

ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE

29th January 2009

**PRESENT:-**

**Conservative Group**

Councillor Bladen (Chairman) and Councillors Bale, Lemmon (Substitute for Councillor Ford Vice-Chairman)), Mrs. Patten, Stanton, Timms and Watson.

**Labour Group**

Councillors Mrs. Lane, Rhind, Southerd, Taylor and Tilley.

**Independent Member**

Councillor Mrs. Brown

**In Attendance**

Councillors Atkin and Jones (Conservative Group).

EDS/39. **APOLOGY**

An apology for absence from the Meeting was received from Councillor Ford (Vice-Chairman).

EDS/40. **REPORTS OF OVERVIEW AND SCRUTINY - REVIEW OF BROADBAND IN SOUTH DERBYSHIRE**

A report was submitted advising Members of the outcome of the review of broadband in South Derbyshire.

The Overview and Scrutiny Committee had concerns that the broadband infrastructure in South Derbyshire was inadequate, especially in rural areas, compared to other parts of the country. The Committee had wanted to investigate what plans British Telecom (BT) had in place to upgrade and develop the broadband infrastructure, and how existing problems could be solved in South Derbyshire.

The report referred to two press releases, which had been issued, asking the public to inform the District Council of problems being experienced in South Derbyshire. In response to these, 134 case studies/comments on the broadband infrastructure, all of a negative nature, had been received. The BT Regional Manager for the East Midlands reviewed the case studies/comments, and BT's findings and actions were outlined in an appendix to the report.

BT also provided further information on a self-install filter called an I-plate, and it was suggested that if this was fitted to the master socket, in most cases, the customer should experience some broadband performance benefits. Further details were also given on BT's planned infrastructure improvements. An email would be sent to all the people who had responded, describing the actions taken by BT and their future plans.

The review of broadband in South Derbyshire had achieved the following:-

- Raised the profile of South Derbyshire with BT in relation to the view that broadband service in the area was poor.
- The number of cases/comments received was sufficient to get BT to review exchanges and line plant in the area, although no particular problems were found.
- This had potentially moved the exchanges serving South Derbyshire higher up the priority list for upgrade to fibre.
- It enabled South Derbyshire residents, who raised the case studies/comments, to discuss their individual problems with the Regional Sales Manager from BT.

Councillor Atkin requested that further information be given with regards to the Chellaston exchange. The Head of IT and Customer Services agreed to respond directly to Councillor Atkin.

**RESOLVED:-**

- (1) That work carried out by the Overview and Scrutiny Committee on the review of broadband in South Derbyshire be noted.***
- (2) That the Overview and Scrutiny Committee continues to pursue British Telecom on the outstanding issues and receives periodic updates.***
- (3) That Council be recommended to do everything in it's power to encourage the Government in fulfilling it's commitment to the provision of high quality Broadband.***

**MATTERS DELEGATED TO COMMITTEE**

EDS/41. **AMENDMENTS TO PRIVATE HIRE LICENCE CONDITIONS AND ADOPTION OF STATEMENT OF POLICY**

A report was submitted, seeking approval for amendments to Private Hire Licence conditions within South Derbyshire to secure a greater degree of public safety and align the Council's policy with nationally accepted best practice.

The Council had not amended it's Private Hire Licence conditions for some years, with the exception of the introduction of the local knowledge test. Many organisations such as DVLA and the Department for Transport had made recommendations to local authorities regarding licence conditions, and those recommendations had been included within the proposed Private Hire conditions. The proposed conditions were included as an appendix to the report with all changes highlighted. In addition, the conditions had been circulated for consultation to all Private Hire Operators. Further information was given with regard to additional costs incurred due to the requirements of the additional medicals, Criminal Record Bureau checks, and the introduction of a driving test for all new drivers and for those committing moving traffic offences.

Major changes to the Private Hire Licensing conditions were highlighted within the report, under the headings of 'Driver Changes', 'Vehicles' and 'Operators'.

**RESOLVED:-**

- (1) That the amended Private Hire Licence Conditions for Operators, Vehicles and Drivers, as set out in Appendix 1 of the report, to become effective on the 1<sup>st</sup> April 2009, be approved.***
- (2) That minor amendments to the conditions (issues of spelling or clarification of the wording of existing policy) can be made by the Head of Environmental Services without referral to the Environmental and Development Services Committee.***
- (3) That the Statement of Policy concerning the relevance of Criminal Convictions in relation to Private Hire Vehicle Drivers Licences as set out in Appendix 2, be approved.***
- (4) That changes relating to vehicles be amended as follows;***
  - a) Vehicle licences will not be renewed when a vehicle reaches the age of 8 years from first registration except for specialist vehicles, which would be on special application.***
  - b) Vehicles which are presently registered with this Authority as a Private Hire Vehicle should be allowed to continue, until replaced by their existing drivers, up to a maximum period of 2 years from introduction of this policy. Any transfer of a vehicle will need to comply with the 8 year rule.***

**EDS/42. PARKING ON GRASS VERGES – ENFORCEMENT OPTIONS**

Members were advised of the options available when dealing with vehicles advertised for sale on roadsides and grass verges in South Derbyshire.

It was confirmed that vehicles advertised for sale via the use of a sign affixed to their windows, was a common method of selling. However, it was noted that sellers wanted to display their cars at as prominent a location as possible, and where a number of sellers had the same idea, the area could start to look like a “car lot”. In addition, where cars were parked for sale on grass verges, grass-cutting operations often had to work around them, which left a patch of long grass when the vehicle was eventually removed.

Enforcement options were provided within the report under the headings of Nuisance Parking Offences, Abandoned Vehicles, Trespass and confirmation of the Council Policy.

**RESOLVED:-**

***That the Head of Environmental Services be asked to write to Derbyshire County Council and request their serious consideration for the introduction of enforceable restrictions to address nuisance parking, including cars for sale, on their verges which are unsuitable for that purpose.***

**EDS/43. NORTH WEST LEICESTERSHIRE LOCAL DEVELOPMENT FRAMEWORK (LDF) – CORE STRATEGY FURTHER CONSULTATION**

A report was submitted requesting Members to formulate a response on proposals set out in the emerging Core Strategy consultation document published by North West Leicestershire District Council.

This consultation set out a number of initial ideas for bringing forward new development in North West Leicestershire and was part of an ongoing series of consultations, with earlier documents being prepared and consulted upon in November 2005, and in summer 2007.

Many of the matters within the consultation document were of local significance for North West Leicestershire, and of no significance to South Derbyshire. However, a small number of issues could have an impact on South Derbyshire. These were considered along with officer comments under the following headings:-

- The Development Strategy for North West Leicestershire.
- Meeting Regional and Sub-Regional Economic Needs.
- Transport (East Midlands Airport and the National Forest Line).

Members welcomed the ongoing work, which was taking place in respect of attempting to secure the reopening of the National Forest railway line. There was also a discussion on elements of flooding, to which officers responded.

**RESOLVED:-**

- (1) That the content of the North West Leicestershire LDF Core Strategy consultation be noted;***
- (2) That no objection be raised at this stage.***
- (3) That North West Leicestershire District Council's intention to keep developments at Albert Village under review be welcomed, to ensure any development is properly co-ordinated with policies for the regeneration of the Woodville area, to be promoted through the South Derbyshire LDF Core Strategy.***
- (4) That continued support for the reopening of the National Forest Line be welcomed.***
- (5) That assurance be sought that any new development land, particularly in the vicinity of Shardlow, does not exacerbate or contribute to flood risk, for example by surface water run off.***

**EDS/44. PERFORMANCE MANAGEMENT REPORT (1st APRIL TO 31st DECEMBER 2009)**

A report was submitted detailing performance levels and achievements for the quarter ending 31st December 2008, in relation to this Committee's contribution to the four key strands of the Council's Performance Management Framework. Full details were included in the attached appendices to the report, entitled:-

- Corporate Plan.
- Communication Strategy Action Plan.

- National Indicator Set Performance Indicators.
- Local Performance Indicators.
- Service Level Key Tasks.
- EMAS.
- 2008/09 Monitoring Report.

Members requested further information on the issue of detritus, which officers confirmed had been separated from litter as a national indicator.

The Head of Planning Services also gave an update with regards to the Planning Department. Members offered their support and reiterated their confidence in the Planning Department.

A Member requested that the Head of Environmental Services provide her with further information on the number of Fixed Penalty Notices issued for dog fouling.

**RESOLVED:-**

- (1) That this Committee's key achievements and performance for the quarter ending 31st December 2008 be noted.***
- (2) That Members note where performance has failed to achieve the specified target and accept the responses submitted.***
- (3) That progress in meeting the targets and objectives in relation to the Council's Eco-Management & Audit Scheme (EMAS) for the period ending 31st December 2008 be noted.***

EDS/45. **WORK PROGRAMME**

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

**RESOLVED:-**

***That the Committee approves the updated work programme.***

J. BLADEN

CHAIRMAN

The Meeting terminated at 7.50 p.m.