by or by virtue of any</p>	

	<p>subsequent Order, Bylaw or Regulation made under the authority of the following Regulations:-</p> <p><u>The Legislation</u>  <u>Food Safety Act 1990 (as amended)</u></p> <p><u>The Food Hygiene (England) Regulations 2006</u></p> <p><u>The Official Feed and Food Controls (England) Regulations 2005</u></p> <p>Other Acts or Regulations made under Acts</p> <p>European Communities Act 1972 (Including The Products of Animal Origin (Import and Export) Regulations 1996 as amended, The Products of Animal Origin (Third Country Import) (England) (No. 4) Regulations 2004, The TSE (England) Regulations 2002 as amended, The Food (Jelly Confectionery) (Emergency Control) (England) Regulations 2002, The Food (Jelly Confectionery) (Emergency Control) (England) (Amendment) Regulations 2004, The Food (Chilli, Chilli Products, curcuma and palm oil) (Emergency Control) (England) Regulations 2005. The Food (Brazil Nuts) (Emergency Control) (England) Regulations 2003, The Food (Brazil Nuts) (Emergency Control) (England) Amendments) Regulations 2003, The Food (Figs, Hazelnuts and Pistachios from Turkey) (Emergency Control) (England) (NO 2) Regulations 2002, The Food (Figs, Hazelnuts and Pistachios from Turkey) (Emergency Control) (England) (NO 2) (Amendment) Regulations 2003, The Food (Emergency Control) (England) (Miscellaneous Amendments) Regulations 2004, The Food (Peanuts from China) (Emergency Control) (England) (No 2) Regulations 2002, The Food (Peanuts from China) (Emergency Control) (England) (No 2) (Amendment) Regulations 2003, The Food (Peanuts from Egypt) (Emergency Control) (England) Regulations 2003, The Food (Pistachios from Iran) (Emergency Control) (England) Regulations 2003, The Food (Emergency Control) (England) (Amendment) Regulations 2005, The Organic Products (Imports from Third Countries) Regulations 2003).  The Food (Pistachios from Iran) (Emergency Control) (England) (Amendment) Regulations 2005.  The Food Safety Act 1990 (Amendment) Regulations 2004.  The General Food Regulations 2004.  Food Safety Act 1990  The Contaminants in Food (England) Regulations 2004</p>	
12.	<p><b><u>AGENDA ITEM</u></b>  AUTHORISATION OF OFFICER FOR HEALTH AND SAFETY AT WORK ETC. ACT 1974</p>	
	<p><b><u>DECISION:</u></b>  That the Committee confirms the authorisation of Phillip Broughton as an Inspector to undertake the following duties:-</p>	

	<p>(a) As an Inspector under Section 19 of the Health and Safety at Work etc. Act 1974 for the purpose of administering the relevant provisions of Section 20(2) of the said Act, i.e. Section 20(2), (a),(b),(c),(d),(e),(f),(g),(h),(i),(j),(k),(l),and (m), and authorise them to institute legal proceedings in respect of contravention's arising out of the exercise of their duties under the Act.</p> <p>(b) Further, that they be Authorised to serve Improvement Notices under Section 21 and Prohibition Notices under Section 22 of the Act.</p> <p>(c) Also that they be Authorised for the purpose of:-</p> <p>(1) Any Health and Safety Regulation</p> <p>(2) The provisions of the Acts mentioned in Schedule 1 of the Health and Safety at Work Act 1974 Act which are specified in Schedule 1 of the 1974 Act which are specified in the third column of that Schedule and of the Regulations, Orders, or other instruments of a legislative character made or having effect under any provisions so specified.</p> <p>(d) In respect of any act done by them in execution or purported execution of their duty, if they are satisfied that the officer honestly believed that they were acting within</p>	
13.	<p><b><u>AGENDA ITEM</u></b> STREET NAMING</p> <p><b>DECISION:</b></p> <p>(1) That delegated powers be granted to the Head of Planning Services to determine uncontested street naming/house numbering applications, subject to the process set out within the report.</p> <p>(2) That delegated powers be granted to the Head of Planning Services in consultation with the Chair and Vice-Chair of the Development Control Committee, to determine contested street naming/house numbering applications, subject to the process set out within the report.</p> <p>(3) That the Council be recommended to remove these Terms of Reference from the Development Control Committee.</p>	
15.	<p><b><u>AGENDA ITEM</u></b> SERVICE DEVELOPMENT PROPOSALS – RESULTS FROM SCORING PANEL</p> <p><b>DECISION:</b> That no comments be made to the Service and Financial Planning Working Panel on the schedule of scored Capital Investment and Revenue Service Development proposals for 2006/07 relating to its services.</p>	

14.	<p><b><u>AGENDA ITEM</u></b>          PLANNING GAIN SUPPLEMENT IN PLACE OF PART OF SECTION 106 AGREEMENTS – CONSULTATION BY HM TREASURY, HM REVENUE AND CUSTOMS AND THE OFFICE OF THE DEPUTY PRIME MINISTER</p>	
	<p><b>DECISION:</b>          That Officers submit a report to the Finance and Management Committee setting out the concerns raised to enable further consideration by all Members of the Council and a detailed response to the Government on this consultation document.</p>	

DATED: 3rd February 2006

Chief Executive

- 1 Although it is not necessary to use a prescribed form, copies are available from the Chief Executive.
- 2 NOTE – this gives an outline of the committee decision for call-in purposes but it does not necessarily reflect the final wording for minute purposes.
- 3 Insert both the agenda item number and its heading.