

Date: 13 November 2015

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, 19 November 2015 at 18:00**. You are requested to attend.

Yours faithfully,



Chief Executive

To:- **Conservative Group**

Councillor Watson (Chairman), Councillor Muller (Vice-Chairman) and Councillors Mrs. Brown, Coe, Roberts, Mrs. Hall, MacPherson, Mrs. Patten and Stanton.

**Labour Group**

Councillors Chahal, Southerd, Taylor and Tilley.

## **AGENDA**

### **Open to Public and Press**

- |           |   |                  |
|-----------|---|------------------|
| <b>1</b>  | Apologies and to note any substitutions appointed for the meeting.                            |                  |
| <b>2</b>  | Minutes   |                  |
|           | Environmental & Development Services Open Minutes 1st October 2015                            | <b>4 - 6</b>     |
| <b>3</b>  | To note any declarations of interest arising from any items on the Agenda                     |                  |
| <b>4</b>  | To receive any questions by members of the public pursuant to Council Procedure Rule No.10.   |                  |
| <b>5</b>  | To receive any questions by Members of the Council pursuant to Council procedure Rule No. 11. |                  |
| <b>6</b>  | Reports of Overview and Scrutiny Committee  |                  |
| <b>7</b>  | LOCAL PLAN PART 2   | <b>7 - 157</b>   |
| <b>8</b>  | HERITAGE LOTTERY FUND - SWADLINCOTE TOWNSCAPE UPDATE  | <b>158 - 160</b> |
| <b>9</b>  | ADOPTION OF CCTV IN PRIVATE HIRE VEHICLES POLICY  | <b>161 - 168</b> |
| <b>10</b> | ADOPTION OF DOG DAY CARE BOARDING ESTABLISHMENT CONDITIONS                                    | <b>169 - 179</b> |
| <b>11</b> | PROPOSED CHANGES TO THE OFF-STREET PARKING ORDER  | <b>180 - 182</b> |
| <b>12</b> | BODY WORN VIDEO CAMERAS   | <b>183 - 203</b> |

<b>13</b>	<b>SOUTH DERBYSHIRE ECONOMIC DEVELOPMENT STRATEGY</b>	<b>204 - 206</b>
<b>14</b>	<b>CORPORATE PLAN 2009-15 PERFORMANCE MANAGEMENT REPORT</b>	<b>207 - 215</b>
<b>15</b>	<b>COMMITTEE WORK PROGRAMME 2015-16</b>	<b>216 - 218</b>

### **Exclusion of the Public and Press:**

- 16** The Chairman may therefore move:-
- That in accordance with Section 100 (A) of the Local Government Act 1972 the press and public be excluded from the remainder of the Meeting as it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that there would be disclosed exempt information as defined in the paragraph of Part I of the Schedule 12A of the Act indicated in the header to each report on the Agenda.
- 17** To receive any Exempt questions by Members of the Council pursuant to Council procedure Rule No. 11.
- Details
- 18** RESTRUCTURING THE DIRECT SERVICES OPERATION

## ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE

1<sup>st</sup> October 2015

### **PRESENT:-**

#### **Conservative Group**

Councillor Watson (Chairman), Councillor Muller (Vice-Chairman), Mrs. Brown, Coe, Mrs Hall, MacPherson, Mrs Patten, Roberts and Stanton

#### **Labour Group**

Councillors Southerd and Tilley.

#### **In Attendance**

The following Members also attended the Meeting: Councillor Atkin and Councillor Shepherd.

#### EDS/39 **APOLOGIES**

Apologies for absence from the meeting were received from Councillor Chahal and Taylor.

#### EDS/40 **DECLARATIONS OF INTEREST**

The Committee was informed that no Declarations of Interest had been received.

#### EDS/41 **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/42 **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/43 **REPORTS OF THE OVERVIEW & SCRUTINY COMMITTEE**

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

### **MATTERS DELEGATED TO COMMITTEE**



**EDS/44 GAMBLING ACT 2005 – STATEMENT OF LICENSING POLICY**

The Senior Licensing Officer presented the report to Committee to update Members on the outcome of the consultation, which had taken place between 13th July and 4th September 2015.

**RESOLVED:**

***That the Committee approved the Council's Gambling Act 2005 Statement of Licensing Policy ("the Policy").***

**EDS/45 KEY PERFORMANCE INDICATORS – LICENSING DEPARTMENT**

The Senior Licensing Officer presented the report to Committee to update Members on the results of the Department's performance against set service standards as prescribed by the internal audit in 2014. Highlighting that the KPI 'Personal Licence' was an anomaly at 71%, this was due to the changes to the legislation in April 2015, where a personal licence now lasts indefinitely, consequently the Licensing Department received a large volume of applications in a short period of time.

**RESOLVED:**

***That the Committee noted the performance of the Licensing Department in relation to the Key Performance Indicators.***

**EDS/46 LICENSING ACT 2003 – STATEMENT OF LICENSING POLICY**

The Senior Licensing Officer presented the report to Committee to update Members on the outcome of the consultation, which had taken place between 13<sup>th</sup> July and 4<sup>th</sup> September 2015.

**RESOLVED:**

***That the Committee approved the Council's Licensing Act 2003 Statement of Licensing Policy ("the Policy").***

**EDS/47 COMMITTEE WORK PROGRAMME 2015/16**

The Director of Housing and Environmental Services presented the report to the Committee.

**RESOLVED:-**

***That the Committee considered and approved the work programme.***

**EDS/48 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.***

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

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

The meeting terminated at 6:10 pm

COUNCILLOR P. WATSON

CHAIRMAN

<b>REPORT TO:</b>	<b>ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE</b>	<b>AGENDA ITEM: 7</b>
<b>DATE OF MEETING:</b>	<b>19<sup>th</sup> NOVEMBER 2015</b>	<b>CATEGORY: *see below DELEGATED</b>
<b>REPORT FROM:</b>	<b>STUART BATCHELOR DIRECTOR OF COMMUNITY &amp; PLANNING SERVICES</b>	<b>OPEN PARAGRAPH NO: **see below</b>
<b>MEMBERS' CONTACT POINT:</b>	<b>NICOLA SWOROWSKI (Ext. 5983) nicola.sworowski@south-derbys.gov.uk</b>	<b>DOC:</b>
<b>SUBJECT:</b>	<b>LOCAL PLAN PART 2</b>	<b>REF:</b>
<b>WARD(S) AFFECTED:</b>	<b>DISTRICT</b>	<b>TERMS OF REFERENCE: *see below</b>

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## **1.0 Recommendations**

- 1.1 Members agree to a consultation being undertaken for a period of 8 weeks on the Local Plan Part 2 document (Appendix A).
- 1.2 That the Chair of the Committee, the Planning Policy Manager and the Planning Services Manager be authorised to agree the final consultation document.

## **2.0 Purpose of Report**

- 2.1 The report is being submitted to Committee for approval of the content of the draft Local Plan Part 2 document and the start of a consultation in December 2015.

## **3.0 Detail**

- 3.1 Members are aware of the Local Plan being completed in two parts. The Part 1 is dealing with the strategic allocations and key policies whilst Part 2 is concerned with non-strategic allocations and more detailed Development Management policies.
- 3.2 The Part 2 process is exactly the same as the Part 1 with the need to undertake Regulation 18 and 19 consultations before submission of the Plan to the Secretary of State for consideration through an examination. This report is seeking approval to undertake the first consultation on this document.
- 3.3 The scoping report for the Sustainability Appraisal (Part 2) has been undertaken and comments received from stakeholders have been considered and taken into account where applicable.
- 3.4 The Part 2 Plan covers the following areas:
  - Policies for development in the countryside
  - Local Green Spaces
  - Non-strategic housing allocations
  - Revision of Settlement boundaries
  - Residential conversions and non-permanent dwellings

- Secondary school site policy
- Retail policies
- Heritage policies
- Telecommunications and Adverts.

- 3.5 In regards to housing sites, this part of the Plan needs to allocate sites sufficient for 600 dwellings. This is part of the overall strategy as set out in Policy S1 of the Part 1 of the plan in order to deliver 12,618 dwellings (increased target based on option 3 of recent Sustainability Appraisal work).
- 3.6 The housing sites will be selecting from those that are held on the Strategic Housing Land Availability Assessment database (SHLAA). All sites have been assessed through the Sustainability Appraisal criteria except for those that have been suggested for allocation through the Part 1 or those that have started to be built-out.
- 3.7 For this initial consultation only, those assessed sites that fall within Green Belt, Flood Zone 3b, mainly covered by tree protection order(s) or are not adjacent or in close proximity to an existing settlement boundary, have been considered as not deliverable. Not all sites shown within Appendix C will be allocated.
- 3.8 Policy H22 will be critical in making decisions on the Part 2 housing sites. The methodology of this policy including the Housing Options for Part 2 background paper is part of the consultation and the comments received on this section will support the selection of the sites for the subsequent consultation.
- 3.9 As Members will be aware there has for some time now been discussion around the need for a new secondary school within the District. The County Council undertook a consultation earlier this year regarding site options and are continuing with this work but are not yet in a position to select a preferred location for the school. Therefore, the policy at this stage can only state broad intentions.
- 3.10 Subject to approval this will be the first consultation on the Part 2 and policies will therefore be developed through the process. Subject to responses received it will be the intention to consult on a draft Part 2 Local Plan as soon as practicable in spring/summer 2016.

#### **4.0 Financial Implications**

- 4.1 There are no direct financial implications with this report.

#### **5.0 Corporate Implications**

- 5.1 This report is concerned with the second part of the Local Plan that will allow for complete replacement of the 1998 Local Plan. An adopted Local Plan is a corporate priority as it will provide the Council with a clear plan for development up to 2028 and provide a more robust defence in terms of planning appeals.

#### **6.0 Community Implications**

- 6.1 A fully adopted Local Plan will ensure that development across the District is achieved in as sustainable manner as possible and in a way that provides the infrastructure of community facilities for both the new residents but also existing residents.

## **7.0 Background Papers**

7.1 None

### **Appendix**

Appendix A: Local Plan Part 2 consultation document

Appendix Ai: Settlement Boundary maps

Appendix Aii: Local Green Space maps

Appendix Aiii: Housing Option Sites maps



**South  
Derbyshire**  
District Council  
Community and  
Planning Services

# South Derbyshire Local Plan Part 2



## Local Plan Part 2

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Appendix A Settlement Boundaries

Appendix B Local Green Space

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## How will the Local Plan Part 2 be used?

The Local Plan, both Part 1 and Part 2, should be read as a whole, as more than one policy may apply to any planning application.

## SETTLEMENT DEVELOPMENT

### **Policy SDT1 Settlement Boundaries and Development**

- A. New development including housing will be restricted to that which can be accommodated within the settlement boundaries as defined on the proposals map, unless it is specifically supported by another policy in the plan.

Ambaston	Mount Pleasant (Castle Gresley)	Linton
Aston on Trent	Netherseal	Long Lane
Barrow on Trent	Newton Solney	Lullington
Burnaston	Overseal	Smisby
Caldwell	Repton	Stanton by Bridge
Church Broughton	Rosliston	Sutton on the Hill
Coton in the Elms	Scropton	Swadlincote*
Coton Park	Shardlow	Swarkestone
Egginton	Findern	Thulston
Etwall	Foston	Ticknall
Elvaston	Hartshorne	Walton on Trent
Kings Newton	Hatton	Weston on Trent
Melbourne	Hilton	Willington
Milton	Lees	

\*including Woodville

### **Explanation**

Settlement boundaries define the built limits of a settlement and distinguish between the built form of a settlement and the countryside.

Settlement boundaries from the 1998 Local Plan were reviewed using a set of criterion to ensure that they represent the current situation. Further information can be found within the Settlement Boundaries Topic Paper. The boundaries will also need at the appropriate time to take account of the Part 1 and 2 housing allocations that will be made.

Although the inclusion of land within a settlement confine would normally imply a presumption in favour of development, there are other considerations which will be taken into account. Development will be required to be in keeping with the scale and character of the settlement and will need to comply with other development management policies and relevant supplementary planning documents.

Maps of each settlement listed above with the changes can be at seen at Appendix A.

## **BUILT AND NATURAL ENVIRONMENT**

### **Policy BNE5 Development in the Countryside**

Outside of settlement boundaries land will be considered as countryside.

- A. Planning permission will be granted where:
  - i) It is essential to a rural based activity or represents appropriate Rural Diversification as set out in Policy E7 ; Or
  - ii) Appropriate for its location in the Countryside; And
  - iii) The character of the Countryside, the landscape quality, wildlife and historic features are safeguarded and protected.
- B. Where development is permitted in the Countryside it should be designed and located so as to create as little impact as practicable on the Countryside.

### **Explanation**

In order to support the principle of sustainable development, preserve the countryside and protect the best agricultural land, development in the Countryside requires control. This policy aims to balance preserving the character of the Countryside with supporting development and the rural communities within it.

Proposals may be required to demonstrate that they are essential to a rural based activity or appropriate in the Countryside. Examples of appropriate development in the Countryside include forestry, agriculture, equestrianism and outdoor recreation; there may be other unforeseen needs that could constitute appropriate development. In all cases however, it is necessary to ensure that development within the Countryside should be integrated into the landscape as sympathetically as possible with minimal impact. The design, layout and materials of the development should reflect the character of the Countryside.

## **Policy BNE6 Recreational Uses in the Countryside**

- A Recreational uses in the Countryside and associated development will be permitted where:
- i) the development is essentially open and outdoor in character
  - ii) the development does not cause harm to, nor detract from, the rural character and landscape of the area, and
  - iii) existing buildings are used wherever possible; any new ancillary structures should be essential, subordinate and of appropriate scale and in keeping with its surroundings.
- B Development related to recreational horse-keeping and riding will be permitted where:
- i) the proposed development is of an appropriate scale for its setting, and
  - ii) the location and design of the development is in keeping with the surrounding area and is of timber construction.

### **Explanation**

The countryside is a natural environment for recreation uses and there are many opportunities for recreation compatible with protecting the intrinsic beauty of the countryside. Recreational activities, such as fishing, golf courses, greenways, marinas and outdoor education facilities, can make a meaningful contribution to the health and well-being of communities and provided they are not to the detriment of the countryside then such uses will be considered positively. The construction of any building will need to be carefully considered.

## **Policy BNE7 Agricultural Development**

Agricultural Development that is subject to planning control will be permitted provided that:

The development is of an appropriate scale, is sited in proximity to existing buildings wherever practicable and it is clearly demonstrated that the proposed development is both required and suitable for the needs of the enterprise concerned

### **Explanation**

Agricultural uses understandably constitute parts of the South Derbyshire landscape and the District Council appreciates the value and importance of the agricultural industry. In valuing and protecting the countryside there is a responsibility to situate necessary development in such a way as to minimise its effect on the surrounding landscape; prudent siting, design, construction and choice of materials will be expected to ensure the right balance is struck. In assessing such applications, the Council will need to be satisfied that there is a functional need for the development.

## **Policy BNE8 Protection of Trees, Woodland and Hedgerows**

- A. Development will be permitted provided that proposals do not lead to the unacceptable loss of areas of woodland, individual trees, hedgerows of value, trees with historical or commemorative value, rare species, ancient trees or trees rated with a high urban tree air quality score (UTAQs).

- B. Conditions will be imposed on relevant planning permissions to secure the planting of trees, woodlands and hedgerows and to enable new planting to achieve full maturity. Conditions will also be imposed to secure the protection of existing trees, woodlands and hedgerows of value to their landscape during development

#### **Explanation**

Trees, woodlands and hedgerows make a valuable contribution to the environmental quality to an area. The character of many villages and settlements in South Derbyshire are enhanced by hedgerows and single, as well as groups of trees. They are a vital element of the landscape and of great importance to nature conservation.

Planting of new trees and woodlands will be encouraged wherever possible throughout the District.

Threatened by development, disease and neglect, measures to ensure the continued management, protection and replacement of trees need to be pursued.

Tree Preservation Orders will be made by the District Council to protect individual trees, groups of trees and woodlands which are of particular value now or are likely to become so in the future.

#### **Policy BNE9 Local Green Space**

Local Green Spaces are identified on the Proposals Map and will be protected from development that would be detrimental to their character. Only in exceptional circumstances would development be permitted.

#### **Explanation**

Local Green Spaces are provided with special protection due to their particular importance to the community and contribution to the local character of the area. Such areas are valued and cherished by the local community and should be preserved for future generations to enjoy. These sites can often be visually or historically important, particularly in conservation areas and if they are developed the character of the settlement is lost. Local Green Spaces are only designated where the area is well related to the community it serves, is special to the community and is local in character. It is expected that the Local Green Space will remain undeveloped over the plan period, unless when very special circumstances exist. Consultation with the local community would be expected should a development of exceptional circumstances be proposed.

Further information can be found in the Local Green Spaces Topic Paper. Maps showing the Local Green space can be seen at Appendix B.

#### **Policy BNE10 Advertisements and Visual Pollution**

Proposals for advertisement consent, street furniture, telecommunications cabinets and other items that could contribute to visual pollution within the public realm, will only be permitted where the

following amenity and public safety matters have been addressed, including consideration of their cumulative impact:

- i) That there is no adverse impact on the character or setting of the area and its visual amenity
- ii) That pedestrian and vehicular movements are not inhibited nor highway users' attention detracted; visibility should not be obscured or confused, nor public safety adversely affected
- iii) That proposals are in keeping with their setting in terms of size, design, illumination, materials and colour
- iv) That together with existing signs and street furniture in the area, there will not be clutter or excessive advertising

A DPD regarding Advertisement Consent will be produced to supplement this policy and inform decision making.

### **Explanation**

Advertising and signage takes various forms, some of it is necessary for the proper functioning of shopping and commercial areas and the wider economy, some is of primary benefit to the advertisers themselves. Advertising and signage when done well is in keeping with, or can even enhance its surroundings, whereas poorly designed or located signage looks incongruous and can jeopardise public safety. This policy seeks to strike the balance between the advantages of advertisements and the impact of them, thereby maximising their effectiveness with the least environmental and social cost.

It is not just advertisements that can create undue clutter in the built or natural environment and the principles set out in the policy above similarly apply to street furniture, telecommunications equipment or other such paraphernalia.

### **Heritage**

South Derbyshire has a wealth of heritage assets including over 700 listed buildings, 22 conservation areas, 22 scheduled ancient monuments, areas of archaeological potential, 5 Historic Parks and Gardens and sites on the historic environment record. Outside of this there remains a wealth of undesignated heritage assets both within townscapes and the landscape which add to the diverse character of South Derbyshire. It is important that the fabric of heritage assets is maintained to ensure the continued contribution to the economic prosperity of the District and their protection for future generations. Social, environmental, cultural and economic benefits are derived from this link to the past and it helps to reinforce a sense of place, quality of life, local identity and character.

Settlements in South Derbyshire have considerable individual character because of the variations in the physical form and the use of traditional materials. It is important to maintain the separate individual identity and character of different settlements and a clear transition between the urban areas and the countryside.

Evidence of early settlement can be seen at Swarkestone Lows with the surviving bronze age barrows. The majority of the villages are mentioned in Domesday and the pattern of development is based on these rural villages originally dependant on agriculture. This is still particularly prevalent in

the northwest, central and southwest of the district. Large estates such as Bretby, Calke, Elvaston, Melbourne and Radbourne highlight the district's wealth and from the middle ages onwards the development of grand country houses within parkland.

To the north east the Georgian inland port of Shardlow shows the early impact of the canals on the district and the Trent and Mersey canal conservation area is the largest heritage asset in the district. In the 19<sup>th</sup> and 20<sup>th</sup> Century the exploitation of the South Derbyshire coalfield had a significant impact on the character of the built environment of the wider Swadlincote area as it rapidly industrialised. Other centres such as Melbourne developed some industry and a number of railways and tramways were constructed across the district to improve transport links. All of these heritage assets help explain the story of the district and give it its diverse character that is appreciated today.

### **Policy BNE11 Heritage**

The district council will grant permission where; the proposals conserve or enhance the significance of the districts designated and non-designated heritage assets and their settings, the development respects the distinctive local character and sensitively contributes to creating places with a high architectural and built quality using traditional materials and techniques where appropriate, the development respects and enhances existing designated and non-designated landscapes and the individual character of settlements is maintained.

#### **A Listed Buildings**

The district council will grant consent for alteration, change of use or extension of a listed building only where this would not detract from the special architectural, historic interest, character and significance of the listed building or its setting. It will resist development proposals involving the substantial harm or loss of the heritage asset.

#### **B Conservation Areas**

Development in conservation areas will only be permitted if it preserves or enhances the character of the area. The substantial harm or loss of heritage assets which make a positive contribution to the character of the area will be resisted. Where permission is granted for demolition and redevelopment within a conservation area this will be subject to a condition or agreement that demolition shall not take place prior to the approval of detailed plans of the new building and letting of a contract for works to begin.

#### **C Non designated heritage assets**

Proposals affecting a non-designated heritage assets (including where identified through the planning process) should not harm their special interest and development involving substantial harm will be resisted unless significant public benefit has been clearly and convincingly demonstrated.

#### **D Scheduled Ancient Monuments and Archaeology.**

Any proposed development which impacts on archaeological remains will be required to be accompanied by an archaeological evaluation of the site and statement demonstrating how it is intended to overcome the archaeological constraints of the site. Development will be resisted which would result in disturbance to Scheduled Ancient Monuments or other known archaeological sites or harm their setting or significance. Where there is an exceptional need for development measures

will be undertaken to minimise impact and preserve the site in situ. The district council will require public display and interpretation where appropriate. Any investigation and recording of a site as part of any works will be published and archived.

## **E Historic Parks and Gardens**

Development will not be permitted which would adversely affect the character, appearance or setting of historic parks and gardens.

### **Policy BNE 12 Shopfronts**

Shopfronts within heritage assets should respect the quality and architectural contribution of any existing historic shopfront, respect the relationship between the shopfront, the building and its context, use high quality and sympathetic traditional materials and include signage only in appropriate locations and in proportion to the shopfront. The district council will resist external shutters and inappropriately illuminated signage.

#### **Explanation**

Particular attention and care is needed when planning works in relation to heritage assets. Relatively minor changes can have significant impacts on the significance, character, appearance, group value and setting of assets. Therefore development proposals will be required to submit supporting information appropriate to the assets significance so that the potential impacts of the proposal on the assets significance can be understood. Any application should reference the relevant HER record, Conservation Area Appraisal and other available relevant sources.

The location, form, scale, massing, density, height, layout, roofscape, landscaping, use and external appearance of proposals will all be carefully considered to ensure that they preserve or enhance the heritage asset. The features and form that contribute to the special interest of the asset should be conserved. Traditional local materials, detailing and techniques should be used where appropriate to ensure that the special character of the asset and the wider South Derbyshire is retained. The historic gardens, parks and churchyards make a positive contribution to the district and we will seek to ensure that these green spaces which add character and historic understanding to many communities are preserved and enhanced.

The council will work constructively with owners, Historic England and other partners to remove assets from the buildings at risk register. New uses and innovative solutions will be explored to allow the long term preservation of the asset. The condition of a heritage asset deliberately damaged or neglected will not be taken into account in any decision.



## HOUSING

### Housing

Due to the nature of South Derbyshire containing only one town there was a need through Part 1 of the Plan to allocate strategic sized sites to five of the ten Key Service Villages. In order to ensure that delivery of the remaining 600 dwellings takes place across the District on a mix of non-strategic sites, it is essential to consider not only those smaller sites that fall within more urban areas but also sites that could be accommodated in the Key Service Villages that haven't seen any growth through the Plan, together with the lower tier villages – Local Service Villages and Rural Villages. The objectives for the Plan are clear that whilst protection of the environment is upmost, it is also essential that our communities are shaped with the ageing and young population in mind and that housing needs across communities are met.

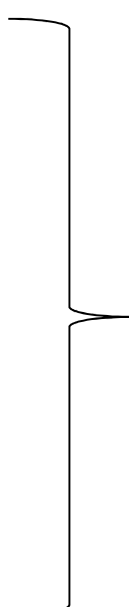
The sites selected need to be proven to be suitable, deliverable and developable with the starting point for this being sites taken from the SHLAA where landowners, agents and developers have put forward their site to the Council for consideration as a development site for housing.

The policy below is based on the level of growth that has already been seen in the settlements and sets out a growth pattern for the 600 dwellings.

### **Policy H22     Part 2 Housing Allocations**

**Urban Areas** – there are a considerable number of small sites that have been considered particularly in the Swadlincote/Woodville area and in order to ensure that growth is directed towards the highest tier within the Settlement. The majority of allocations in Part 1 are directed towards these areas but in order to ensure that a range of sites of allocated therefore between 150 – 300 dwellings is proposed in the urban areas.

### ***Villages***

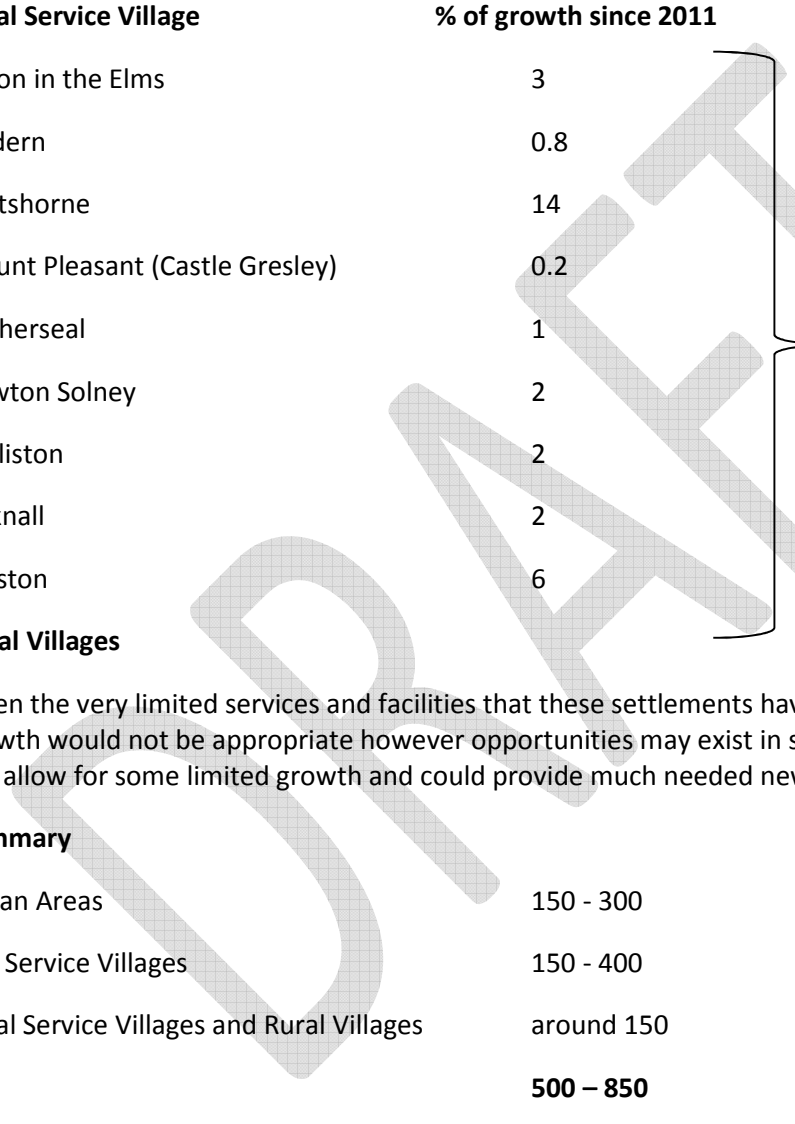
<b>Key Service Villages</b>	<b>% of growth since 2011 (in or adjacent to Settlement boundary)</b>	<b>No of dwellings required</b>
Aston	9	 <b>150-400</b>
Etwall	22	
Hatton	40	
Hilton	18	
Linton	17	
Melbourne	11	
Overseal*	3	
Repton	21	
Shardlow*	0.3	
Willington	37	



\*Overseal and Shardlow have constraints related to the River Mease Special Area of Conservation Catchment (Overseal) and a high level of flood risk (Shardlow) and therefore could have limited growth.

As the second tier down in the settlement hierarchy these settlements are deemed to have reasonable facilities and could therefore accommodate growth of between 150 – 400 dwellings.

Local Service Villages – given the very limited services and facilities within these settlements and the fact that many of the villages have less than 400 dwellings, a smaller growth rate has been assumed of around 150 dwellings which includes the possibility of growth within Rural Villages as well.

Local Service Village	% of growth since 2011	No of dwellings required
Coton in the Elms	3	 <b>around</b> <b>150 dwellings</b> <b>(including Rural Villages)</b>
Findern	0.8	
Hartshorne	14	
Mount Pleasant (Castle Gresley)	0.2	
Netherseal	1	
Newton Solney	2	
Rosliston	2	
Ticknall	2	
Weston	6	
<b>Rural Villages</b>		

Given the very limited services and facilities that these settlements have a blanket percentage growth would not be appropriate however opportunities may exist in some of the settlements that will allow for some limited growth and could provide much needed new and/or affordable homes.

#### Summary

Urban Areas	150 - 300
Key Service Villages	150 - 400
Local Service Villages and Rural Villages	around 150
	<b>500 – 850</b>

Maps showing all sites to be considered can be seen at Appendix C.

#### Policy H23     Infill

Outside of settlement boundaries, new housing development will be permitted provided it represents the infilling of a small gap for normally not more than two dwellings within small groups of housing.

#### Explanation

The establishment of a village confine is not considered appropriate for the very small rural settlements. It is however recognised that in certain circumstances the development of individual plots may be appropriate. In such cases, development will be limited to infilling only comprising normally of not more than two dwellings within small groups of houses.

#### **Policy H24 Replacement dwellings in the Countryside**

The replacement of a dwelling within the countryside will be permitted provided that:

- i) the form and bulk of the new dwelling does not substantially exceed that of the existing or that which could be achieved under permitted development;
- ii) the new dwelling is on substantially the same site as the existing;
- iii) there is no increase in the number of dwelling units.

#### **Explanation**

New housing development within the Countryside (defined as outside of settlement boundaries) is restricted in order to protect the intrinsic character and beauty of the countryside. However one of the circumstances in which residential development within the Countryside can be acceptable is the replacement of an existing dwelling, because essentially it is a 'new for old' development with no further units being added. The replacement dwelling however should not substantially increase the form and bulk of the existing dwelling or that which could be achieved under permitted development and should be substantially on the same footprint as the existing dwelling. Furthermore the Council will seek replacement dwellings which are sympathetic to the character of the area.

#### **Policy H25 Rural Workers Dwellings**

##### **Permanent Rural Workers Dwellings**

- A. Outside settlement boundaries planning permission will be granted for a new permanent rural workers dwelling where it can be demonstrated that:
  - i) There is an established existing functional need for an additional dwelling for a worker;
  - ii) The need relates to a full time worker, or worker primarily employed in the agriculture, forestry or where there is a requirement for a worker to be readily available at most times;
  - iii) The rural based activity has been established for at least three years, has been profitable for at least one, is currently economically/financially viable and has prospect of remaining so; and

- iv) The functional need cannot be fulfilled by an existing dwelling on the unit or within the locality.
- B. Where the permanent need is established the dwelling should be well related to existing farm buildings or other dwellings and should be of a size commensurate with the functional requirement of the activity.

### **Temporary Rural Workers Dwellings**

- C. Outside settlement boundaries planning permission will be granted for new temporary rural workers dwelling which normally for the first three years will be provided by a caravan, a wooden structure which can be easily dismantled or other temporary accommodation, where it can be demonstrated that:
  - i. There is an functional need for a temporary dwelling for a worker;
  - ii. The functional need cannot be fulfilled by an existing dwellings on the unit or within the locality
  - iii. The firm intends to and has the ability to develop the enterprise in question and has been planned on a sound financial basis
- D. Where the temporary need is established the dwelling should be well related to existing farm buildings or other dwellings and should be of a size commensurate with the functional requirement of the activity.

### **Explanation**

There are circumstances when a new dwelling (permanent or temporary) within the countryside is required to enable farm or other workers employed in a rural based activity, to live at or in the vicinity of their work. In assessing such applications, the Council will need to be satisfied that there is a functional need for an employee to be readily available on site, which cannot be met within the locality and that the enterprise is sustainable. A detailed assessment will need to be submitted with an application demonstrating the requirements above. In some circumstances the Council will seek independent advice to corroborate the evidence provided.

In addition the proposal should be of a commensurate size to the functional requirements of the activity and well related to exiting farm buildings or other dwellings to help protect the character of the countryside.

Where planning permission is granted for a permanent rural workers dwelling, a condition will be imposed restricting the occupancy of the dwelling to a worker employed in agriculture or the enterprise concerned. Furthermore a condition could be imposed which removes the right of extending the property without the requirement of planning permission. This will help ensure that extensions do not result in a property being larger than the functional requirement of the activity, which could affect the viability of maintaining the dwelling for its intended use.

In regards to temporary rural workers dwellings, where permission is granted, it will be subject to a condition stating the period for which the temporary permission is granted.

## **Policy H26      Residential Curtilages**

The change of use of land to a residential curtilage will be permitted provided proposals:

- i) Are not unduly detrimental to the character and openness of the Countryside; and
- ii) Are in keeping with the character and form of the settlement and not intrusive into the Countryside; and
- iii) Where relevant, does not conflict with the purposes of the Green Belt.

### **Explanation**

The change of use of land to residential garden can provide useful additional private amenity space. However it can also result in the domestication of land in an unaltered landscape. It is therefore essential that such proposals are controlled in order to protect the character and openness of the countryside and the character and form of settlements. Extensions to residential curtilages should reflect the pattern of development and should not intrude or encroach into the countryside. In addition extensions to residential curtilages within the Green Belt can conflict with the aim and purposes of the designation, as set out within the NPPF.

Furthermore to help protect the amenity and character of the landscape, conditions may be imposed on any permission granted which will remove permitted development rights.

## **Policy H27      Development within Residential Curtilages**

Extensions to dwellings and the erection or alteration to other built forms within residential curtilages, will be permitted provided that the proposals:

- i) Are of a scale and character in keeping with the property;
- And
- ii) Are not unduly detrimental to the amenities of adjoining properties or the general character of the area.

### **Explanation**

Additional space created by an extension to a dwelling and the erection or alteration to ancillary buildings/structures, are recognised as acceptable means of meeting changes in household space requirements. Normally such development should be designed so as to fit in with the original dwelling and the street scene in general, without creating an overbearing effect and a loss of privacy. In addition ancillary buildings/structures should be of a size proportionate to the dwelling they serve and sympathetically related to the main dwelling.

Proposals for annexe accommodation will be treated as separate dwellings, unless it can be demonstrated that there is a long term functional dependency on the main dwelling. Proposals for annexe accommodation should be of a scale proportionate to the original dwelling, with relative connectivity to the original dwelling house and is no larger than functionally required. Where annexe

accommodation is granted permission, a condition will be imposed which restricts the severing of the annexe to a separate dwelling, without the requirement of further planning consent.

The erection of boundary treatments can help privatise residential amenity space and define the curtilage of dwellings. The Council will however seek to maintain open spaces and/or areas of designed landscaping within residential developments that positively contribute to the amenity, street scene or overall setting of such areas, where enclosing those spaces could unduly impact on the open character of the area.

### **Policy H28 Residential Conversions**

- A. Within villages and other rural settlements, the conversion of existing buildings to a residential use will be permitted provided that the proposal is in keeping with the original buildings and is not detrimental to the character of the settlement.
- B. Outside settlements the conversion of buildings to provide residential accommodation will be permitted provided:
  - i) The building is permanent and suitable for conversion without extensive alteration, rebuilding and/or extension; and
  - ii) The converted building would make a positive contribution to, and is in keeping with the character of, its surroundings.

#### **Explanation**

The conversion of buildings can allow change to be assimilated in a settlement without being detrimental to the existing character. The utilisation of older buildings in this way can also bring environmental benefits and provide a source of housing accommodation without releasing new land for development. Conversions should be sympathetically designed and built in order to enhance the appearance of the area.

Where a scheme of residential conversion is granted the permitted development rights that normally apply to dwellings could be withdrawn as a condition of the approval.

### **Policy H29 Non-Permanent Dwellings**

- A. In all parts of the District the policies used to determine proposals for permanent dwellings will be applied in determining the siting of caravans and mobile homes, notwithstanding that temporary arrangements for while dwellings are being built or renovated will be supported.
- B. Further moorings within marinas will only be permitted where they are provided for tourism and are in keeping with the scale and character of the marina.
- C. Linear and other moorings, including canal-side moorings, will only be permitted within settlements.

## **Explanation**

Marinas, by virtue of their primary function for leisure and tourism, are not usually located in areas where permanent housing would be sustainable. Applications for moorings for tourism use will need to be accompanied by a sound business case for the scheme. In some circumstances the Council will seek independent advice to corroborate the evidence provided. Personal moorings in the Countryside (defined as outside of settlement boundaries) will not be supported.

## **EDUCATION**

### **Policy EDU1 Provision of Education Facilities**

Land for educational purposes will need to be safeguarded in a location decided by Derbyshire County Council. The site will be:

- For at least an 800 pupil place secondary school
- Require a minimum of 10 hectares

## **Explanation**

Due to the growth in population in South Derbyshire not just in this plan period but also that has taken place recently it has become evident that at some point likely to be within the plan period of this Plan a new secondary school will be required in the District.

Currently the District contains four secondary schools; three in Swadlincote and one in Etwall. Parts of the District have normal areas covering them from Derby City schools, John Taylor High School, Barton under Needwood, Staffordshire and also the Long Eaton School, Nottinghamshire. Derbyshire County Council have undertaken a consultation on the possible locations for this new school and are currently considering their options and will undertake a further consultation in 2016.

## **RETAIL**

South Derbyshire's shopping hierarchy comprises two tiers:

- 1 Swadlincote Town Centre
- 2 Key Service Villages; Established Local Centres (Castleton Park, Church Gresley, Newhall and Woodville); Proposed Local Centres (Boulton Moor, Drakelow Park, Highfields Farm, Wragley Way, Chellaston Fields and Local Service Villages

The retail hierarchy in the District establishes Swadlincote as the primary town centre where new shopping development should be directed in order to maintain and improve the range of goods and services offered. For the purposes of the operation of the retail policies in this Plan, the town centre encompasses not only primary and secondary shopping frontages, and other shopping areas, but also adjacent civic, office, employment and leisure uses, and the focal points for public transport.

The District Council is committed, in partnership with the private sector in Swadlincote, to improving the environmental quality of the town, promoting the development of the economy and the range of facilities and attractions for shoppers and visitors. The second edition of the “Swadlincote Town Centre Vision and Strategy” was adopted in 2012. The Strategy reviews recent progress toward enhancing the vitality and viability of the town centre identifies the areas upon which specific emphasis should be placed, i.e. promotion, economic restructuring and design, together with a number of possible development sites. The plan seeks to emphasise the town’s special historic and architectural character and recognises that retail and leisure uses should be enhanced to offer visitors a more extensive range of goods and services.

Over the past ten years, the population of the Swadlincote urban area has grown significantly, which has also helped to raise levels of prosperity within the town. The 2005 Swadlincote Retail and Leisure Study identified an under provision of shopping facilities in the town, with much local custom leaking to neighbouring centres, in particular Burton-on-Trent. To pull back some local expenditure, whilst creating employment opportunities, the Council has succeeded in attracting significant inward investment in the form of the Morrisons supermarket and The Pipeworks retail and leisure development, incorporating a multiplex cinema and dining venues.

The Council has also worked in partnership with English Heritage to bring about improvements to the built fabric of the town centre, which is a Conservation Area. Traditional shop fronts have been restored and the Delph and West Street have benefitted from extensive repaving and the introduction of new street furniture and signage. Sharpes Pottery Museum has also been expanded, through the introduction of a new gallery, play area and café. There is scope for a range of further environmental improvements, from enhanced gateways and green spaces, to more active frontages and attractive pedestrian links.

Market days are a significant attraction and the relocation of stalls to The Delph and Swadlincote High Street has helped bring added life to the town centre. The monthly farmers market is a more recent introduction, bringing in specialist local produce vendors, providing a further draw to potential town centre users.

The aim now is to continue the revival of Swadlincote town centre as a service centre and attractive destination for both community and visitors. There is scope for significant retail, leisure, office and residential development with substantial sites available within and adjacent to the town centre. A particular focus is the development of the evening and visitor economies, linked to The National Forest. To this end, the Council hopes to attract a mix of uses, to support economic activity throughout the day and evening, with a greater emphasis on comparison based shopping, rather than convenience shopping, which currently predominates. Another consideration is the lack of modern suitably sized units to meet the needs of some national retailers not currently represented in the town.

Away from Swadlincote town centre, the provision of small scale local shopping facilities helps ensure residents have convenient access to a reasonable range and choice of facilities while helping to reduce travel and car use and secure a more sustainable environment.



Key Service Villages provide a range of retailing provision and other services to a localised catchment population, including a convenience store and a sub Post Office. Whilst some Local Service Villages provide these facilities, others do not. Nevertheless, the policy would allow for the favourable consideration of any proposals for additional provision and will resist the loss of existing facilities.

Local centres provide convenient and sustainable access to everyday shopping and services to residents living in the immediate locality.

The Local Plan must adopt a facilitating approach to enable a range of appropriate development proposals to come forward.

#### **Policy RTL1 Swadlincote Town Centre**

- A Other than in Local Centres, Key Service Villages and, Local Service Villages retail, leisure, office and other main town centre uses, as defined in national policy, should be located in accordance with the following sequence:
- (i) Firstly, within the defined town centre of Swadlincote (see map); or
  - (ii) Where there are no sites at (i), at sites on the edge of Swadlincote town centre: or
  - (iii) Where there are no sites at (i) and (ii), in out of centre locations that are well connected to Swadlincote town centre and highly accessible on foot, by cycle and by public transport.
- B Planning applications for retail, leisure and office development exceeding 2500 sqm in size on sites that are not within, or on the edge of, Swadlincote town centre should be accompanied by an assessment showing that there would be no adverse impact on Swadlincote Town Centre and other centres within the catchment area of the proposal, including those located in neighbouring local authorities, in accordance with national policy.
- C Within the primary shopping frontages of Swadlincote town centre, changes of use at ground floor level from retail, financial and professional services, food and drink and pubs and bars (Use Class A1, A2, A3, A4) to uses outside these categories will not normally be permitted, except where permitted development rights allow.
- D Within the secondary shopping frontages of Swadlincote town centre, changes of use at ground floor level from retail, financial and professional services, food and drink, pubs and bars and, takeaways (Use Classes A1, A2, A3, A4 and A5), to uses falling outside these categories will not be permitted, except where permitted development rights allow.
- E Within Swadlincote town centre, planning applications for change of use at first floor level and above to office (B1a) or residential use will be permitted, provided that the amenity of prospective occupants would be protected.
- F The Council will promote the redevelopment of the following sites, as identified on the Proposals Map, for uses that would enhance the viability and vitality of Swadlincote town centre:



- 1 Civic Centre, Civic Way
- 2 Land between Midland Road / Belmont Street
- 3 The Delph Block
- 4 Sharpes Estate
- 5 Land between West Street / Market Street

Where appropriate, redevelopment of the sites will be in accordance with a development brief prepared by the Council

### **Explanation**

In applying the sequential test referred to in part A, applicants should assess opportunities that are of an appropriate scale to accommodate the development proposed. They will be expected to demonstrate flexibility in terms of the format and scale of their proposals when assessing such opportunities.

The Council will require a full impact assessment for proposals in excess of 2500 sqm that are not within or on the edge of the town centre, which should also take account of any impact on other centres in the shopping hierarchy, both within the district and in neighbouring local authority areas.

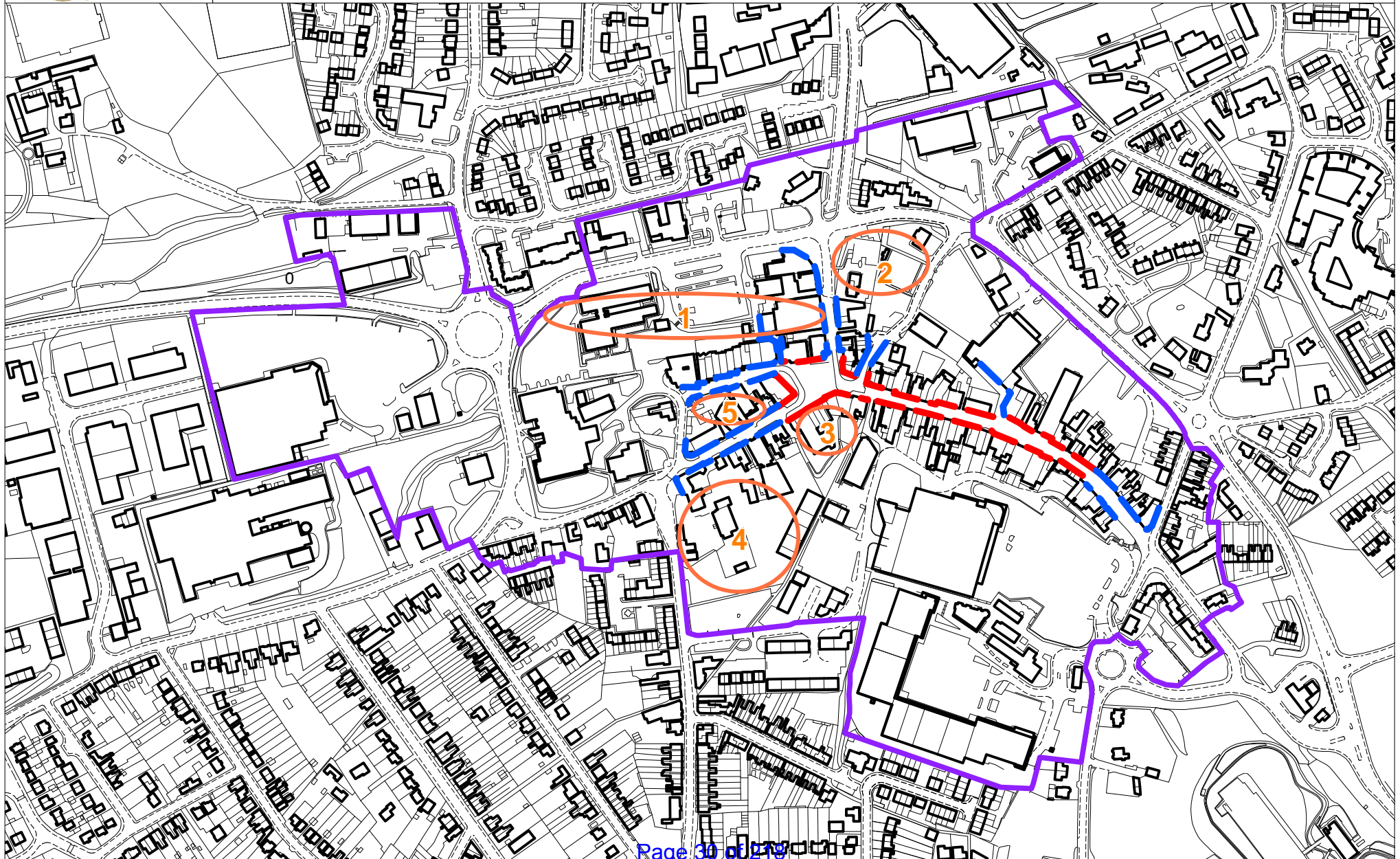
There is a need to maintain a core of retail activity in the town centre, but other complementary uses, during the day and evening, can reinforce the town centre's attractiveness to local residents. Primary frontages, shown on the Map 1, have therefore been identified, with the intention that these are retained as the main core of town centre activity.

It is recognised that the maintenance of a core of town centre activity, through the identification of primary frontages, will divert some development pressure to other areas within the town centre. These have been identified as the secondary retail frontages and are identified on the Map 1. Within these frontages, the Council will allow more flexibility in the range of uses.

Representation of larger bulky goods operators is limited. Competition from larger centres and out of town retailers outside the District, as well as lack of suitable premises in the town all contribute to the limited provision of such goods.

The Swadlincote Town Centre Vision and Strategy identifies the land currently occupied by the Civic Offices, bus station, former market hall and car parking and library as potentially the largest single site within the town centre, particularly if coupled with the adjacent Leisure Centre site, with scope for a mixed use development and increased parking provision.

The Leisure Centre site is currently receiving significant investment, but may only be suitable for redevelopment in the medium term. It has potential to contribute to the adjacent Cultural Quarter, presently containing the Sharpe's Pottery Museum, or it could be combined with the adjacent Civic Centre site to create a single major investment site.



Land between Midland Road and Belmont Street is currently occupied by a mix of uses, including buildings, vacant land and a former bowling green. There is an opportunity for redevelopment and/or refurbishment with mixed uses, including offices.

The Delph Block, comprising 1-15 West Street comprises a block of retail, food and drink and health and beauty premises. It has scope for refurbishment or redevelopment with mixed uses, together with an opportunity to create an active frontage to Rink Passage. The site could also be integrated with the adjacent Sharpe's Estate.

This site comprises a public car park and a cluster of office and industrial buildings, both historic and modern, including vacant buildings and land. There is a development opportunity for mixed uses, including residential, with scope for restoration works, redevelopment and infill to complement the existing buildings. It could be integrated with the adjoining Delph Block.

Buildings fronting West Street, a number of which are vacant or underused, are important from a heritage perspective. At the frontage to the Delph is the modern Post Office building. There is potential to incorporate the West Street frontages in a development scheme, with new active frontages to Market Street involving mixed uses.

### **Policy RTL2      Local Centres and Villages**

At existing and proposed Local Centres and in villages:

- A      Proposals for retail, financial and professional services, food and drink and pubs and bars (Use Class A1, A2, A3, A4) will be permitted provided that the development is consistent with the scale and function of the settlement or locality, would not have an unacceptable impact on the vitality or viability of other centres, including those within neighbouring local authority areas and would not be harmful to the amenity of neighbouring uses.
- B      Changes of use at ground floor level from retail and public houses (Use Class A1 and A4) to uses falling outside these categories will not be permitted, except where it can be demonstrated to the satisfaction of the Council that the current use is no longer viable, or where there are adequate alternative facilities in the Local Centre or village that can cater for the needs of the local population or where permitted development rights allow.
- C      Where viable, the Council will support the delivery of new Local Centres at Boulton Moor, Drakelow Park, Highfields Farm and Wragley Way to support the creation of new or growing communities.

### **Explanation**

A cohesive policy is required to maintain and enhance the role and function they perform. However, development should not be of a scale that would undermine other centres, including those in neighbouring local authority areas. Existing facilities such as shops and public houses perform a vital role in maintaining the vitality and sustainability of rural communities. The Council will therefore restrict the loss of such facilities unless it can be shown that continuation of the present use is no longer economically viable.

The recently established purpose-built centre at Castleton Park comprises a convenience store, pharmacy, charity shop and food and drink outlets alongside a new medical centre.

The local centre in Church Gresley comprises a convenience store, a charity shop, a pharmacy, take away food outlets and other services spread out around the area surrounding the junction of Market Street and Common Road.

At Newhall, the local centre is spread along High Street and comprises a convenience store, Post Office, pharmacy, food and drink outlets, an off-licence and other services in an area that also includes the Old Post community centre, village hall and doctors surgery.

The local centre of Woodville is focussed on the area containing the convenience store, post office and pharmacy on High Street, with a number of food and drink outlets and other shops and services spread out to the east and west.

New residential development on the scale proposed at Boulton Moor, Drakelow, Highfields Farm and Wragley Way generates a requirement for local retail facilities and services.

The retention of shops and services in villages is important to the sustainability of the community in terms of providing for day to day needs, thereby providing for those who are less able to travel and reducing the need to travel to other centres for those with the means to do so. It is particularly important to retail shops where they represent the last remaining such facility within a village or locality.

The services do, however, need to be viable if they are to survive. If a service becomes unviable as a result of lack of patronage, it may not be possible to prevent a change of use. However, the applicant will need to demonstrate that the existing service is indeed unviable, that attempts to retain the premises in retail use have been unsuccessful and that alternative provision exists within walking distance.

It is considered that 2 kms represents the maximum distance, along a route suitable for use by pedestrians, from a local facility that can normally be considered convenient to walk for everyday activities. This guideline and the range and choice of other facilities in the locality will be used in assessing the accessibility of acceptable alternatives.

## INFRASTRUCTURE

### **Policy INF11 Telecommunications**

Proposals for telecommunications development will be permitted provided that:

- i) they are located and designed so as to minimise visual intrusion on the landscape or townscape, through sympathetic siting, design, materials, colour and, where appropriate, camouflage.
- ii) where a new mast is proposed, there is no opportunity for sharing an existing

mast, building or structure.

- iii) it is not located in, nor will have an unacceptable impact on, a Conservation Area, setting of a listed building, Site of Special Scientific Interest, County Heritage Site, Local Nature Reserve or any other sensitive landscape setting, unless it can be demonstrated that no technically acceptable alternative site is available and that the need for the development outweighs the degree of harm caused.

#### **Explanation**

Reliable telecommunications infrastructure is essential for delivering the services expected from mobile communications. It is recognised that service providers will want to provide the best coverage possible in order to remain competitive in the market. Whilst recognising the importance of telecommunications it is important to strike a balance between delivering infrastructure and preserving the landscape and buildings of particular importance. Wherever there is an opportunity to minimise the negative effects of telecommunications infrastructure, these should be taken up. Unavoidable negative impacts will only be permitted where the need for the development is clearly of greater importance than the harm caused and no alternatives are available.



## Appendix A - Settlement Boundaries

Settlement boundaries define the built limits of a settlement and distinguish between the built form of a settlement and the countryside. Areas outside of settlement boundaries are considered to be countryside. There is a presumption in favour of development (subject to meeting other material considerations) within settlement boundaries, whereas in the countryside a more restrictive policy applies.

The adopted 1998 Local Plan defined settlement boundaries for 35 settlements within the District. For those settlements without a settlement boundary, Local Plan policies are used to determine whether a site is appropriate for a particular development.

South Derbyshire District Council intends to continue the use of settlement boundaries within its Local Plan Part 2, for Swadlincote (including Woodville), those settlements defined as Key Service Villages, Local Service Villages and Rural Villages where there is a compact group of dwellings within a settlement. For those settlements without a settlement boundary, Local Plan policies will be used to determine whether a site is appropriate for a particular development.

The following settlements will have settlements boundaries within the Local Plan Part 2:

### Urban Areas

Swadlincote including Woodville

### Key Service Villages:

Aston on Trent	Etwall	Hatton
Hilton	Melbourne	Overseal
Repton	Shardlow	Willington

### Local Service Villages

Coton in the Elms	Findern	Hartshorne
Linton	Mount Pleasant	Netherseal
Newton Solney	Rosliston	Ticknall
Weston on Trent		

### Rural Villages

Ambaston	Barrow upon Trent	Burnaston
Caludwell	Church Broughton	Coton Park
Egginton	Elavston	Foston
Kings Newton	Lees	Long Lane

Lullington

Milton

Scropton

Smisby

Stanton By Bridge

Sutton on the Hill

Swarkestone

Thulston

Walton on Trent

The District Council has undertaken a settlement boundary review of the adopted 1998 settlement boundaries and established the need for new settlement boundaries in the current locations:

- Ambaston
- Elavston
- Foston
- Thulston
- Mount Pleasant (Castle Gresley) *(The settlement is included within Swadlincote Urban Area within the 1998 Local Plan)*

The aims of the settlement boundary review are:

- To ensure that settlement boundaries are logical and reflect what's on the ground; and
- To identify what land should and should not be included within the settlement boundaries.

The methodology used to review and create settlement boundaries are set out within the Housing and Settlements - Topic Paper for Local Plan Part 2.

DRAFT



## Appendix C - Part 2 Housing Sites

At this stage the District Council has **not** chosen its preferred housing allocations for the Local Plan Part 2. The sites that are being considered as in Part 1 have been put forward to the Council by the Strategic Housing Land Availability Assessment (SHLAA) which is an ongoing mechanism for landowners, developers and agents to make known to the Council that they consider their site suitable for development.

The maps on the following pages show the sites promoted to the Council through the SHLAA. At this stage only a small number of sites have been considered to be not appropriate because they are:

***within flood zone 3b,***

***within the Green Belt,***

***mostly covered by tree protection order(s)***

***considered to form a strategic gap between two settlements***

***are not well related to the settlement.***

The sites on the maps have been colour coded:

Grey – Part 1 allocation

Green – considered as potentially suitable at this stage

Red – considered not suitable (according to above criteria)

**It is important to note that NOT all of the sites listed on these maps will become allocations. A decision on which sites will be made in a subsequent consultation on Part 2.**

**Considerations such as highways, access, landscape, heritage impact and wider flooding issues have not been taken into account at this point.**

Future proposed allocations will be led by the policy H22 of the Local Plan Part 2, which proposes at this stage a suggested strategy for distributing the 600 dwellings.

Further work will need to be undertaken on the merits of each potential housing sites. The first stage of this work has taken place by assessing all of the possible sites against criteria from the Sustainability Appraisal for the Local Plan Part 2. These can be seen at Appendix D. The sites selected will need to be proven to be suitable, deliverable and developable.



**South  
Derbyshire**  
District Council  
Community and  
Planning Services

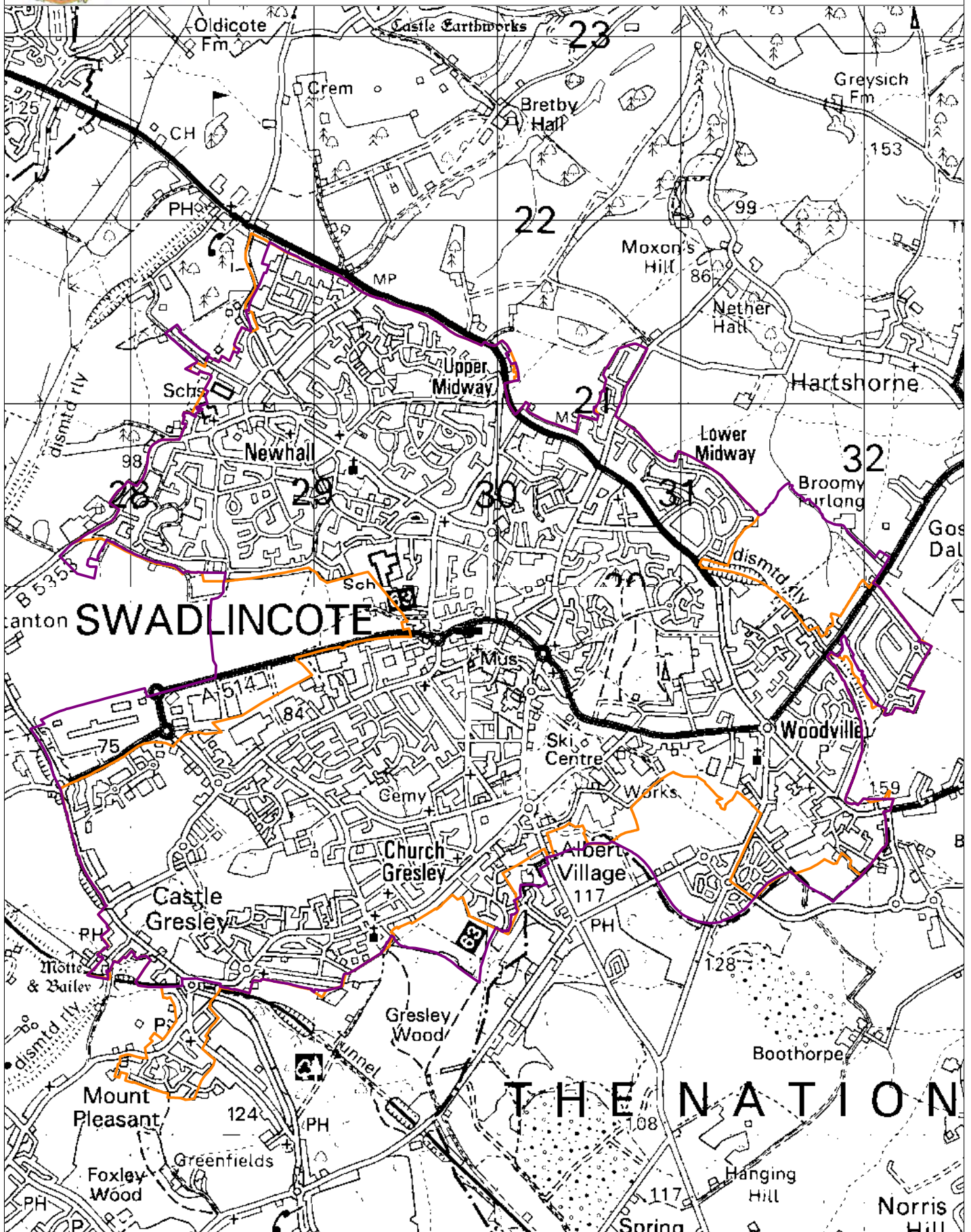
# Settlement Boundaries Local Plan Part 2



# Swadlincote



## Swadlincote Settlement Boundary

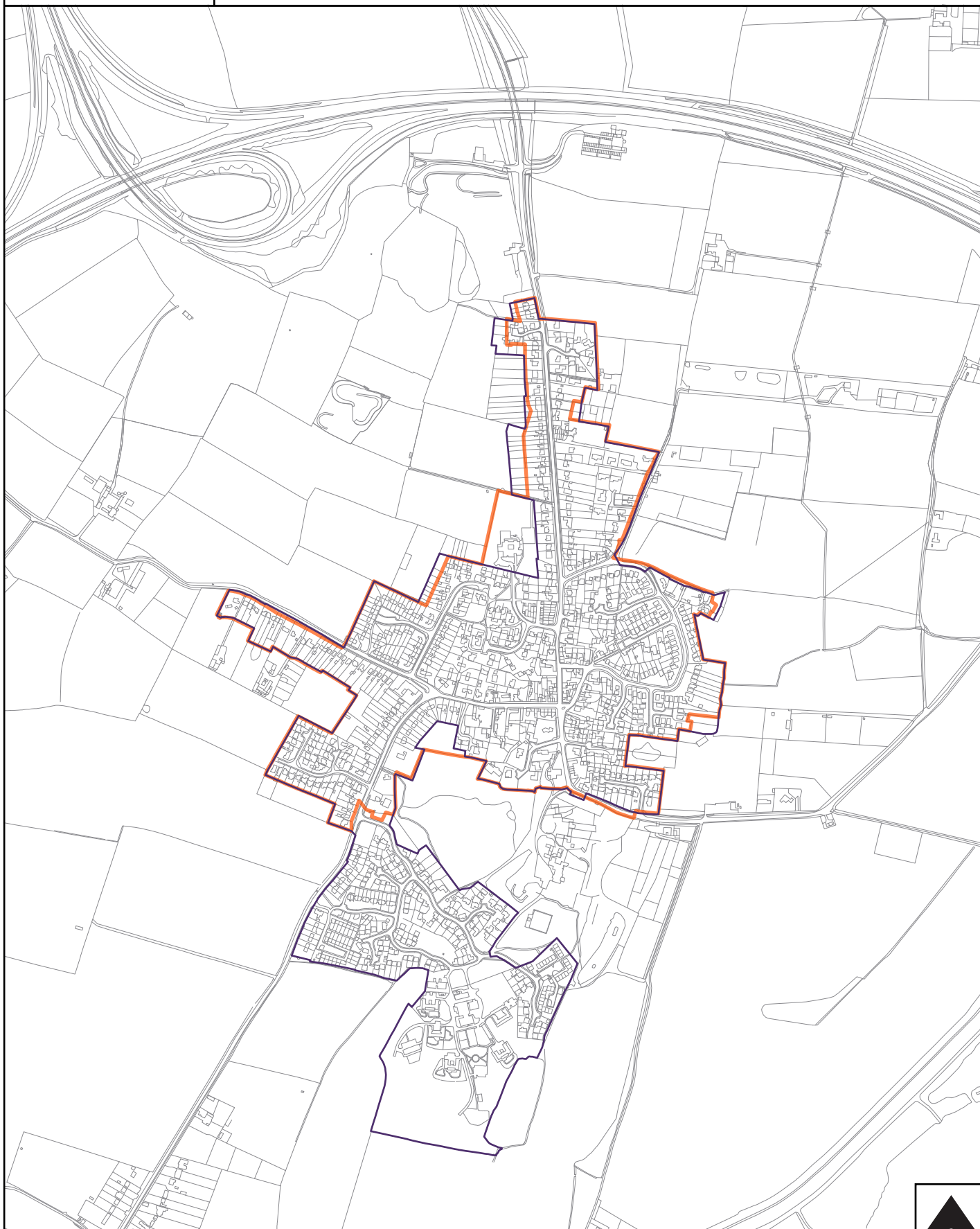


# Key Service Villages





## Aston on Trent Village Settlement Boundary



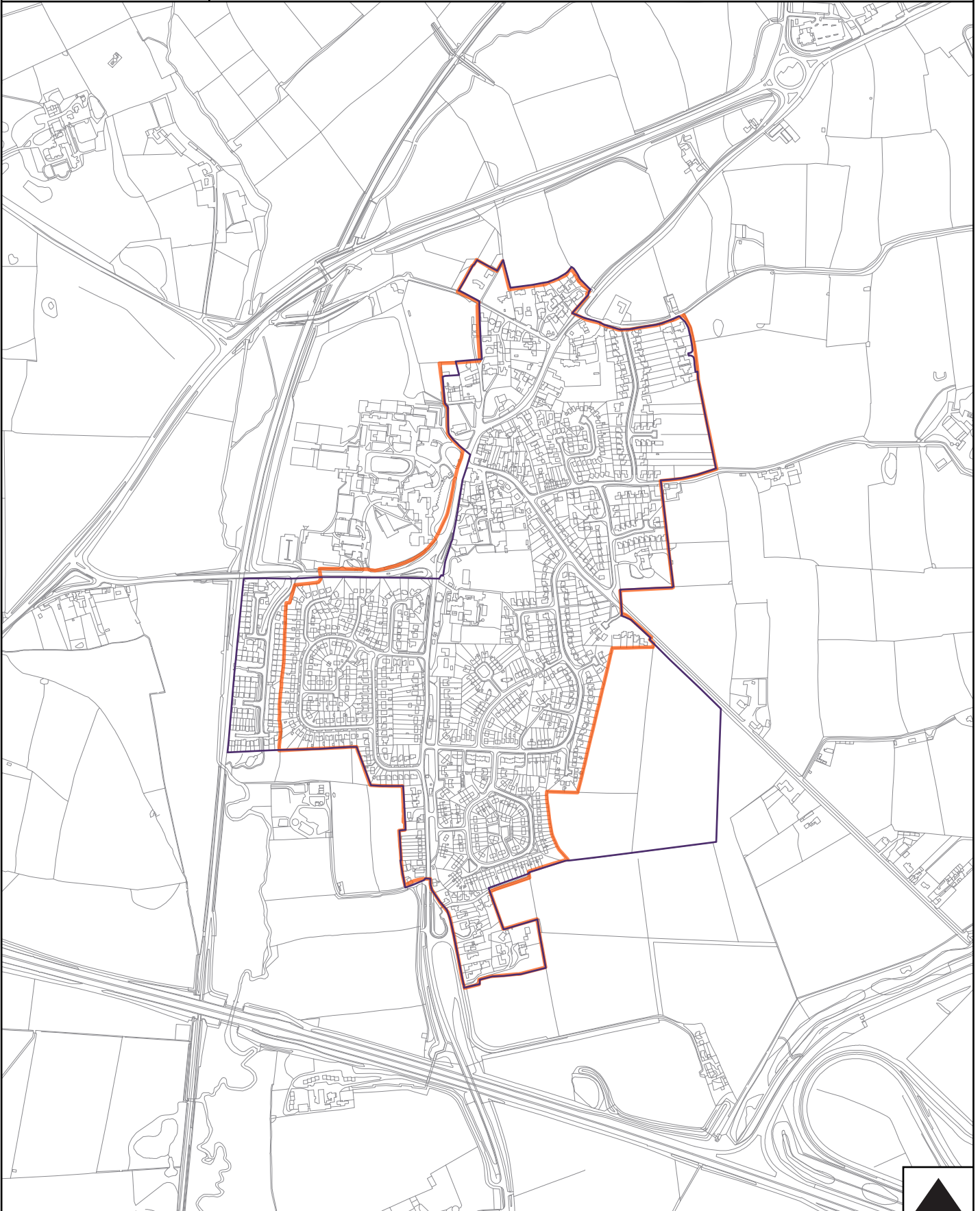
Existing Village Settlement boundary  
(1998 Adopted Local Plan)



Proposed Settlement boundary



## Etwall Village Settlement Boundary



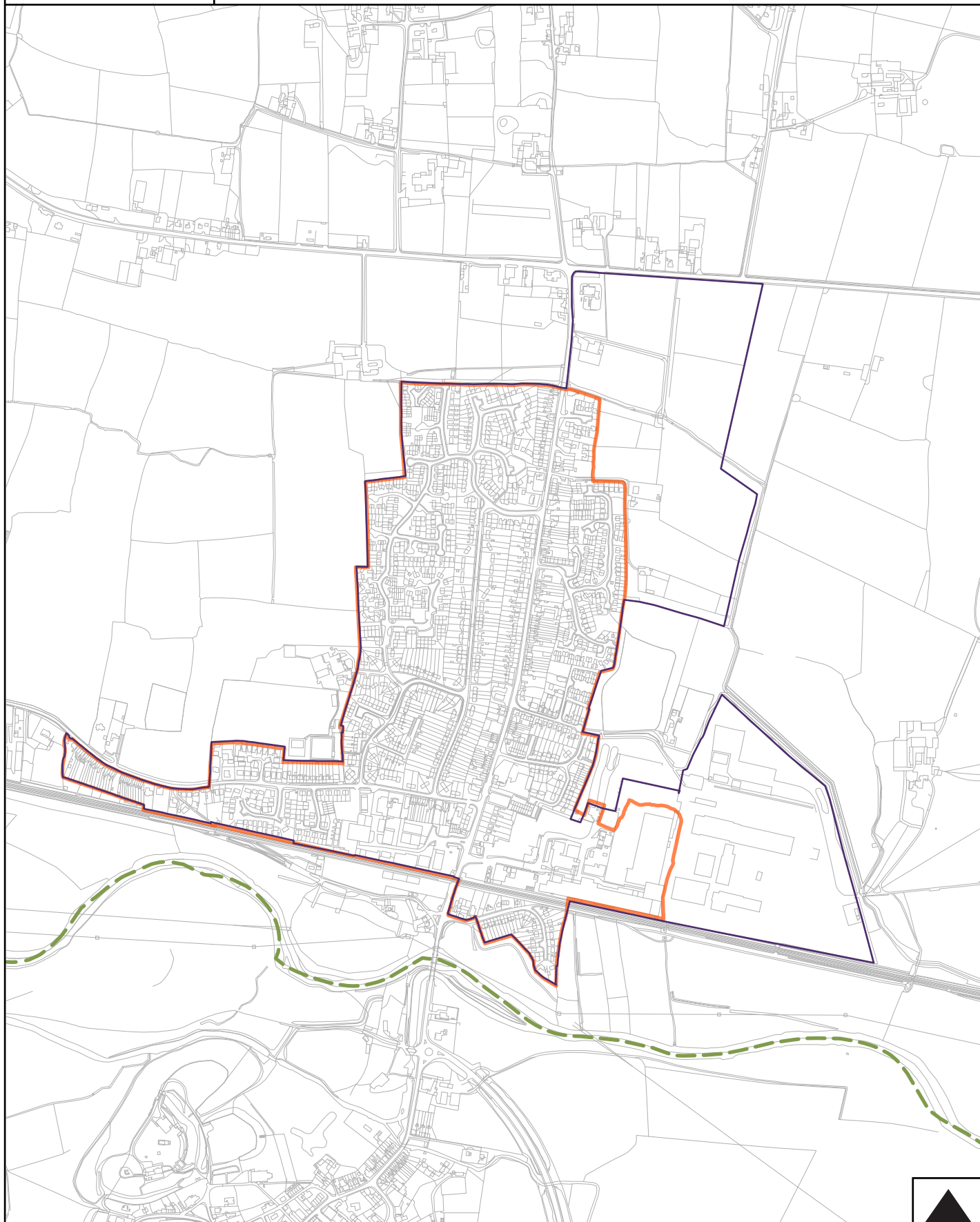
Existing Village Settlement boundary  
(1998 Adopted Local Plan)



Proposed Settlement boundary



## Hatton Village Settlement Boundary



Existing Village Settlement boundary  
(1998 Adopted Local Plan)

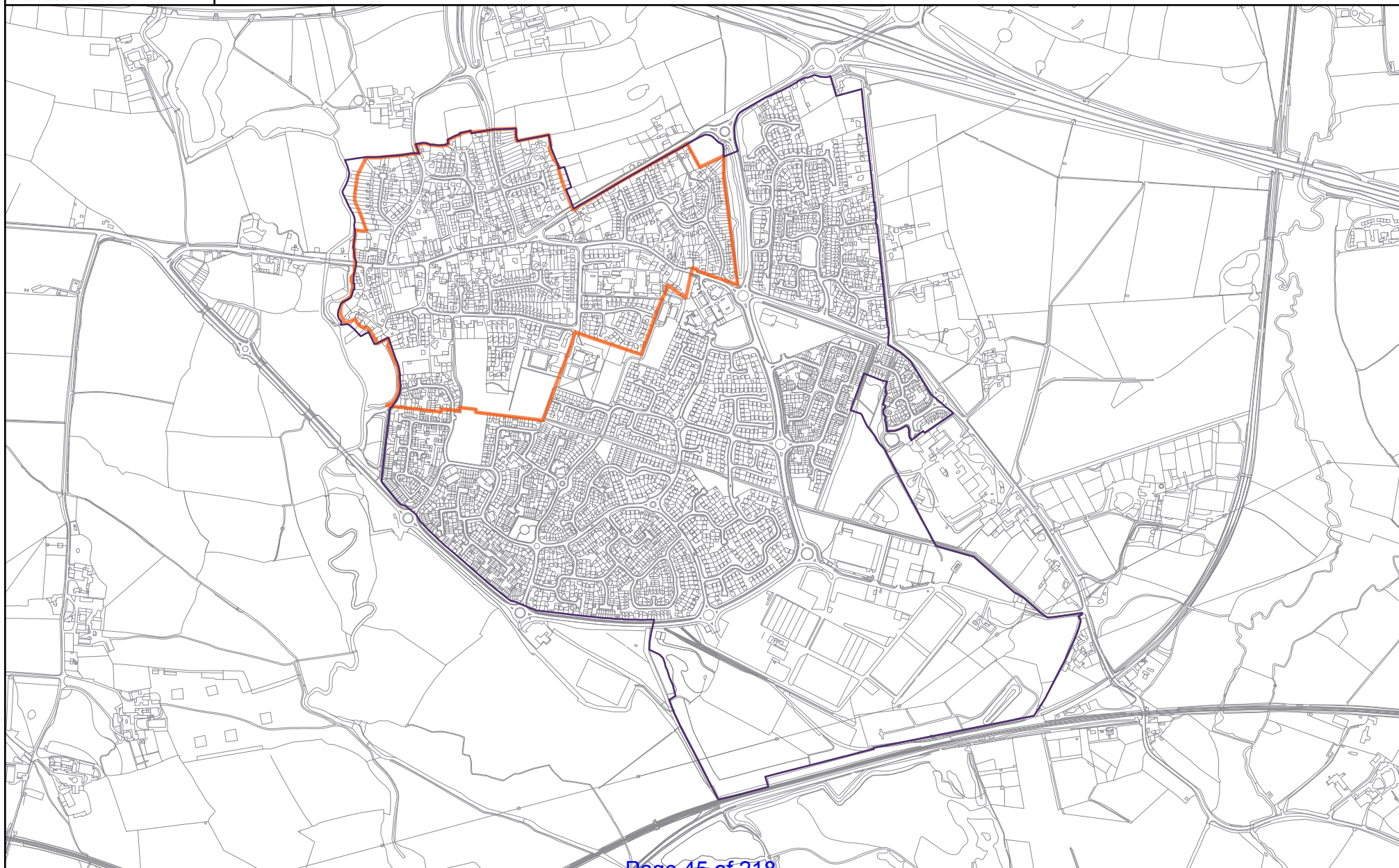


Proposed Settlement boundary





## Hilton Village Settlement Boundary



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Existing Village Settlement boundary  
(1998 Adopted Local Plan)



Proposed Settlement boundary

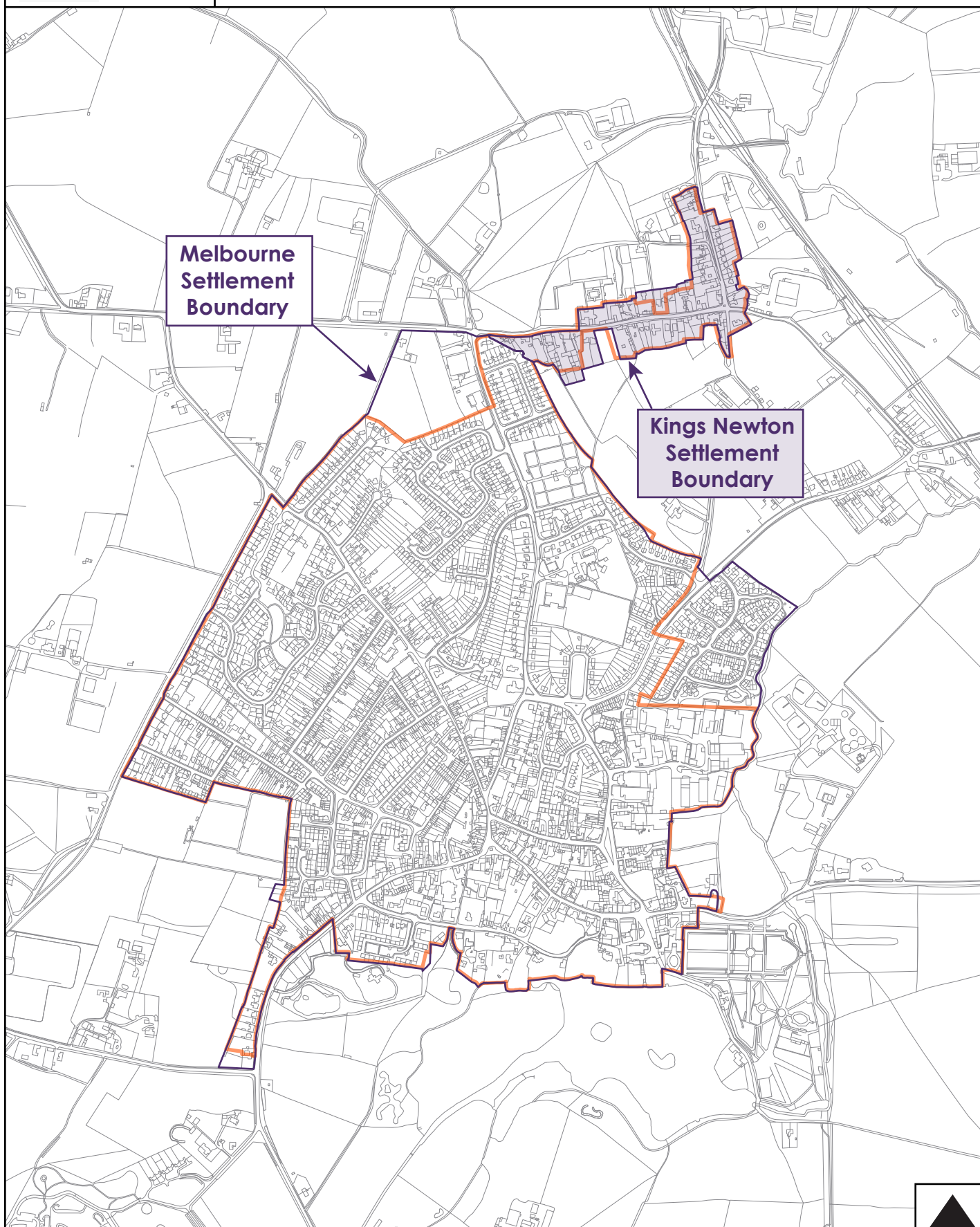
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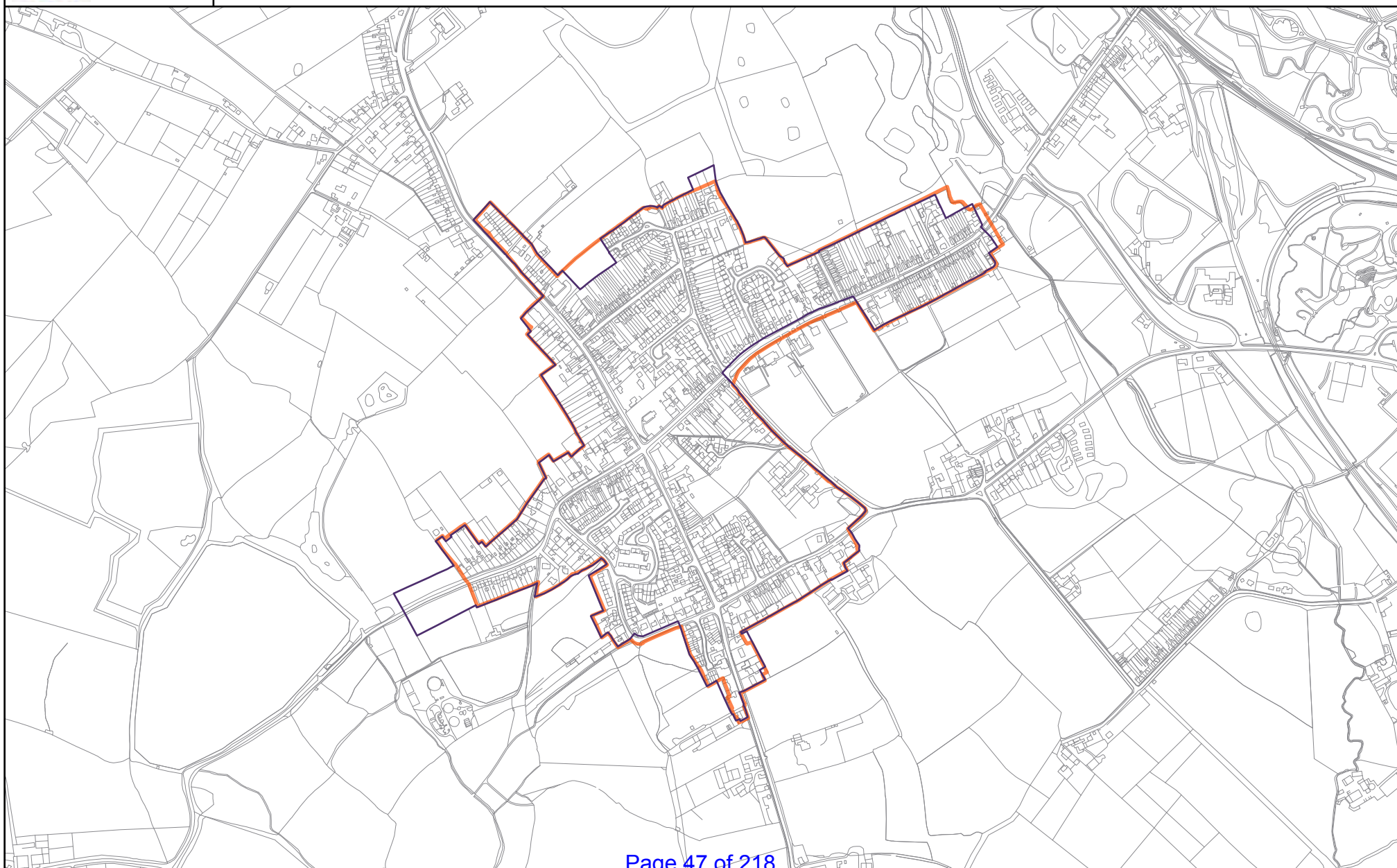
## Melbourne Village Settlement Boundary







## Overseal Village Settlement Boundary



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Existing Village Settlement boundary  
(1998 Adopted Local Plan)



Proposed Settlement boundary

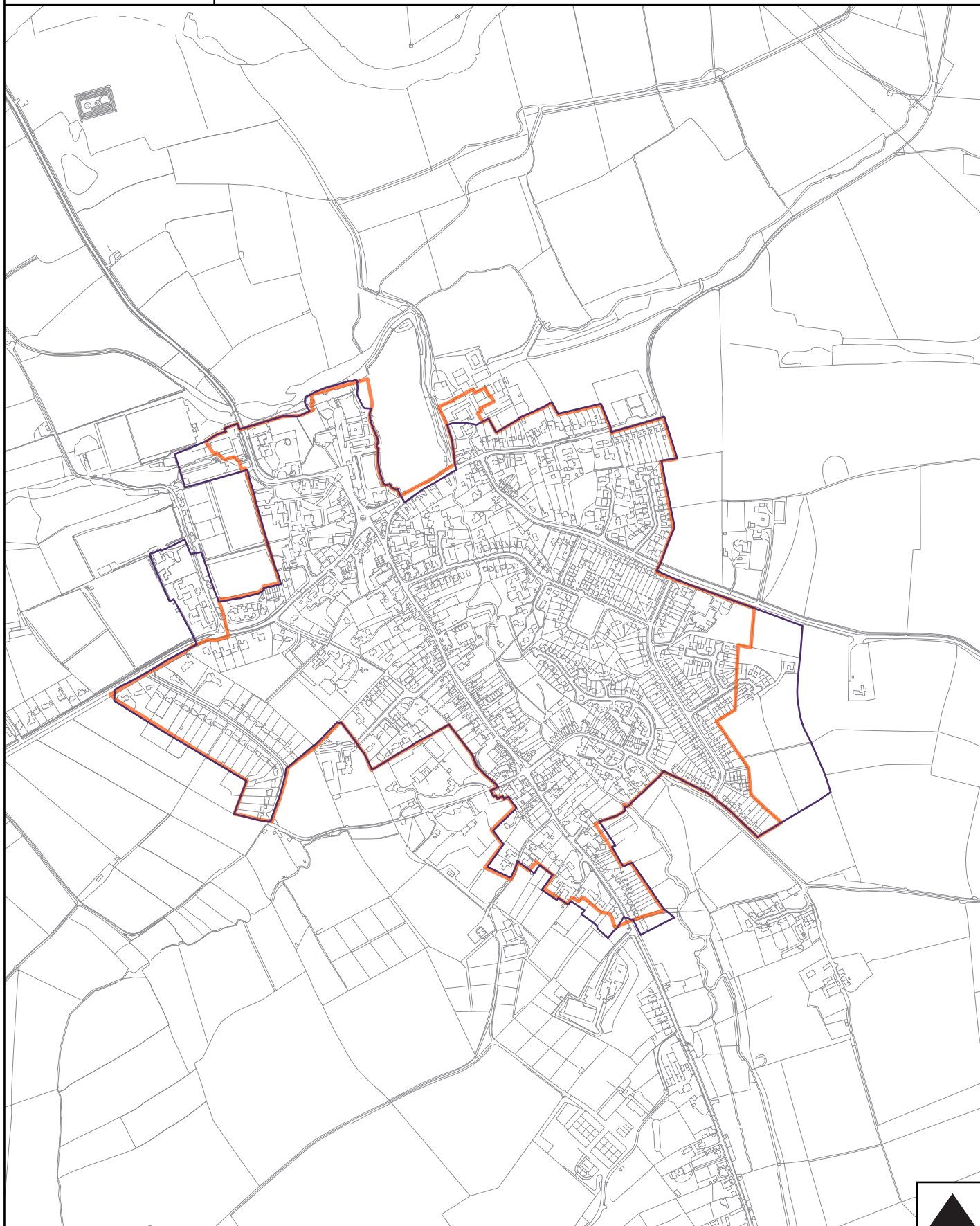
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## Repton Village Settlement Boundary



Existing Village Settlement boundary  
(1998 Adopted Local Plan)

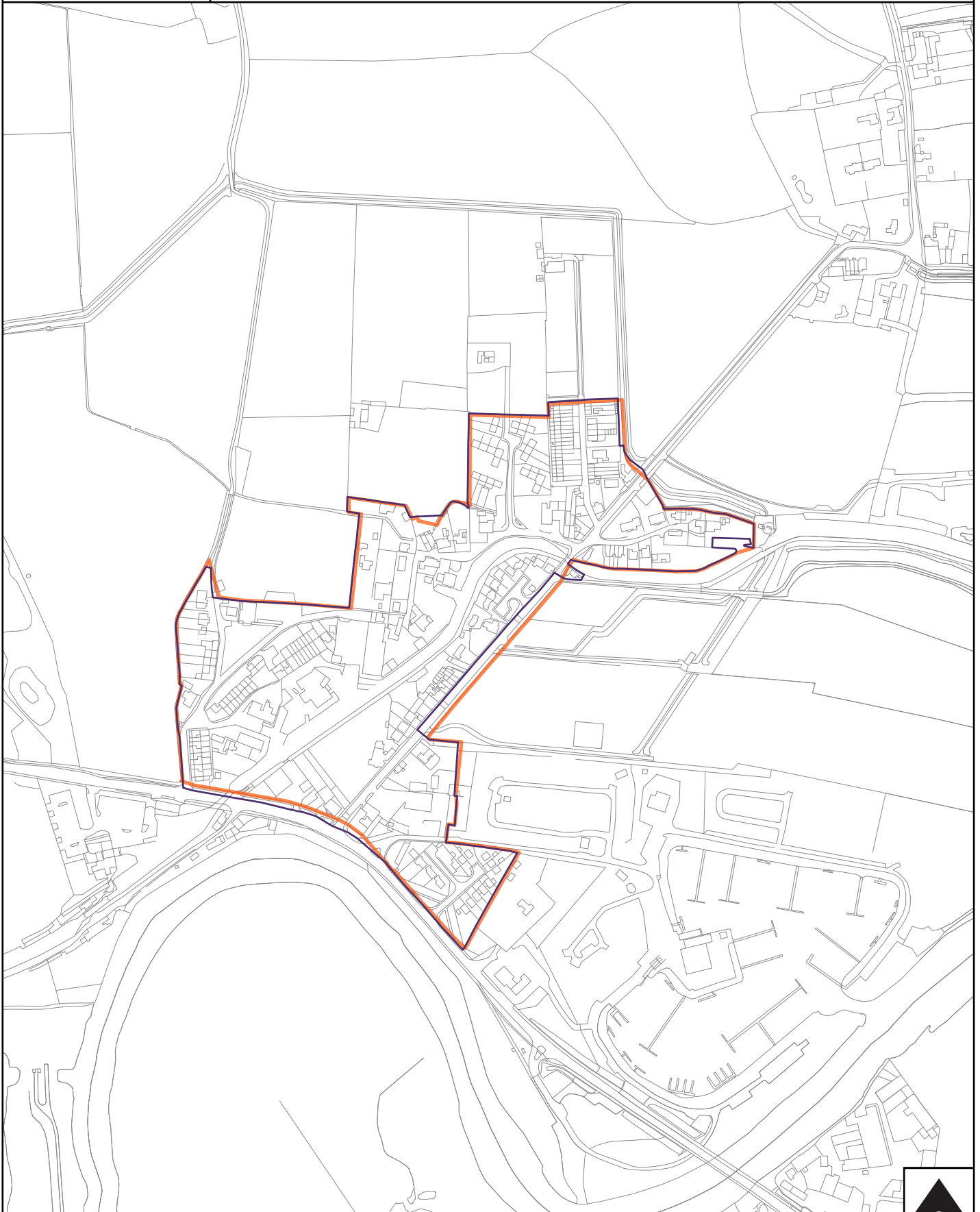


Proposed Settlement boundary





## Shardlow (East) Village Settlement Boundary



Existing Village Settlement boundary  
(1998 Adopted Local Plan)

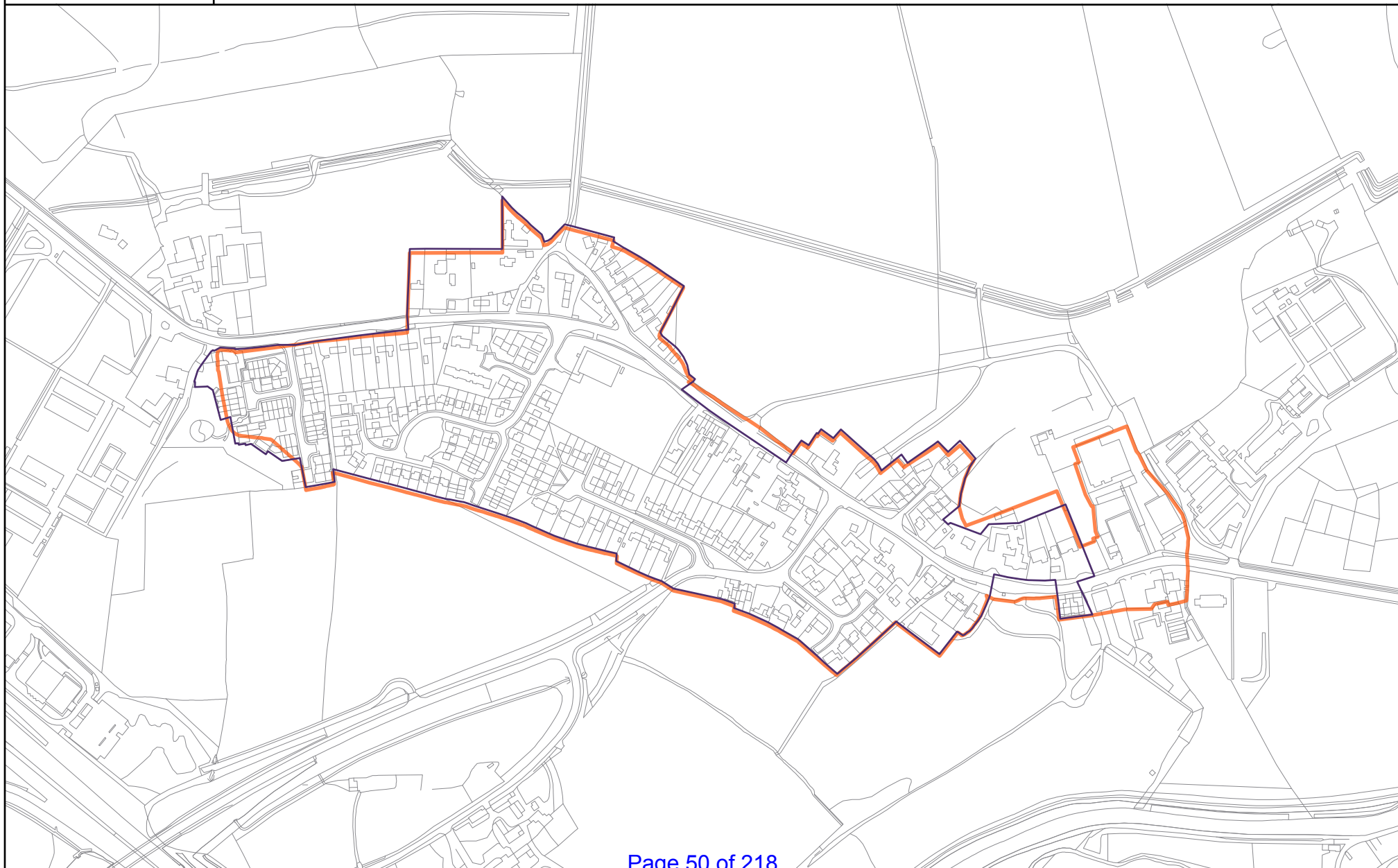
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Proposed Settlement boundary



## Shardlow (West) Village Settlement Boundary



Existing Village Settlement boundary  
(1998 Adopted Local Plan)

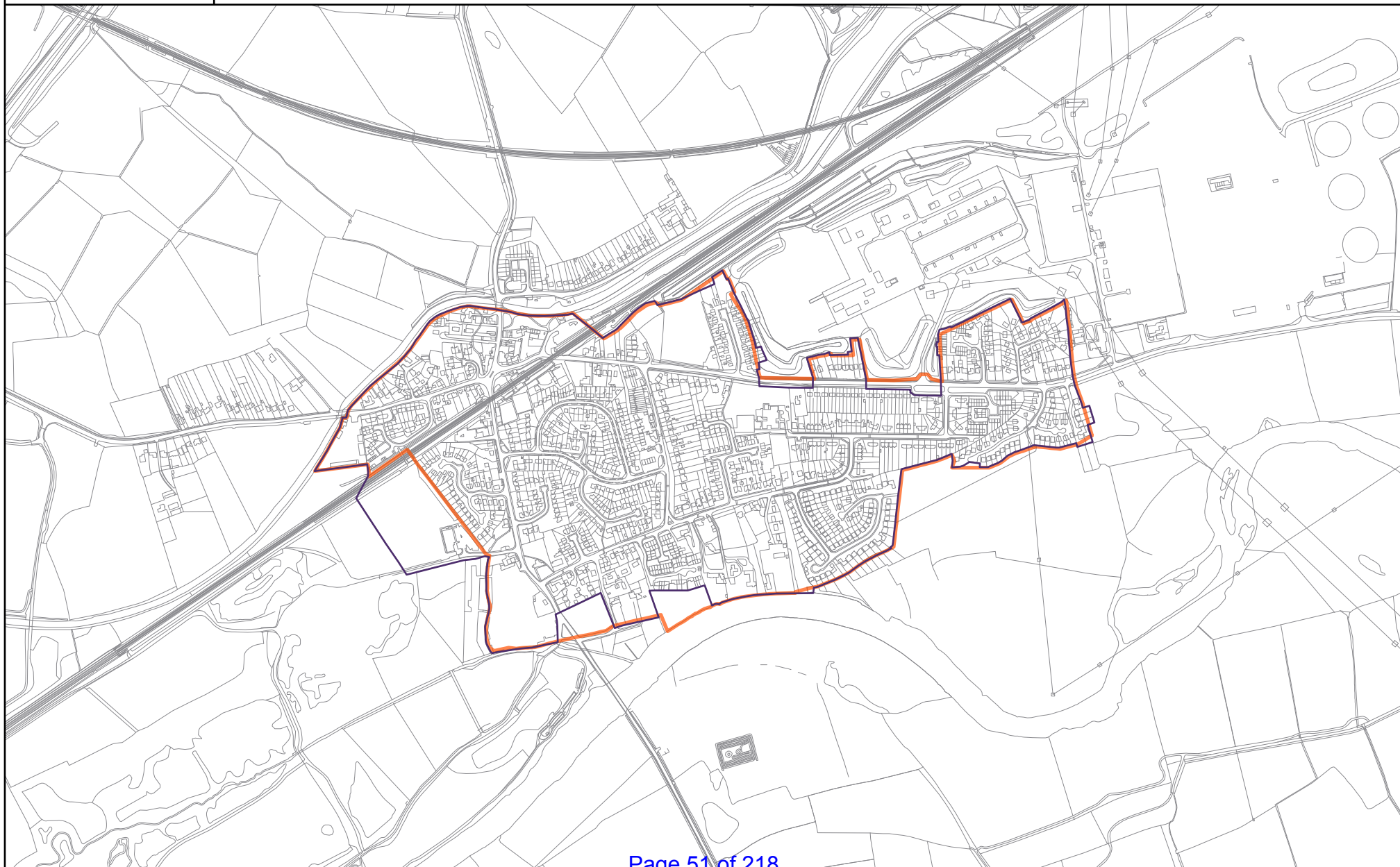


Proposed Settlement boundary





## Willington Village Settlement Boundary



Existing Village Settlement boundary  
(1998 Adopted Local Plan)



Proposed Settlement boundary



# Local Service Villages





## Coton in the Elms Village Settlement Boundary



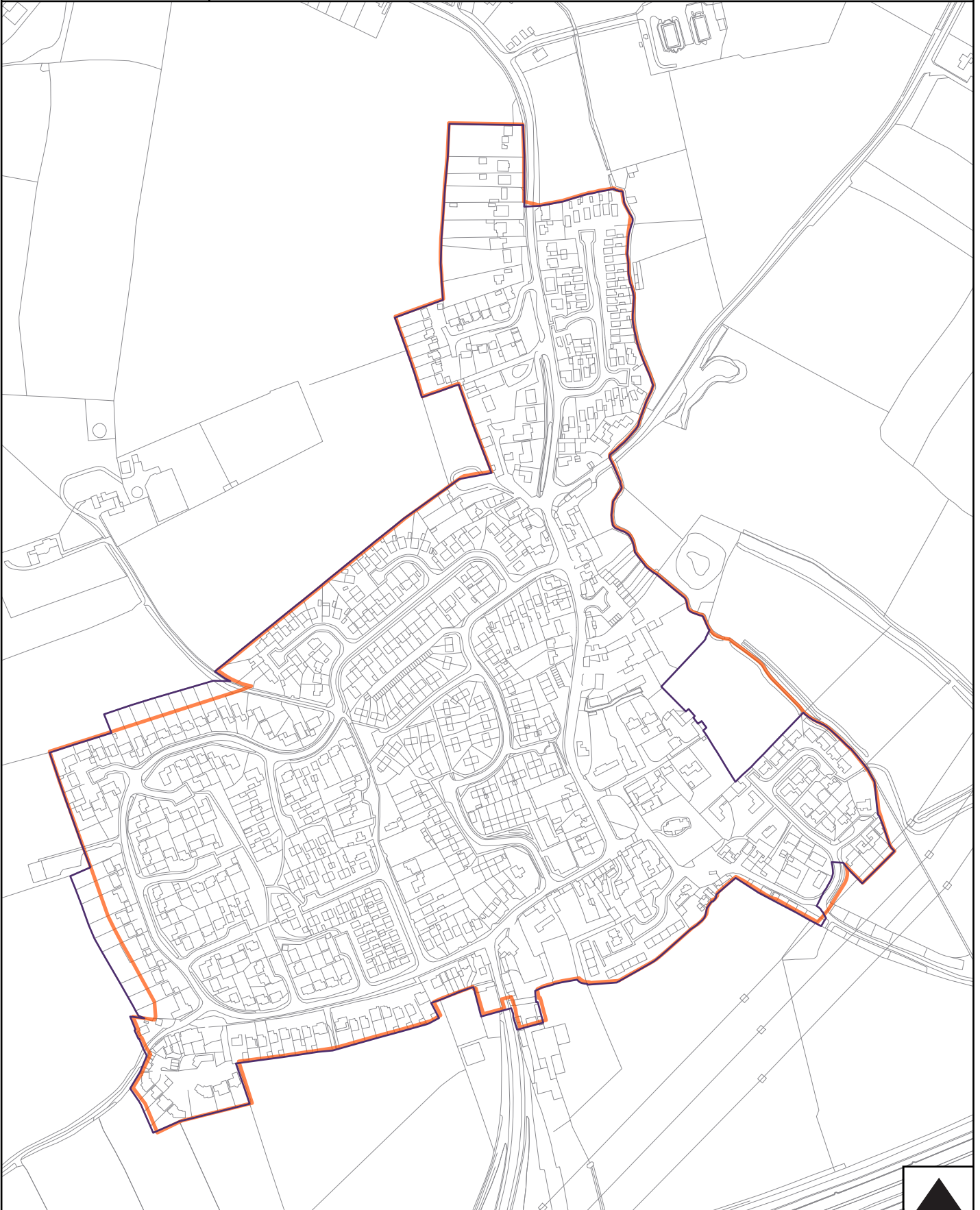
Existing Village Settlement boundary  
(1998 Adopted Local Plan)



Proposed Settlement boundary

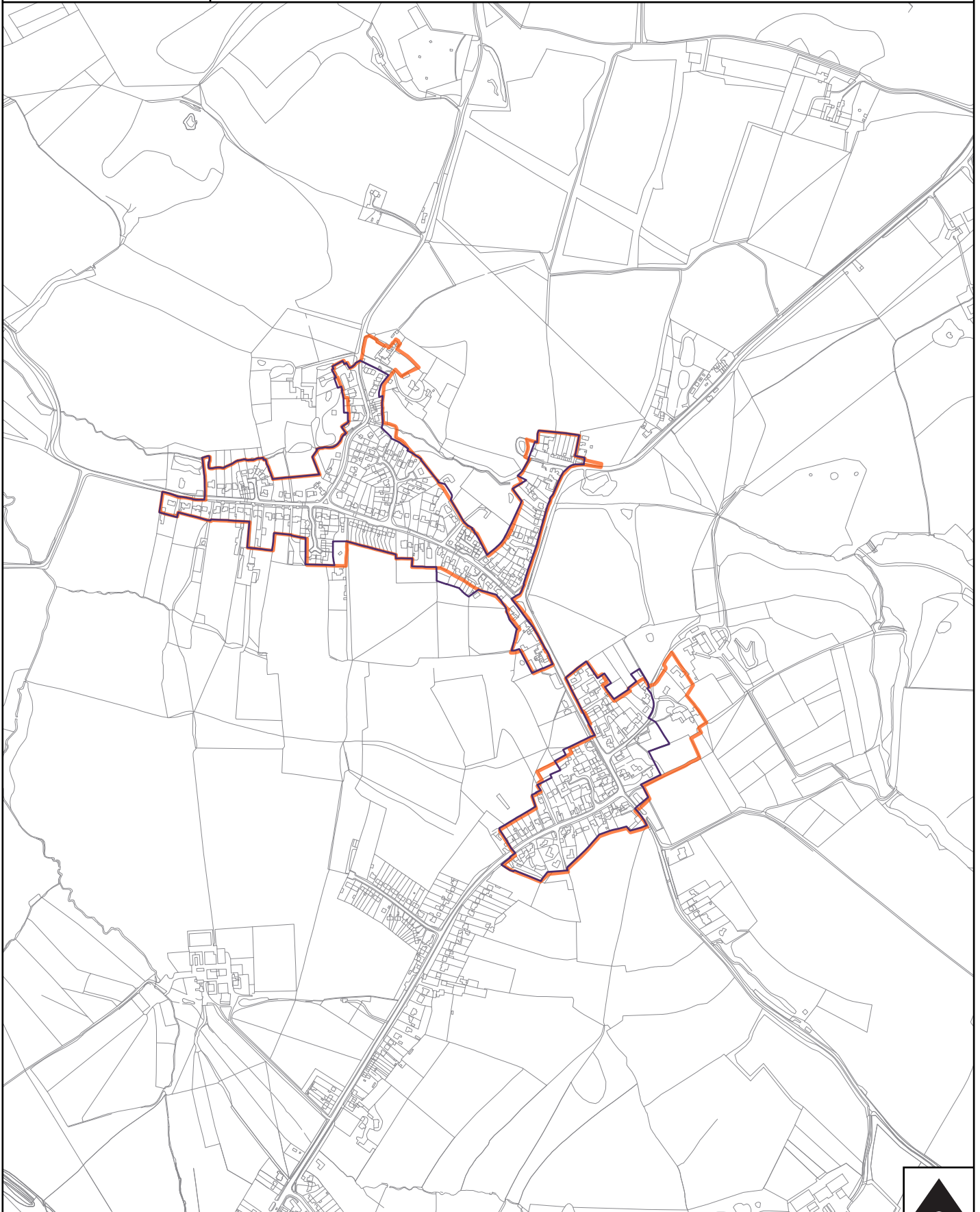


## Findern Village Settlement Boundary

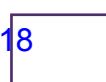




## Hartshorne Village Settlement Boundary



Existing Village Settlement boundary  
(1998 Adopted Local Plan)

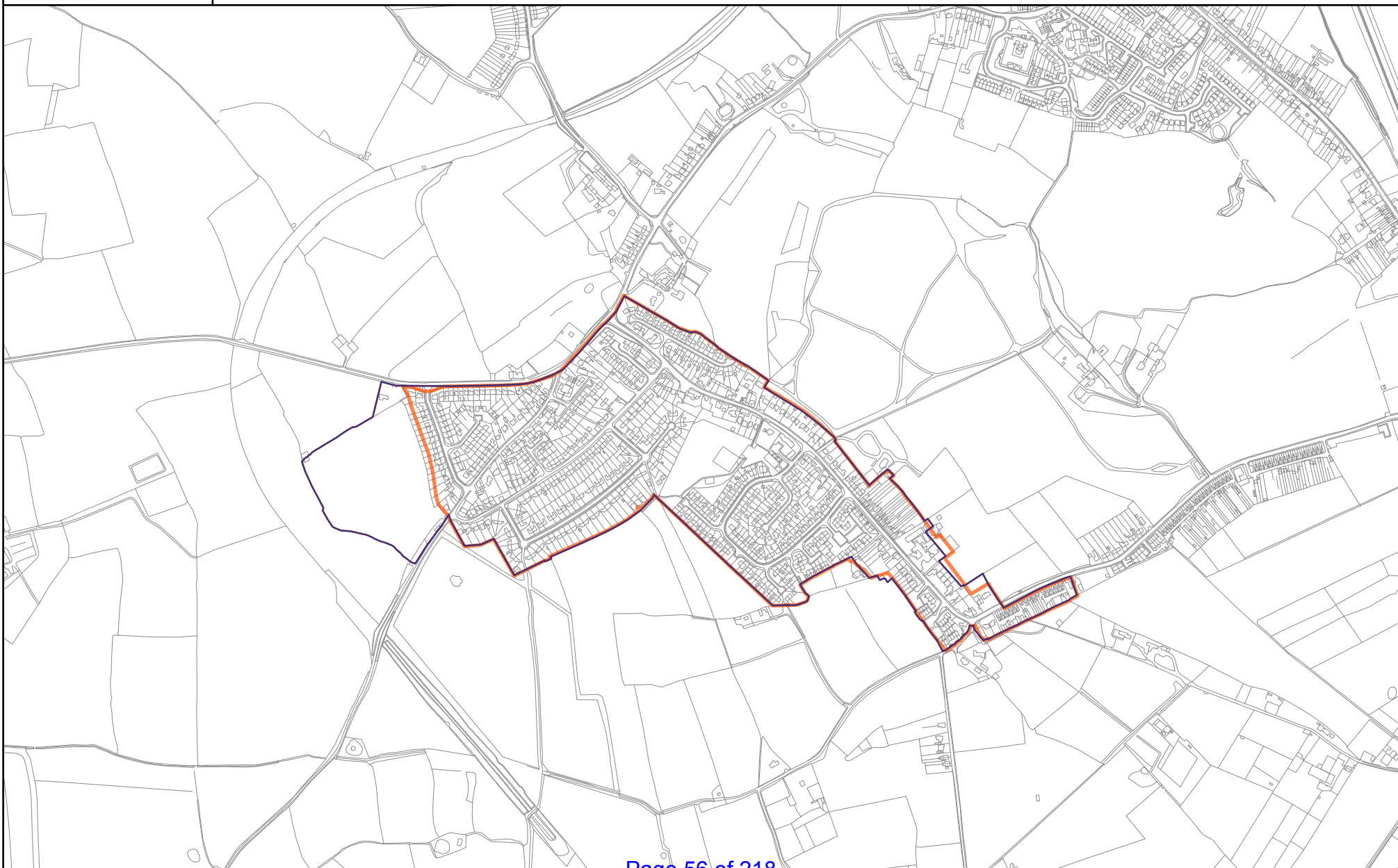


Proposed Settlement boundary





## Linton Village Settlement Boundary



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Existing Village Settlement boundary  
(1998 Adopted Local Plan)



Proposed Settlement boundary

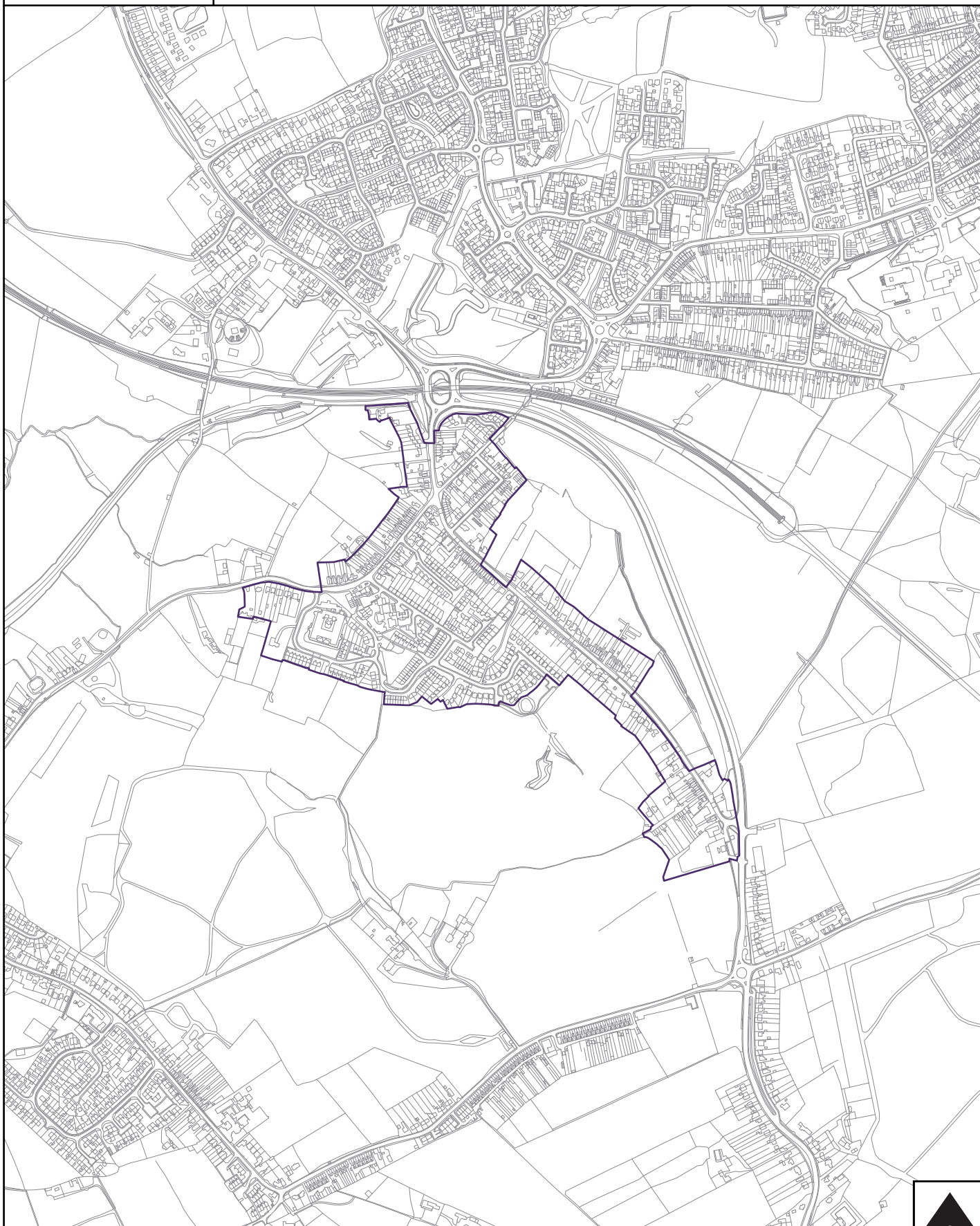
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100019461 2014.

Scale: 1:10000 at A4





## Mount Pleasant Village Settlement Boundary



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Scale: 1:10000 at A4



There was no Village Settlement boundary for the village of Mount Pleasant in the 1998 Adopted Local Plan

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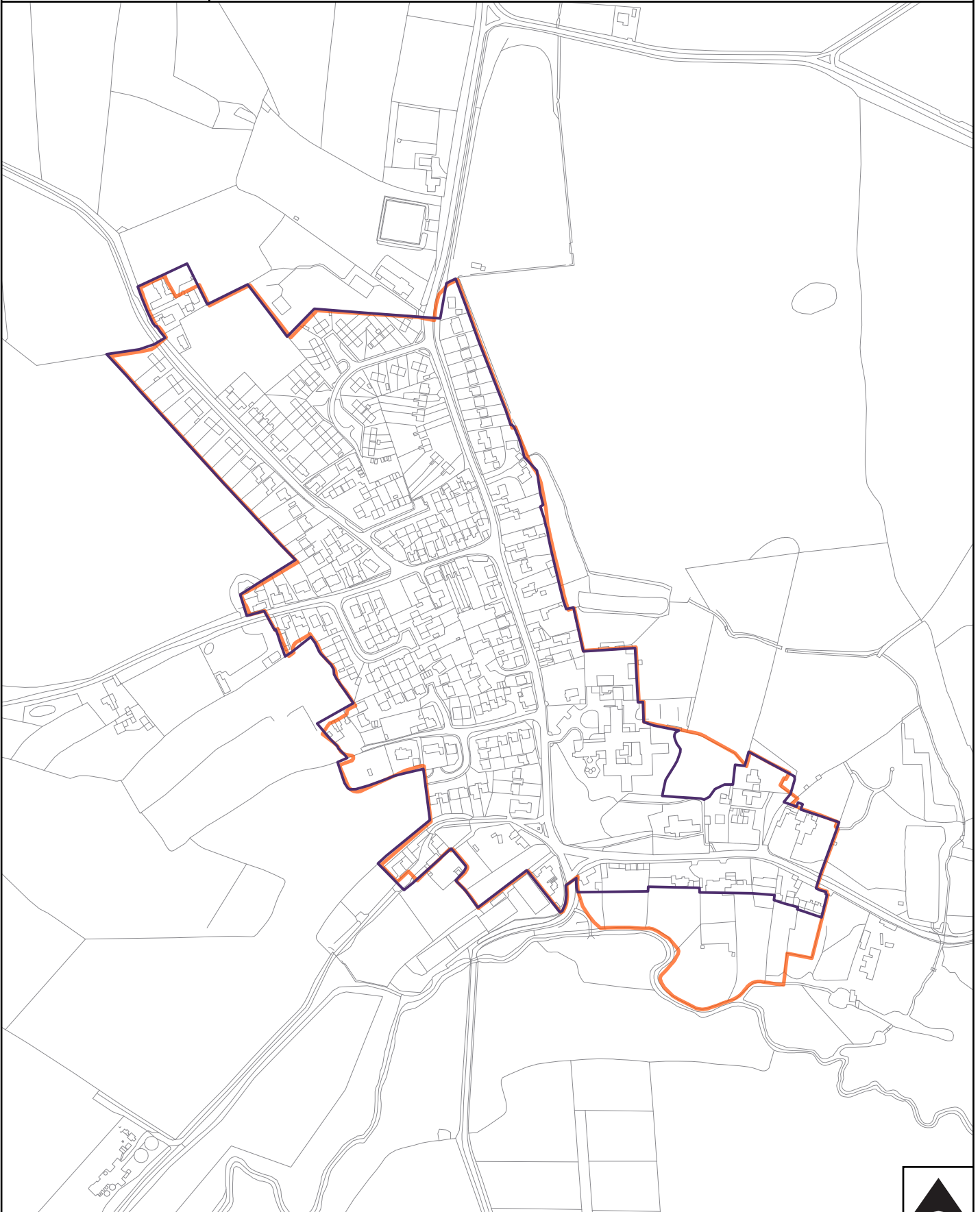


Proposed Settlement boundary





## Netherseal Village Settlement Boundary



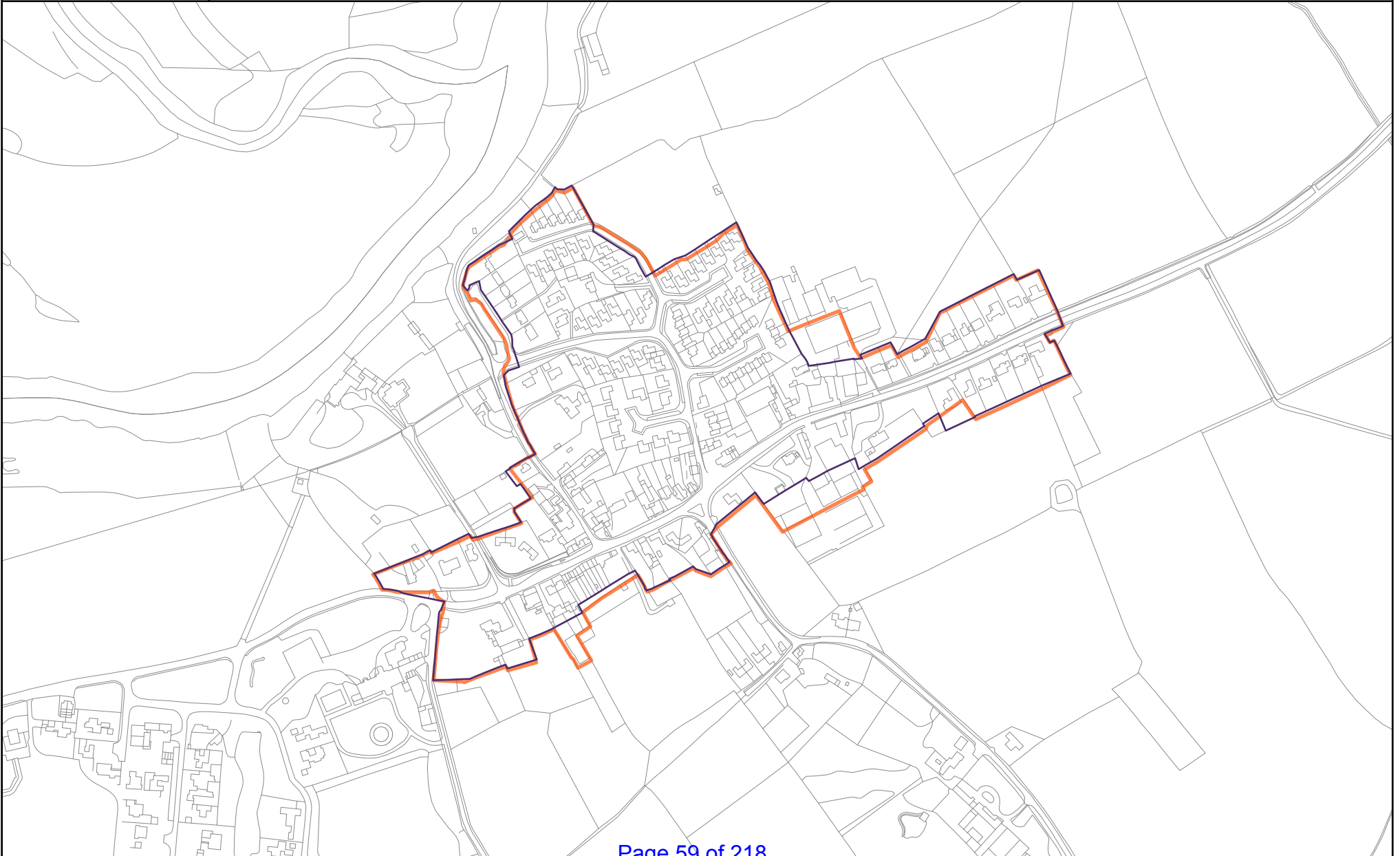
Existing Village Settlement boundary  
(1998 Adopted Local Plan)



Proposed Settlement boundary



## Newton Solney Village Settlement Boundary



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Existing Village Settlement boundary  
(1998 Adopted Local Plan)



Proposed Settlement boundary

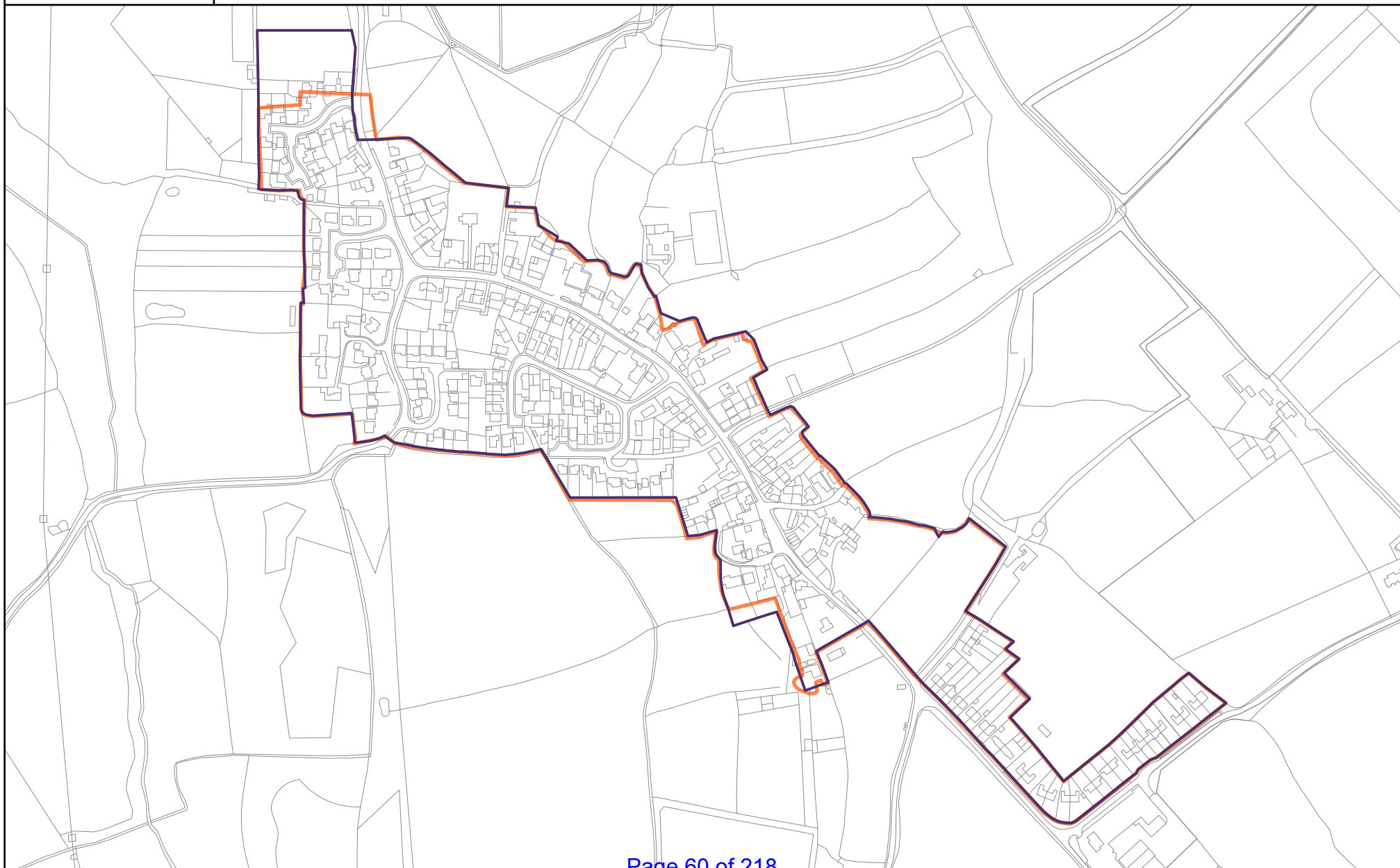
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100019461 2014.

Scale: 1:5000 at A4





## Rosliston Village Settlement Boundary



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Existing Village Settlement boundary  
(1998 Adopted Local Plan)



Proposed Settlement boundary

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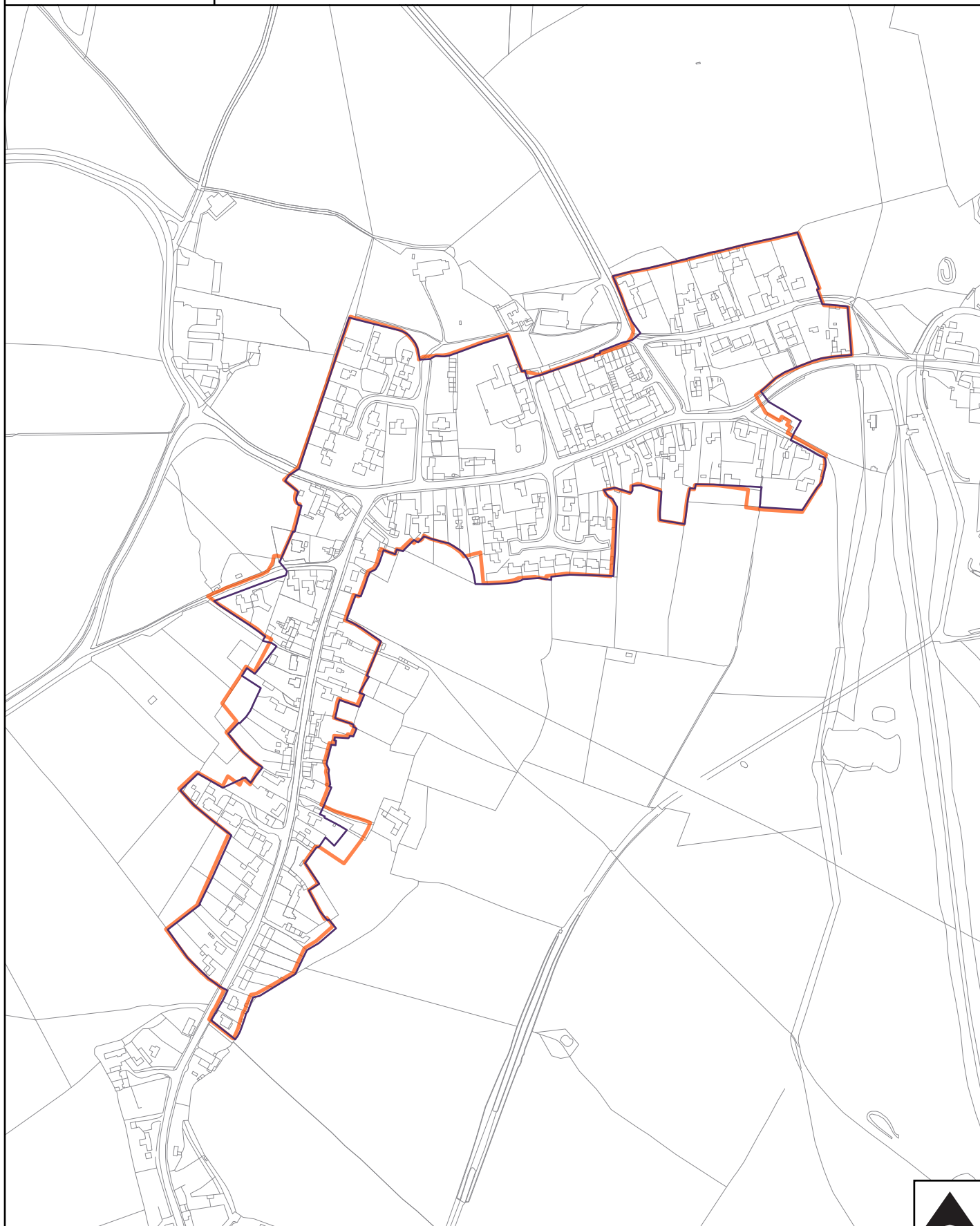
Scale: 1:5000 at A4







## Ticknall Village Settlement Boundary



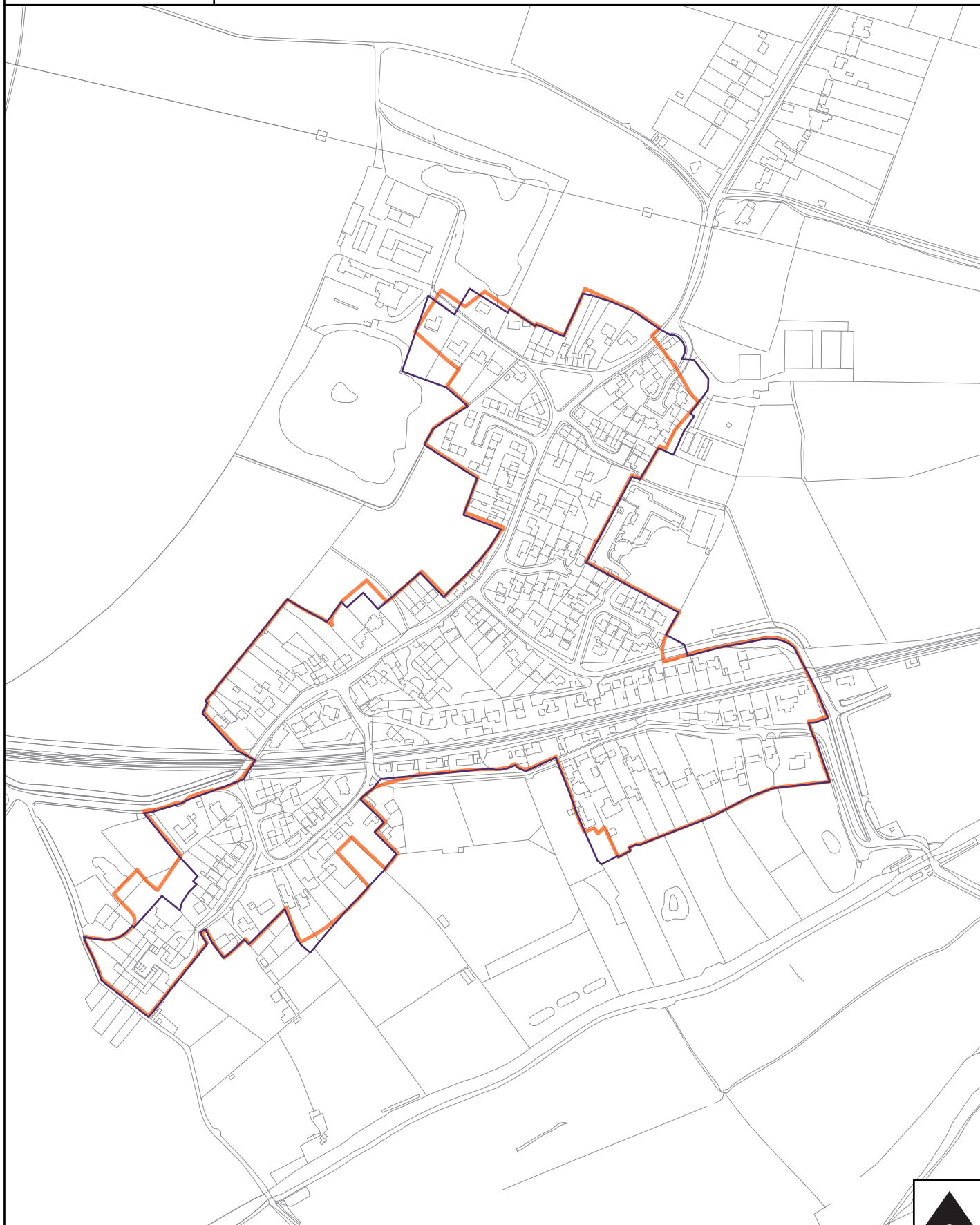
Existing Village Settlement boundary  
(1998 Adopted Local Plan)



Proposed Settlement boundary



## Weston on Trent Village Settlement Boundary



Existing Village Settlement boundary  
(1998 Adopted Local Plan)

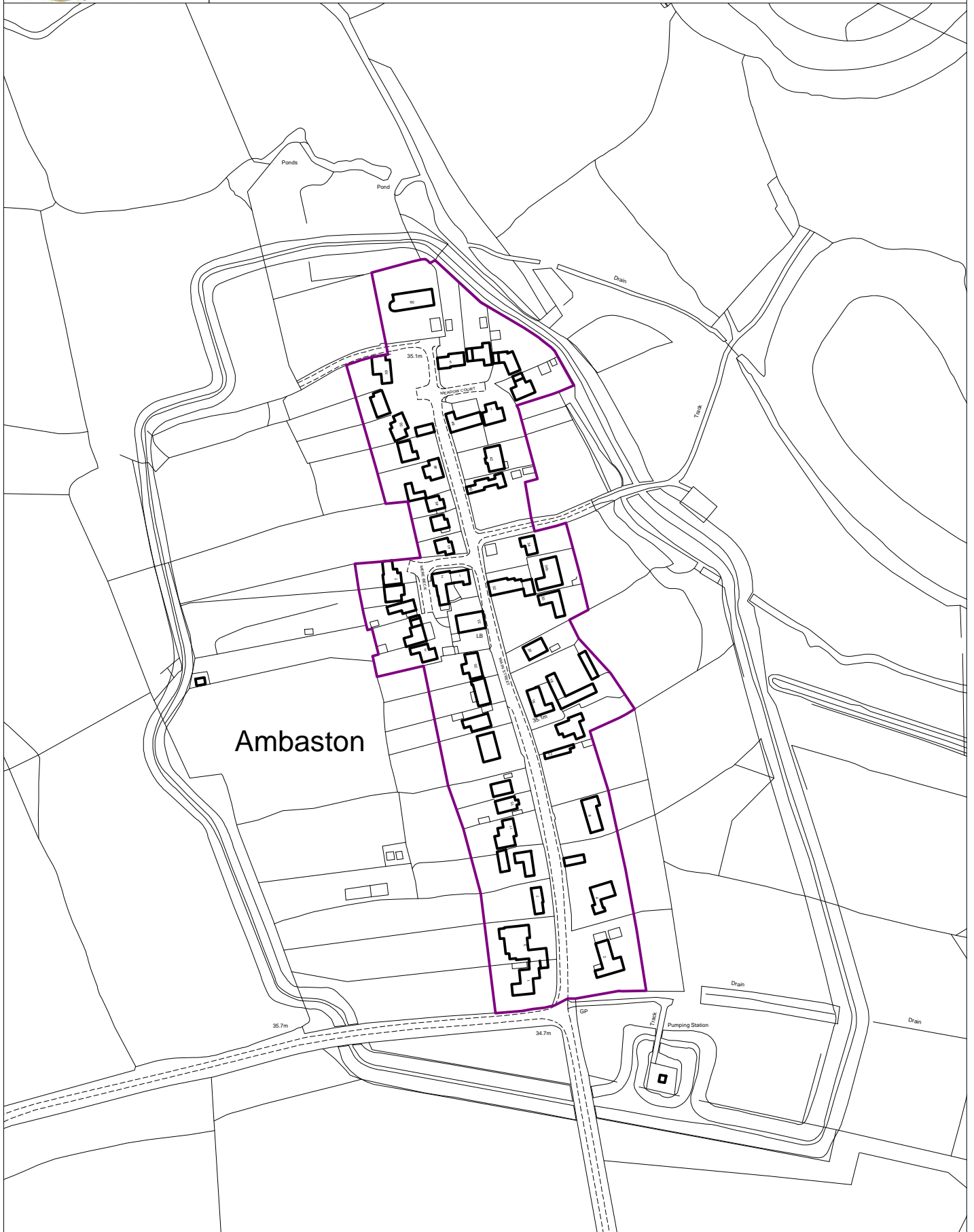


Proposed Settlement boundary

# Rural Villages

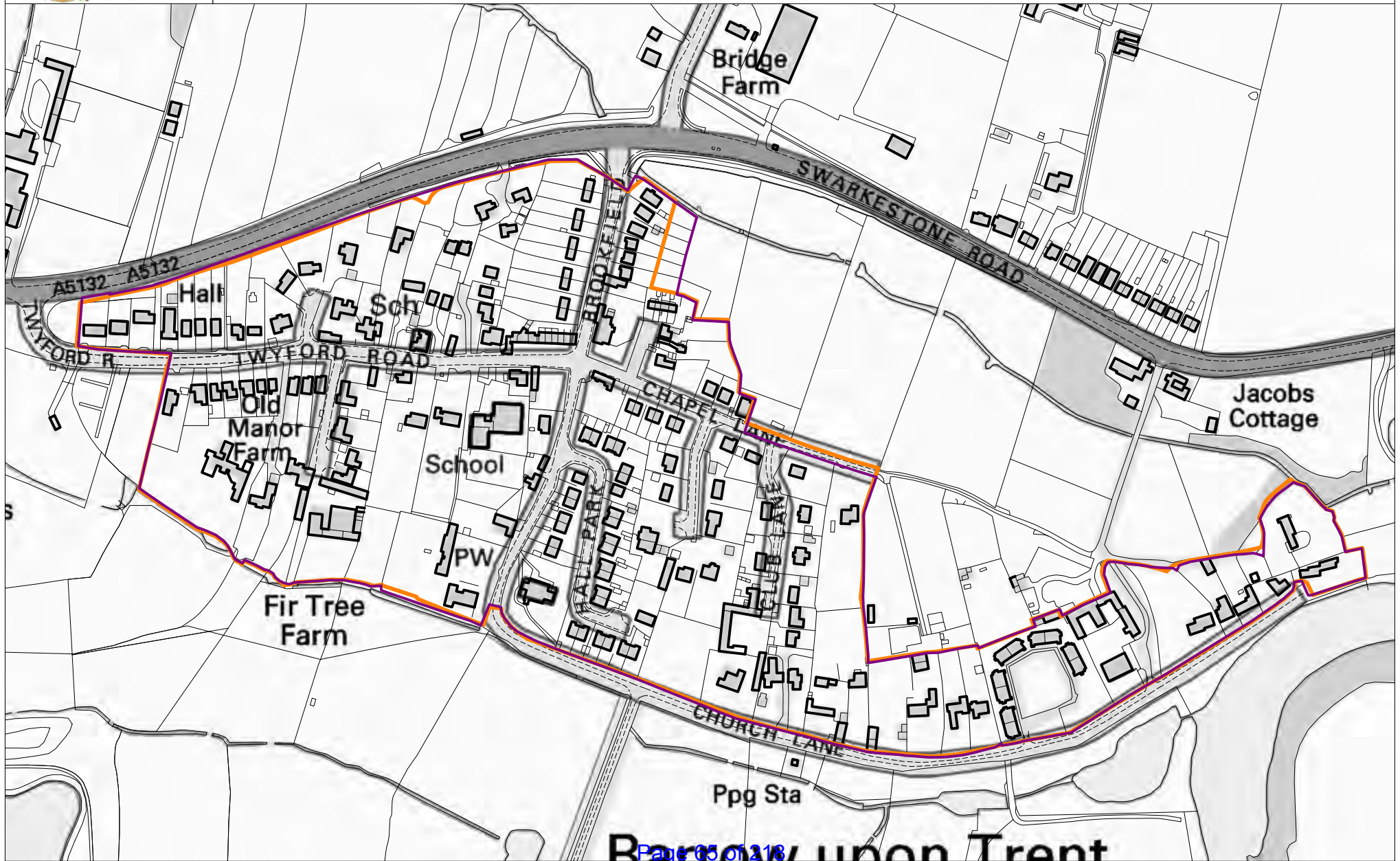


# Ambaston Settlement Boundary



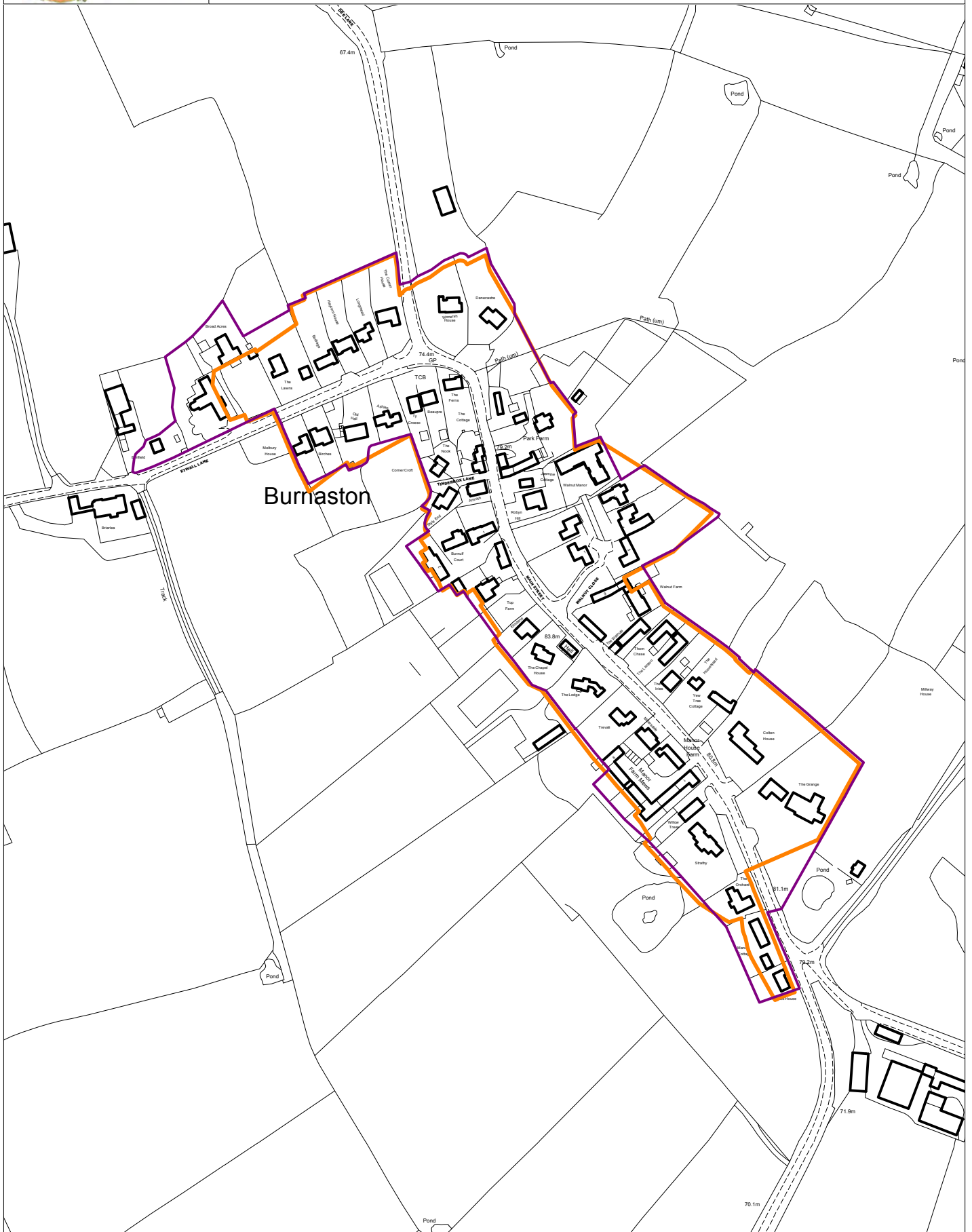


## Barrow Upon Trent Settlement Boundary



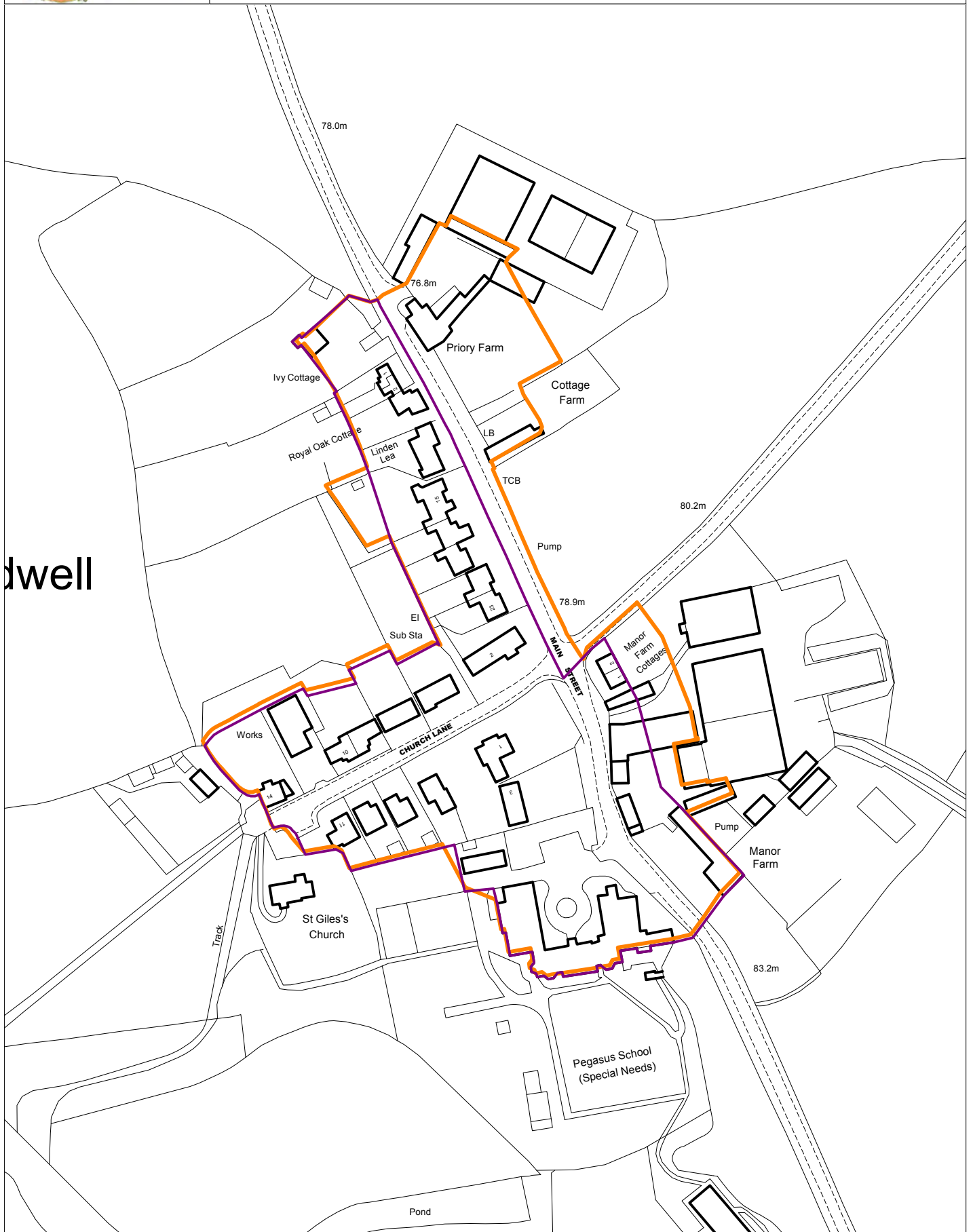


# Burnaston Settlement Boundary





# Cauldwell Settlement Boundary



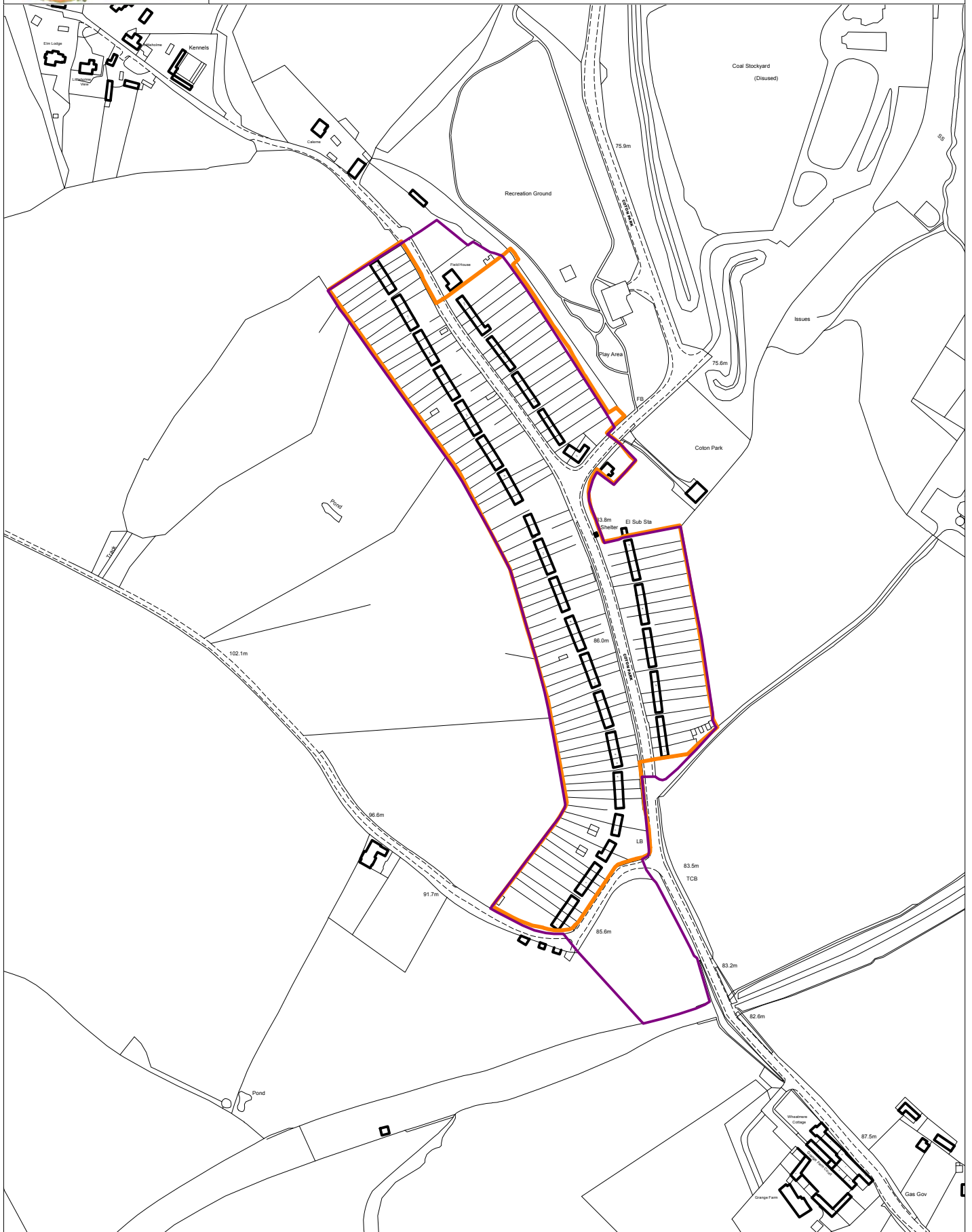


The map displays the village of Church Broughton, with a central area highlighted by orange and purple lines. The highlighted area includes the church, vicarage, and surrounding residential streets. The map is labeled with various buildings and landmarks, including St Michael and All Angels' Church, The Vicarage, The Gardens, The Gables, Church Broughton Methodist Church, Church Broughton C of E Primary School, and numerous cottages and houses. The map also shows a pond, a track, and a railway line.



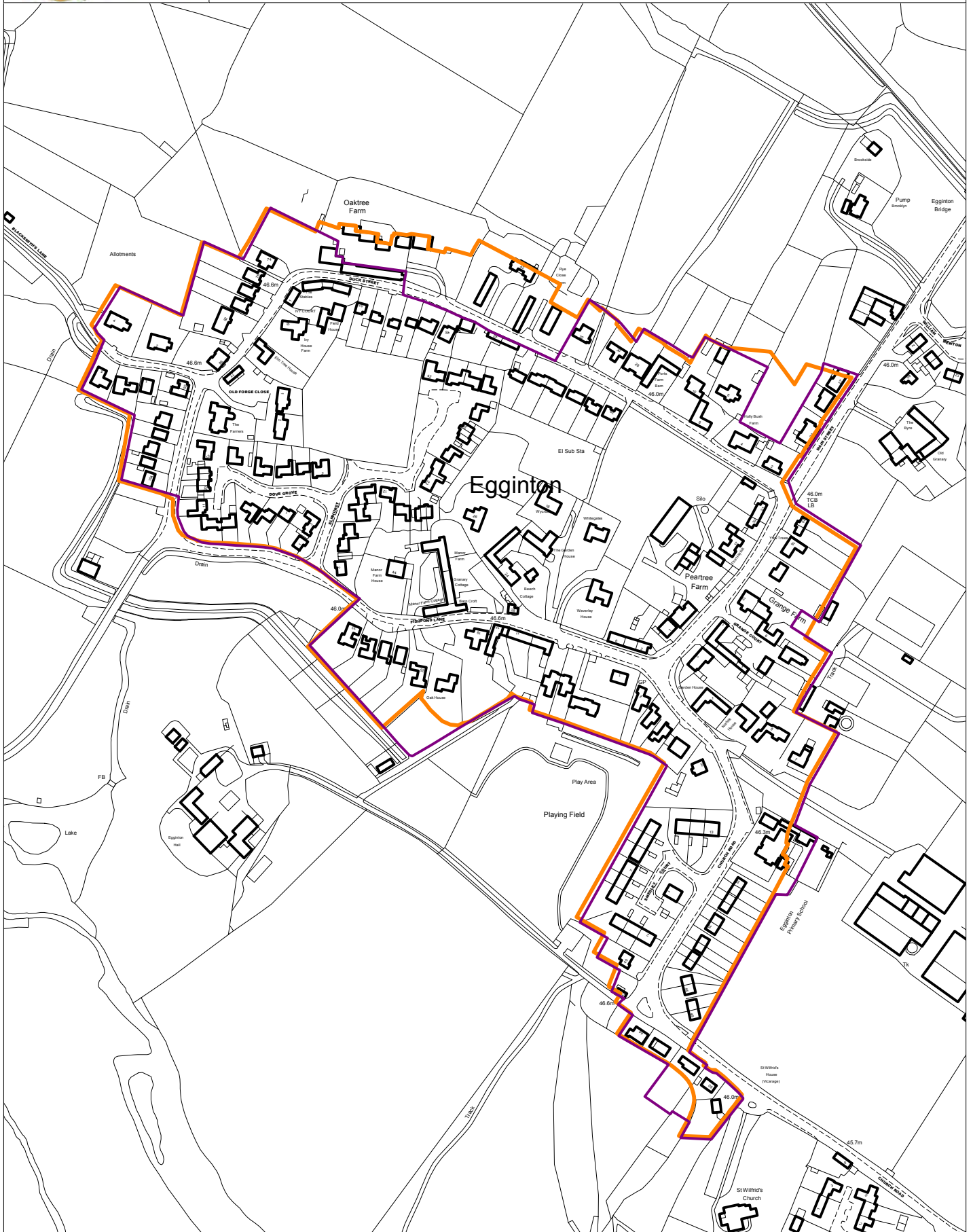


# Coton Park Settlement Boundary



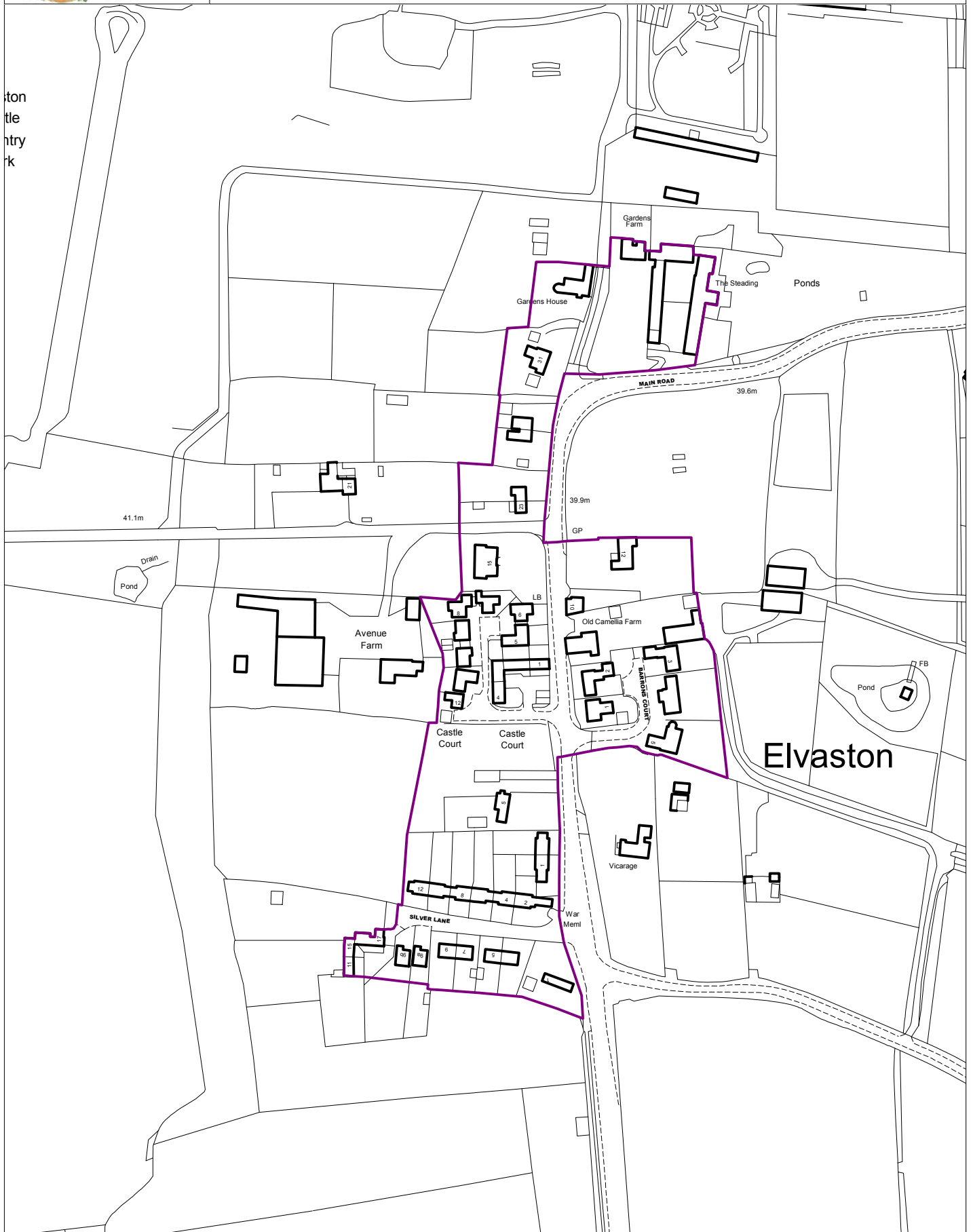


# Egginton Settlement Boundary



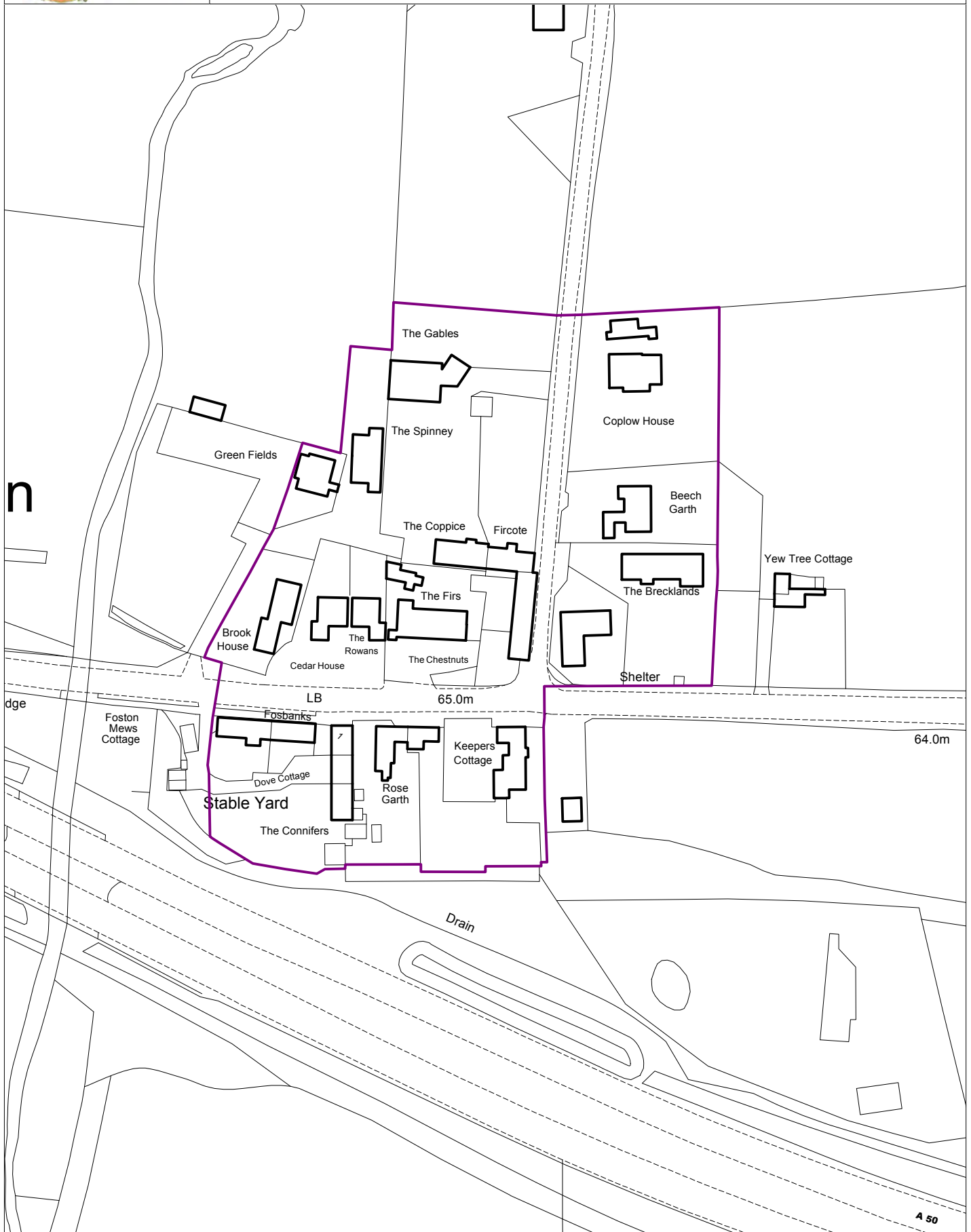


# Elvaston Settlement Boundary



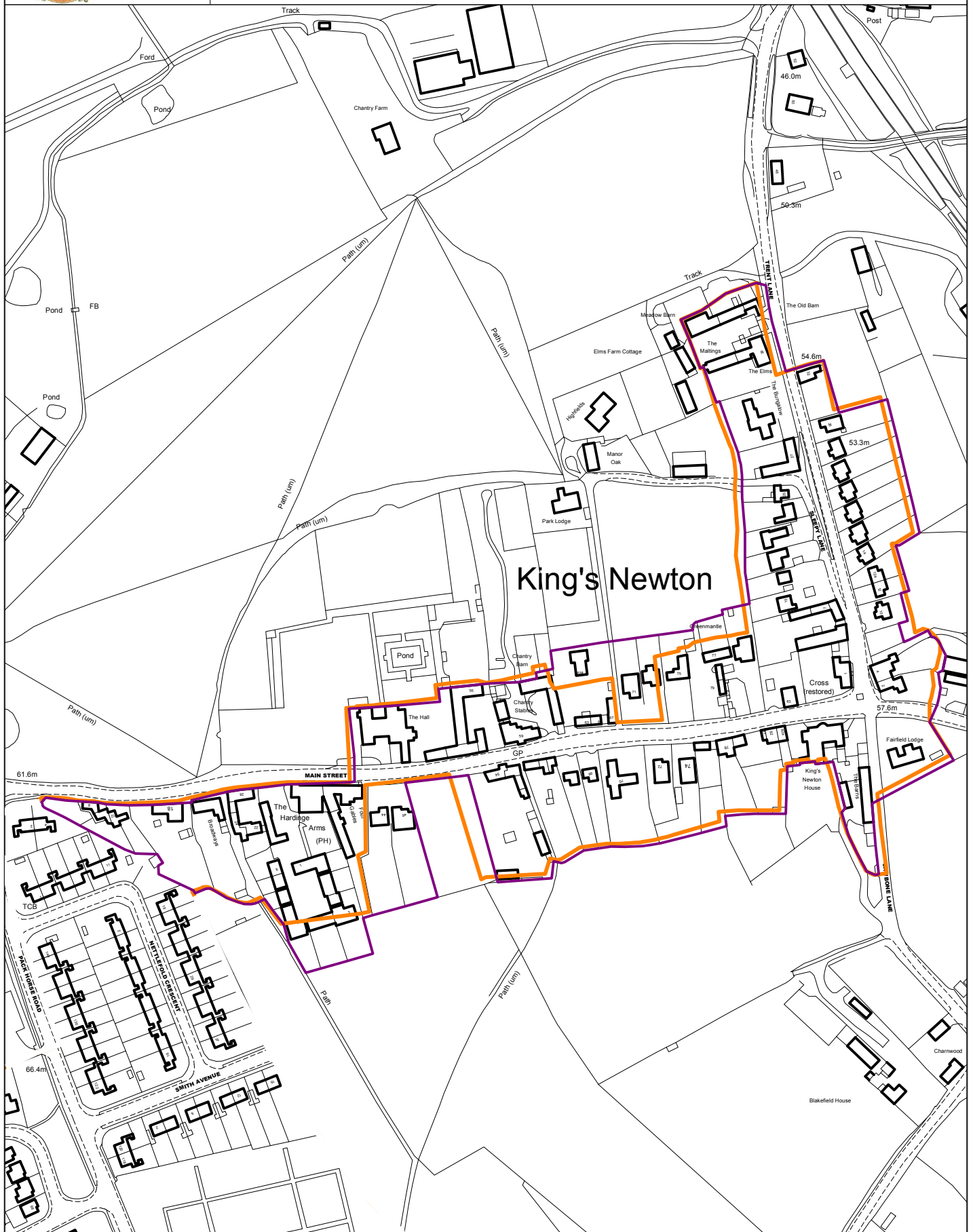


# Foston Settlement Boundary





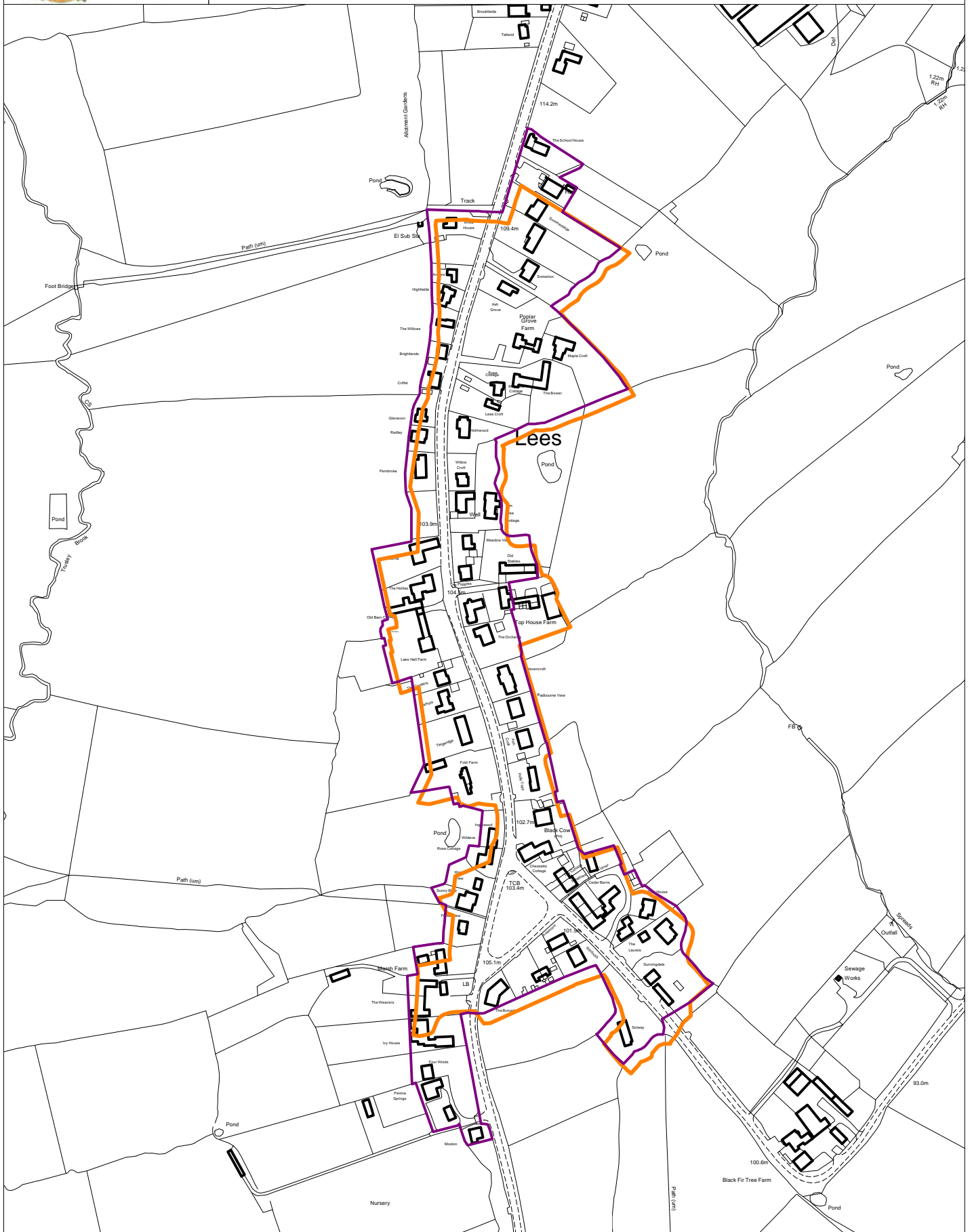
# Kings Newton Settlement Boundary







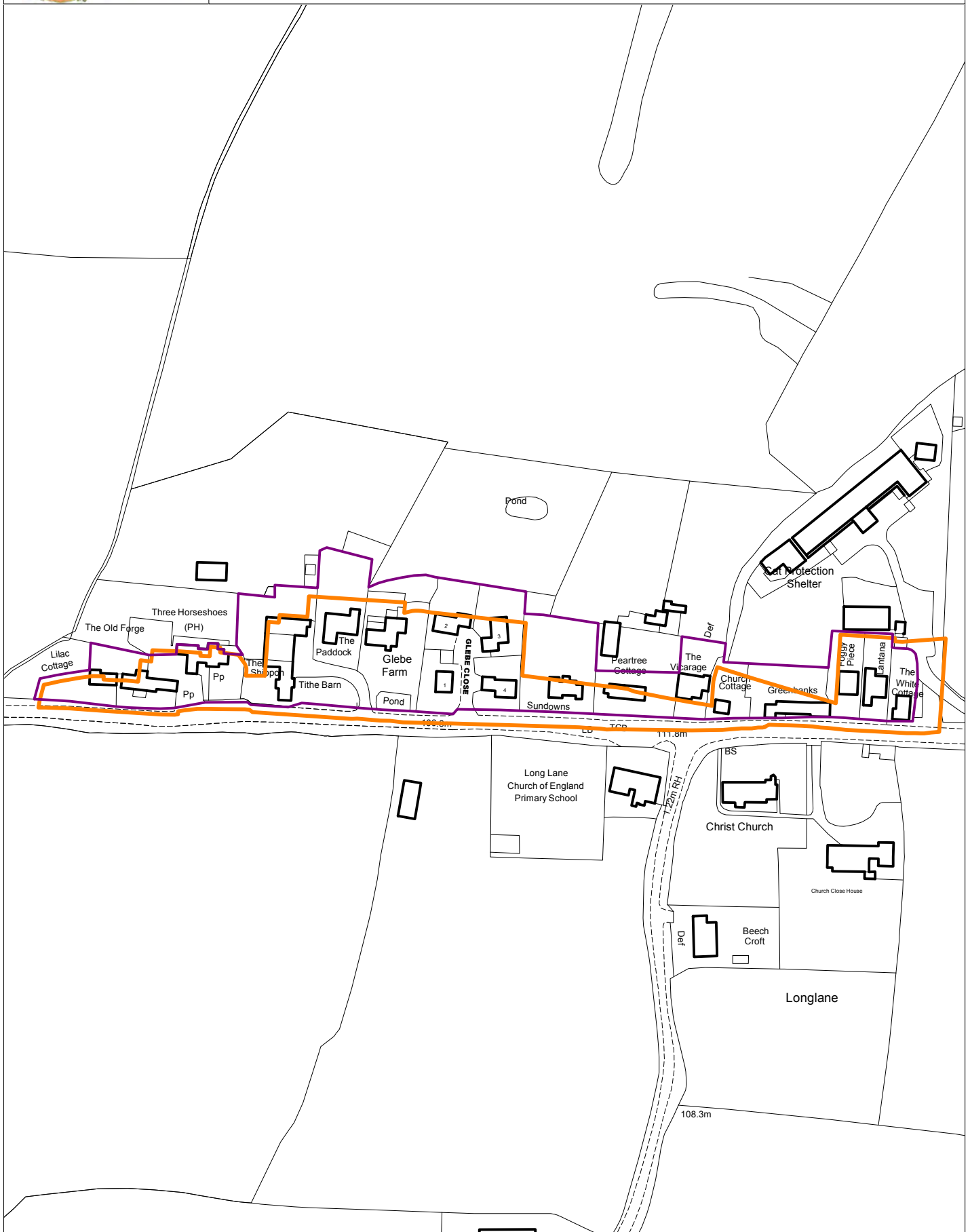
## Lees Settlement Boundary







## Long Lane Settlement Boundary



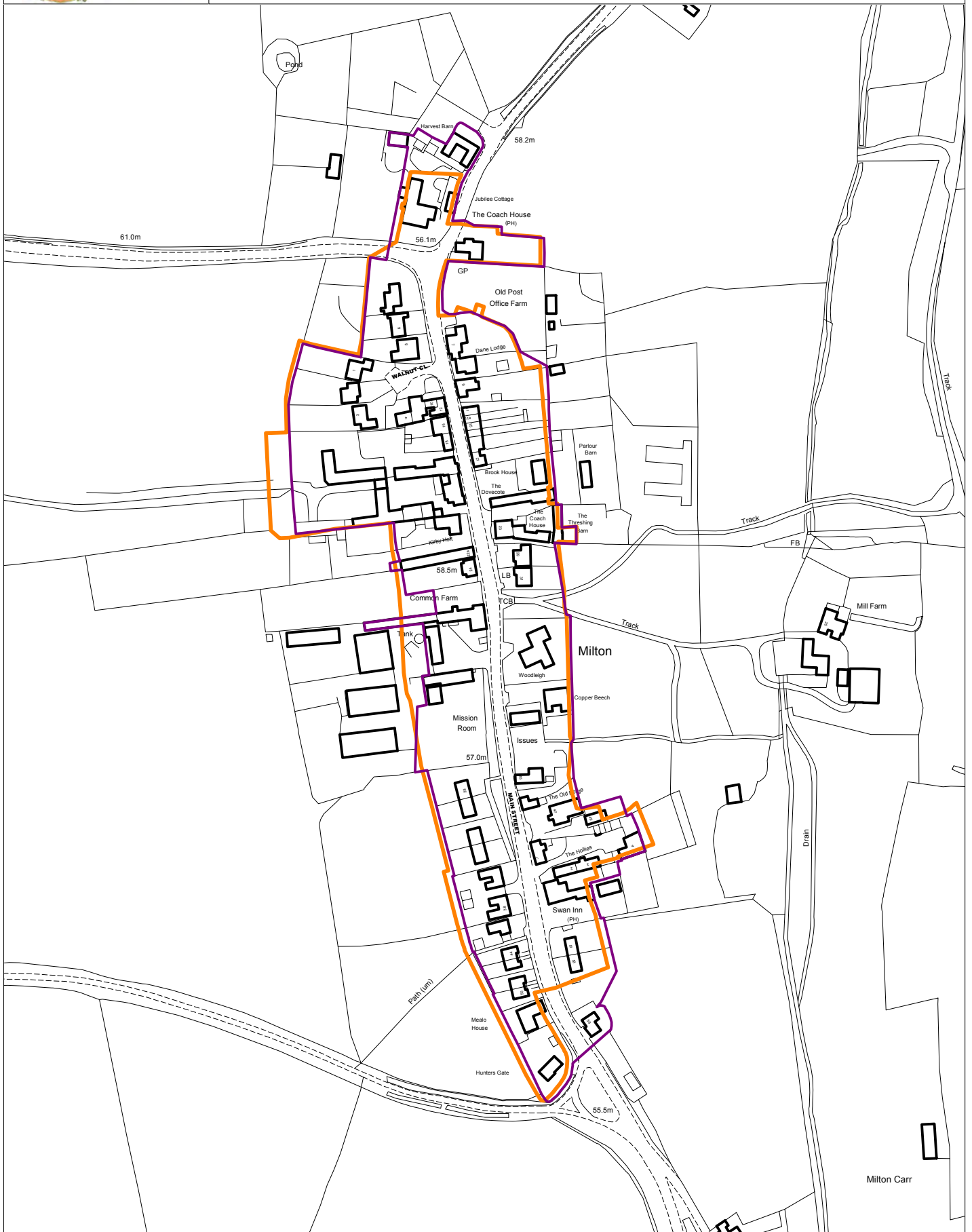


# Lullington Settlement Boundary



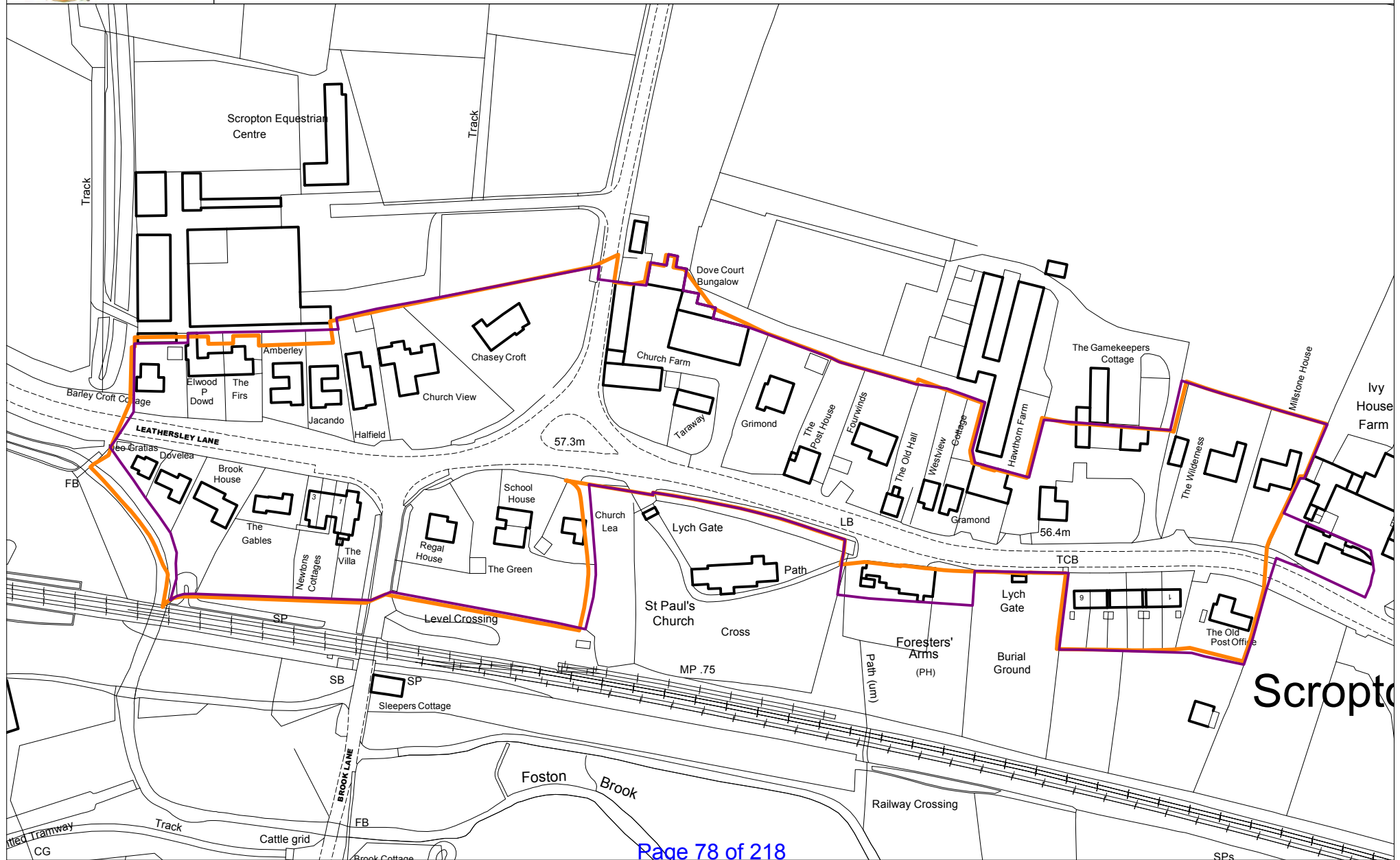


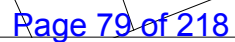
# Milton Settlement Boundary





# Scropton Settlement Boundary

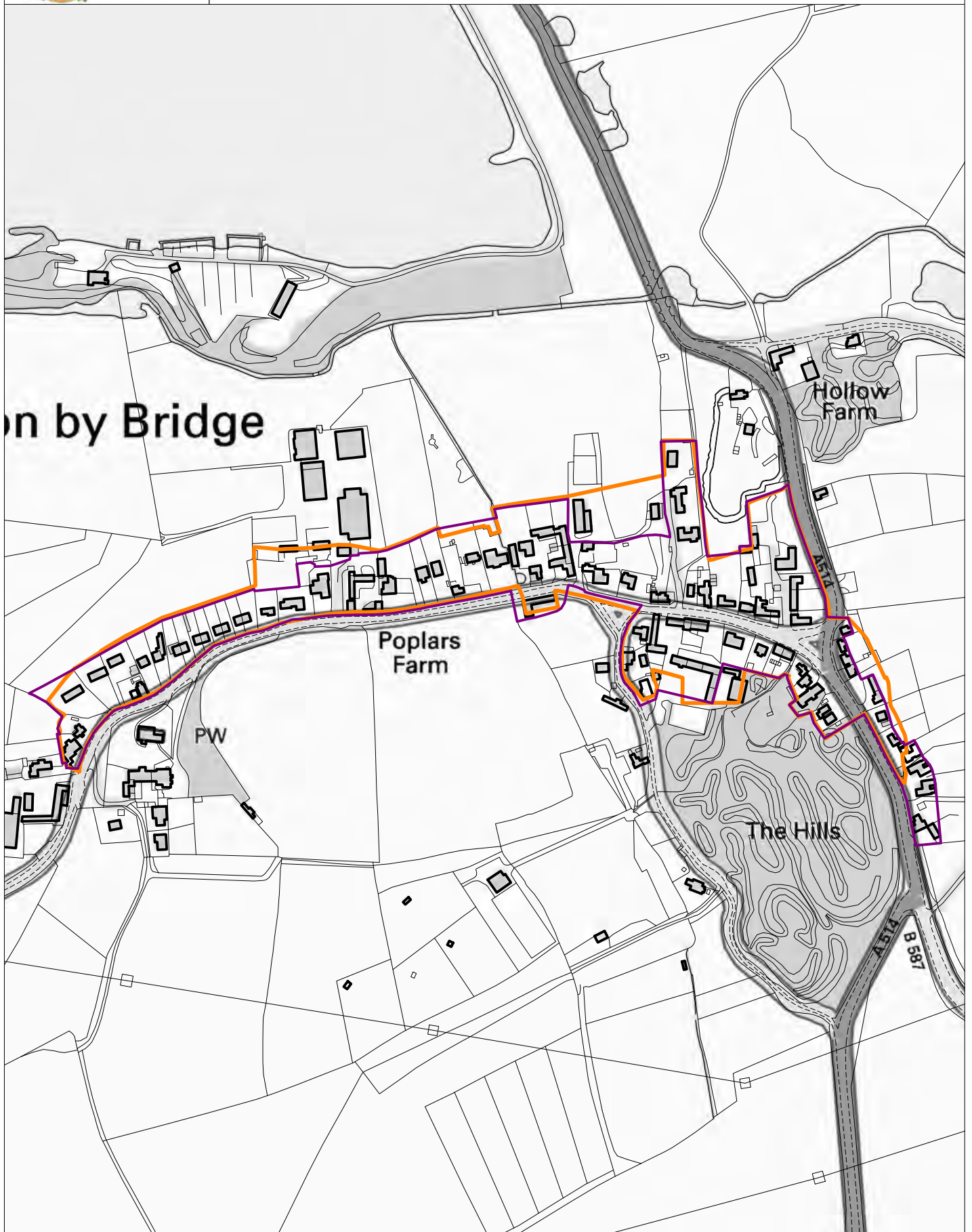






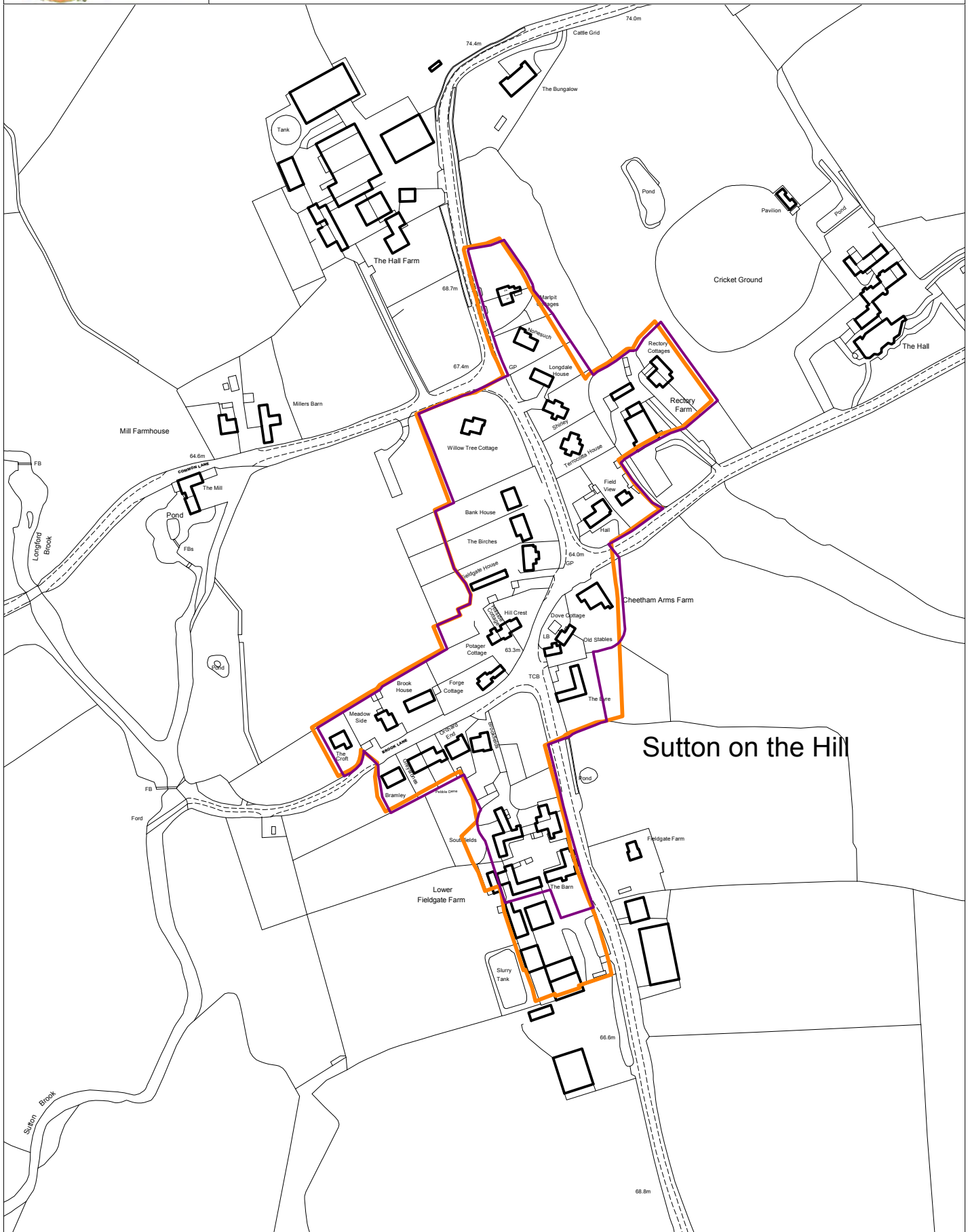


## Stanton By Bridge Settlement Boundary





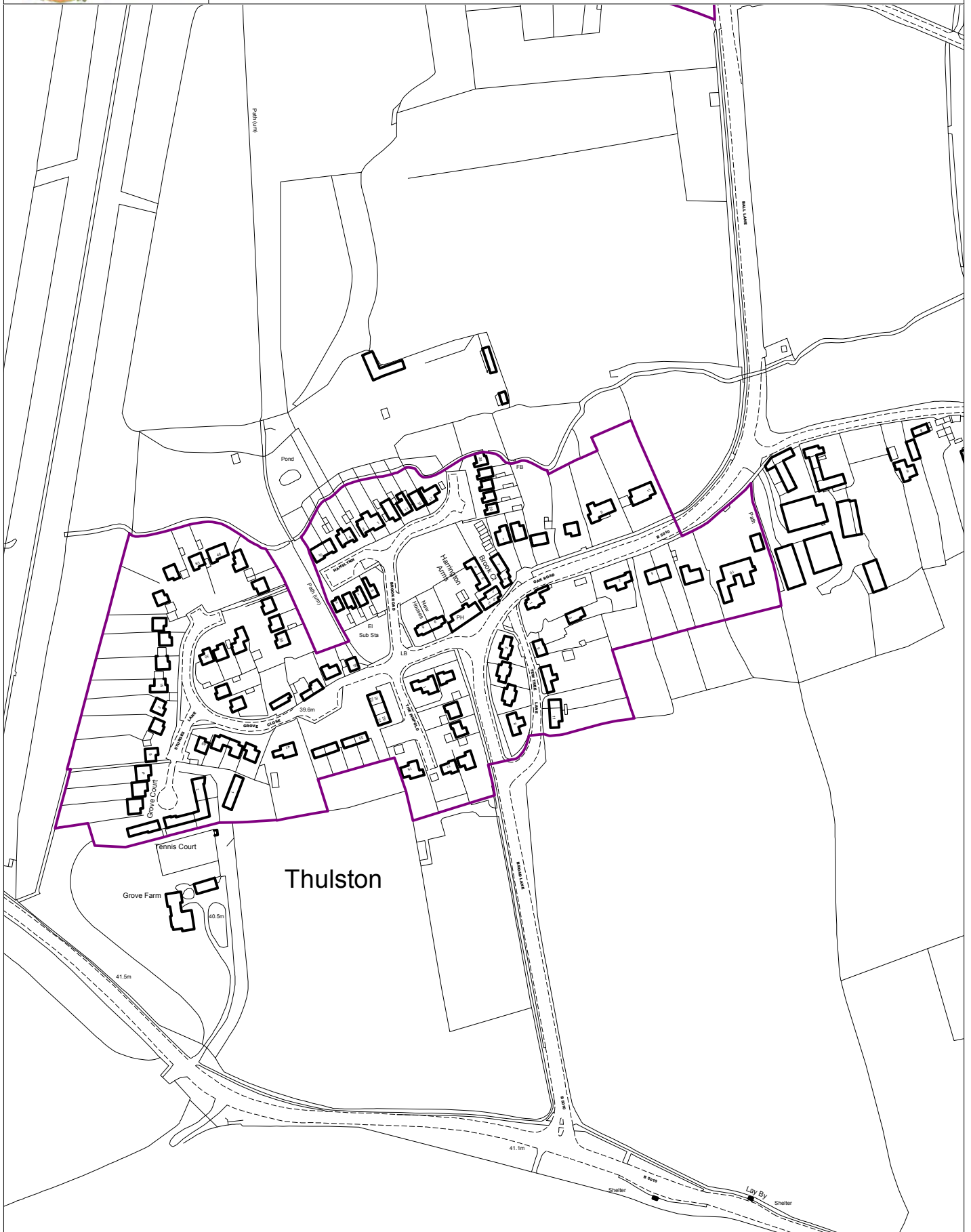
# Sutton on the Hill Settlement Boundary







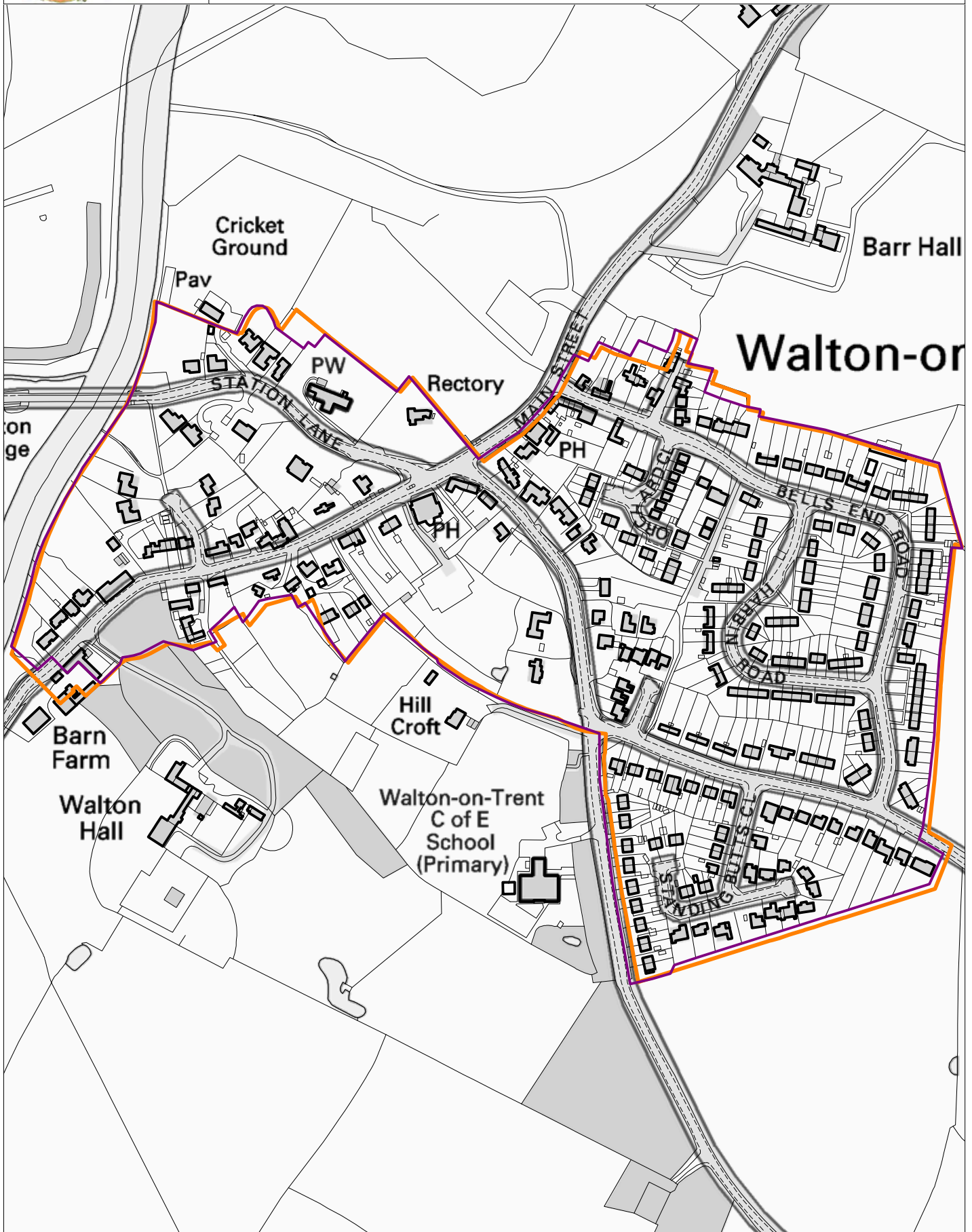
# Thulston Settlement Boundary







## Walton on Trent Settlement Boundary







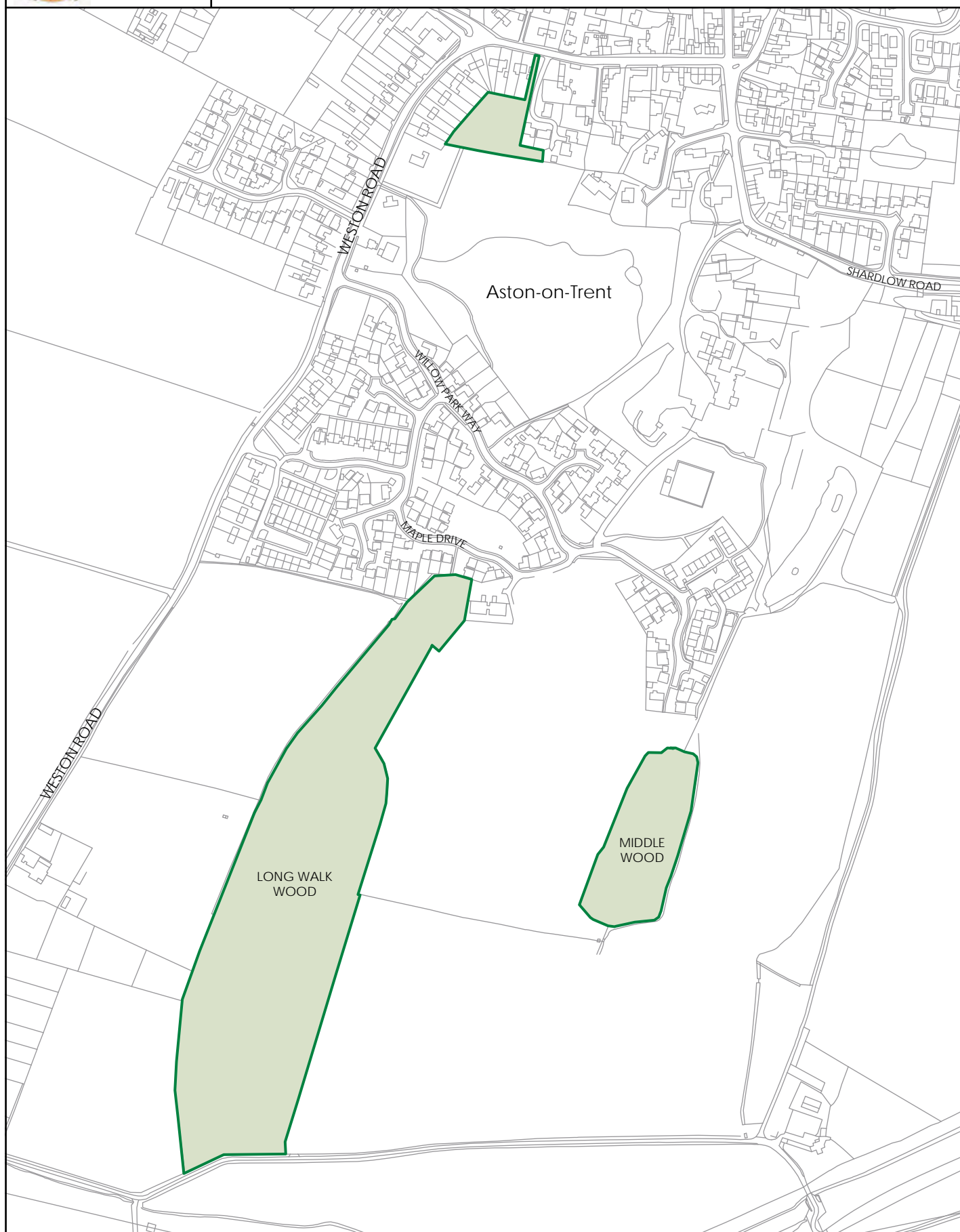
**South  
Derbyshire**  
District Council  
Community and  
Planning Services

# South Derbyshire Local Green Spaces



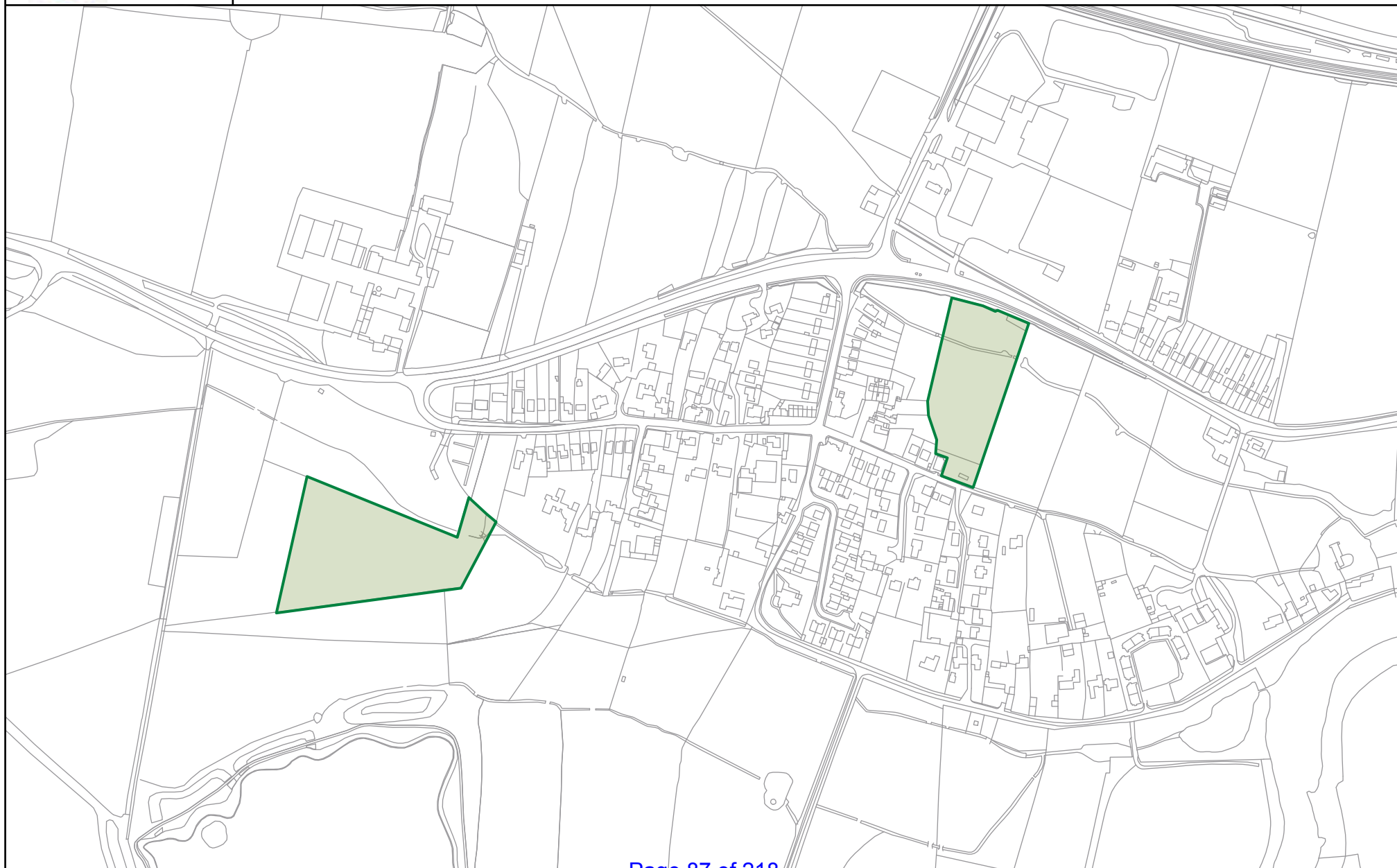


## Aston on Trent : Local Green Spaces



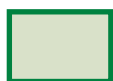
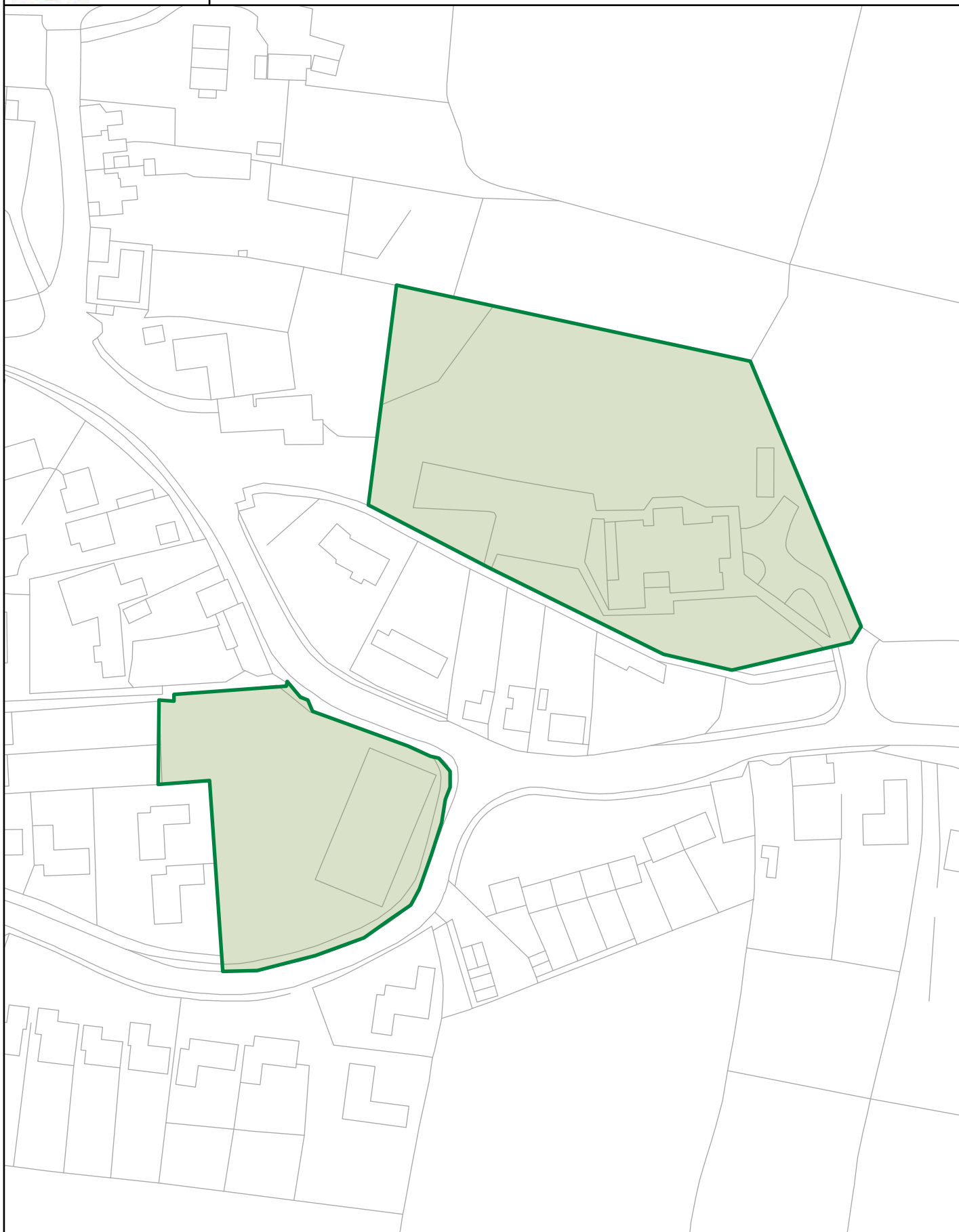
Local Green Space







## Church Broughton : Local Green Spaces

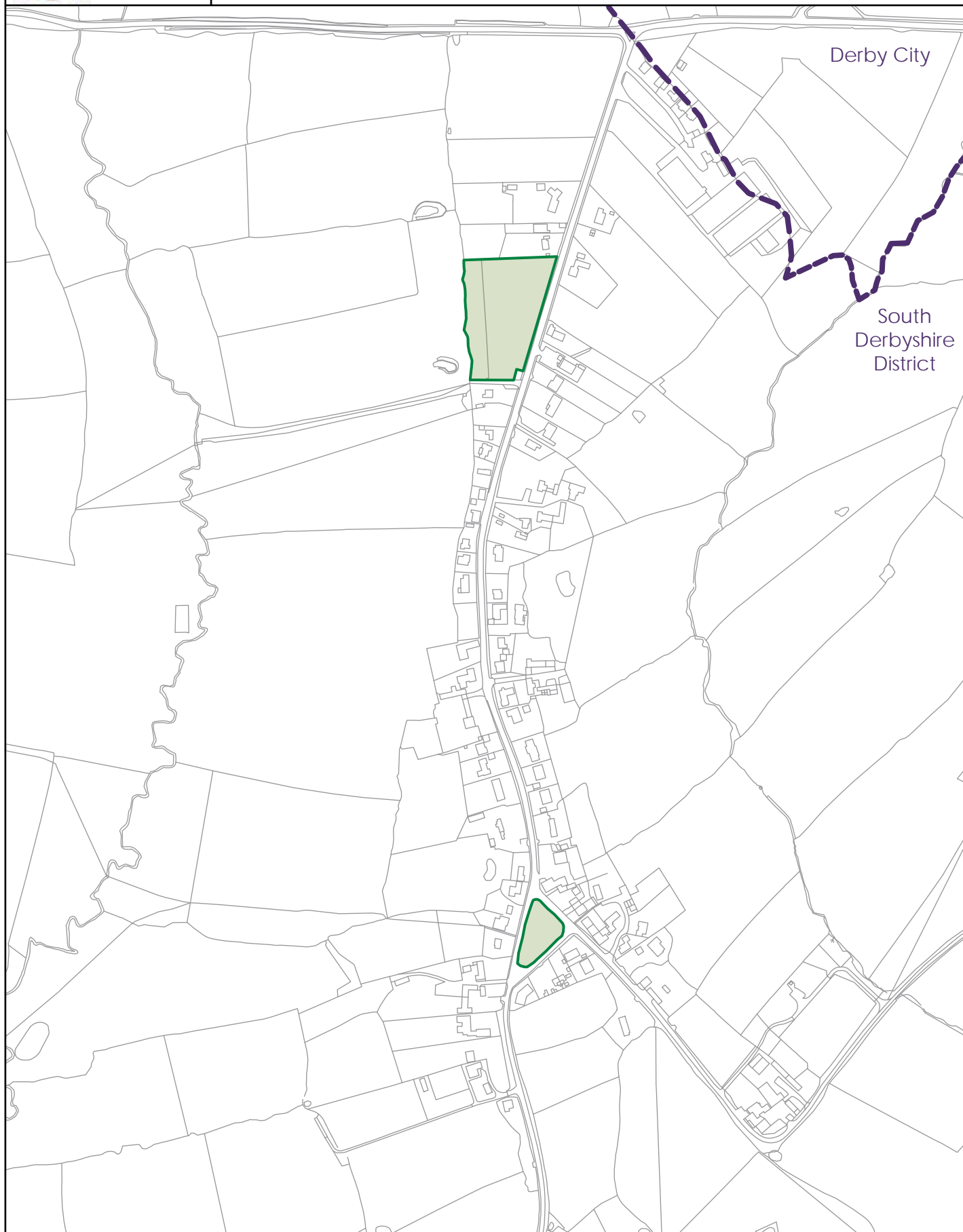


Local Green Space





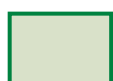
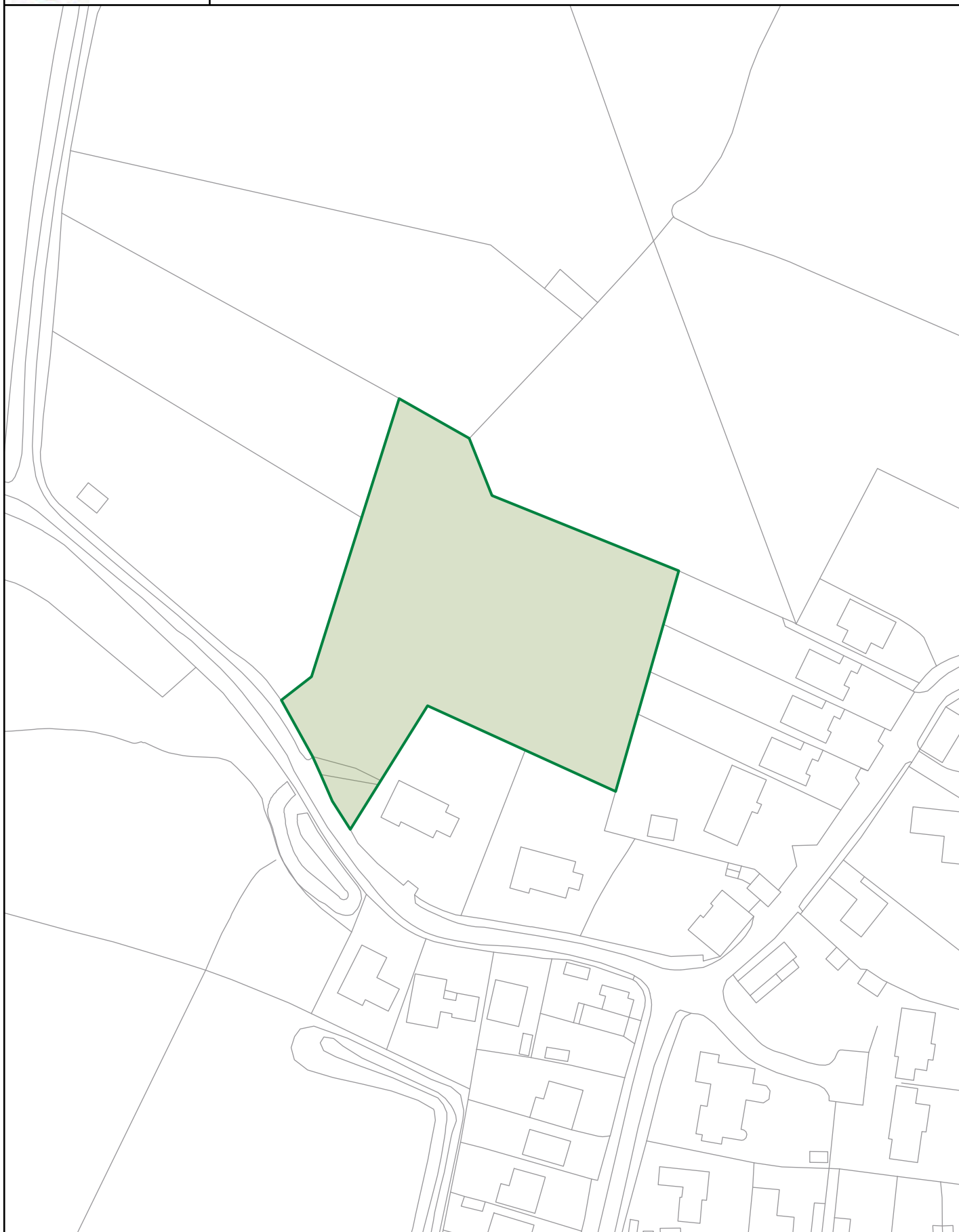
## Dalbury Lees : Local Green Spaces



Local Green Space





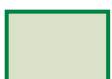
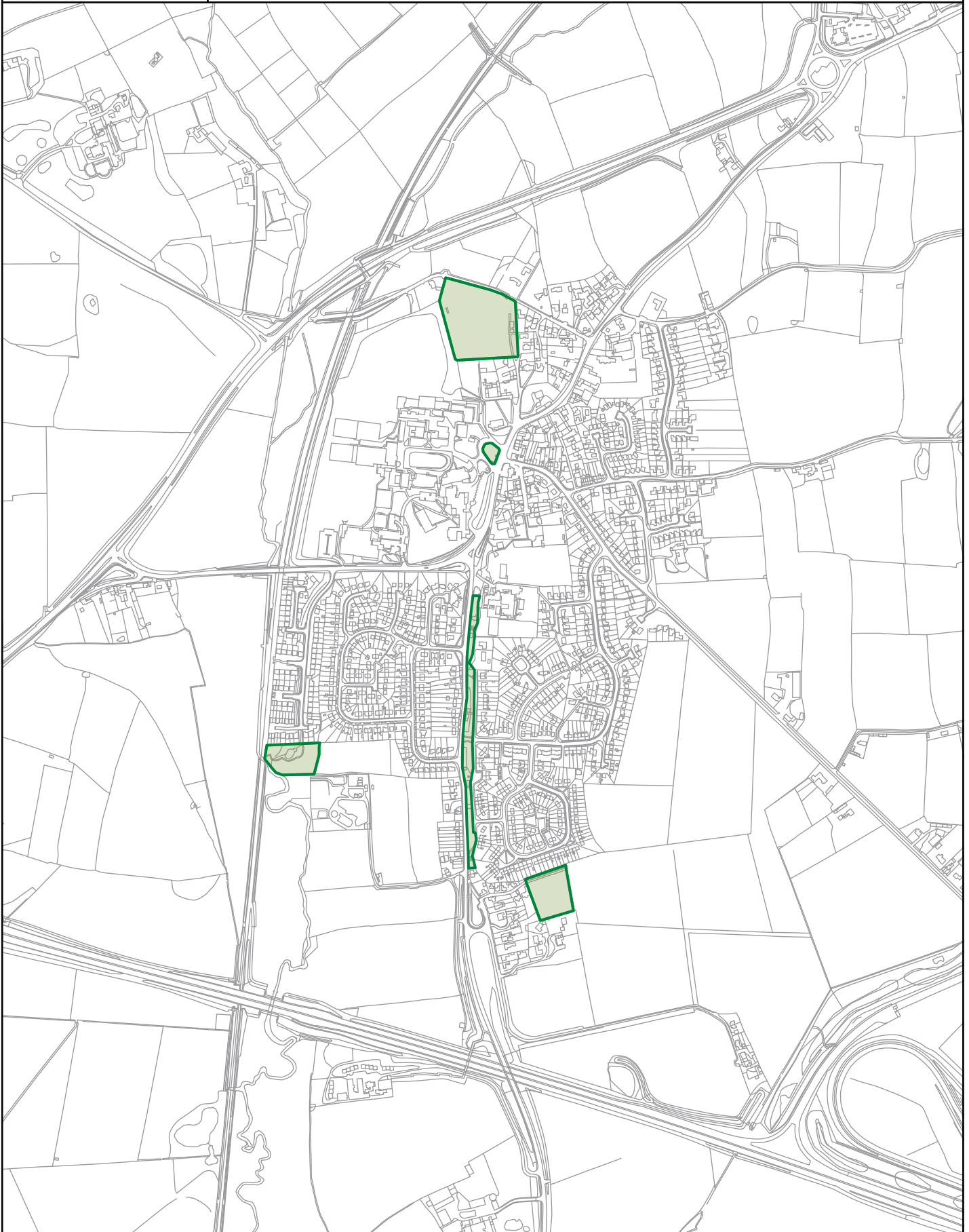


Local Green Space



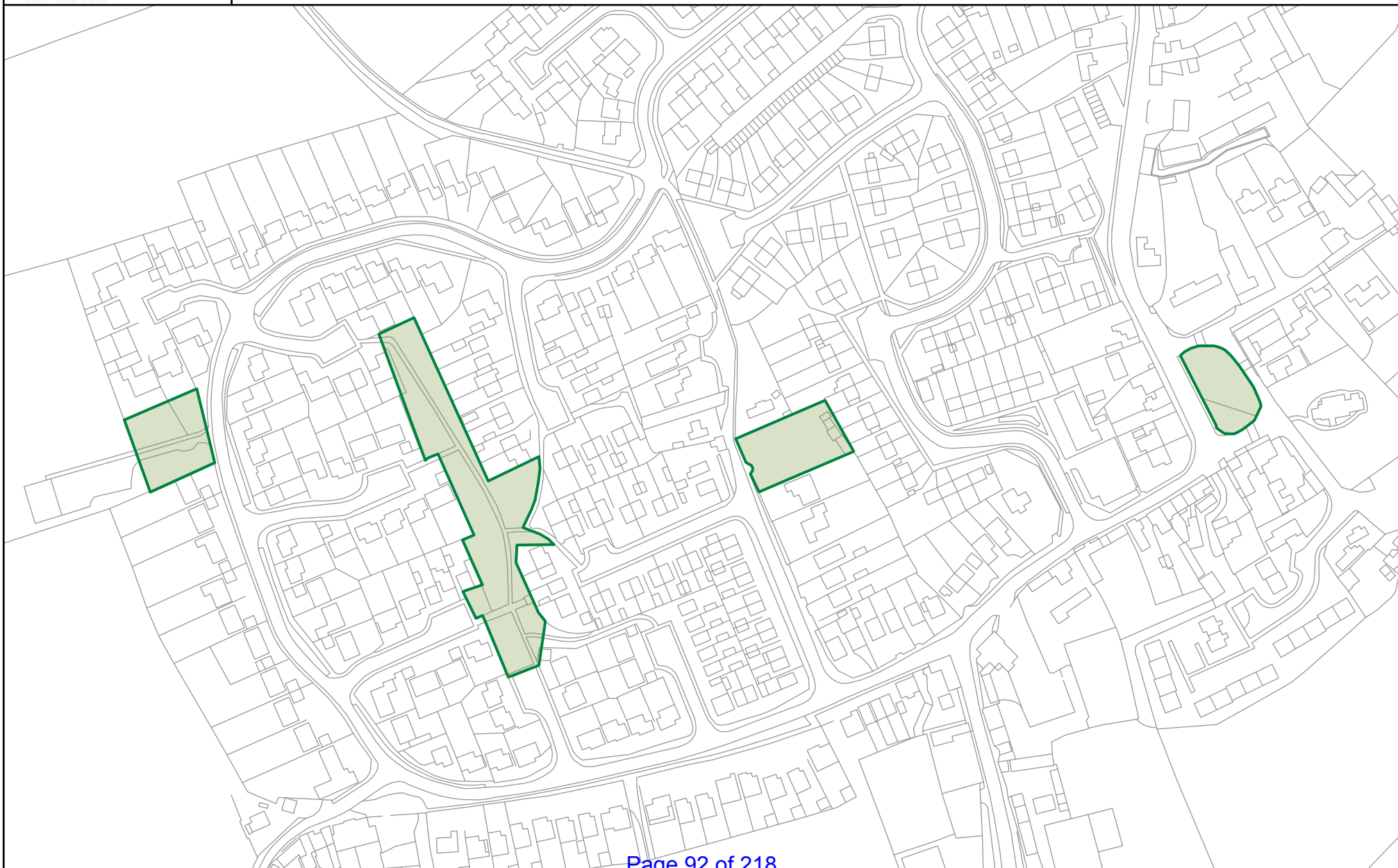


## Etwell : Local Green Spaces

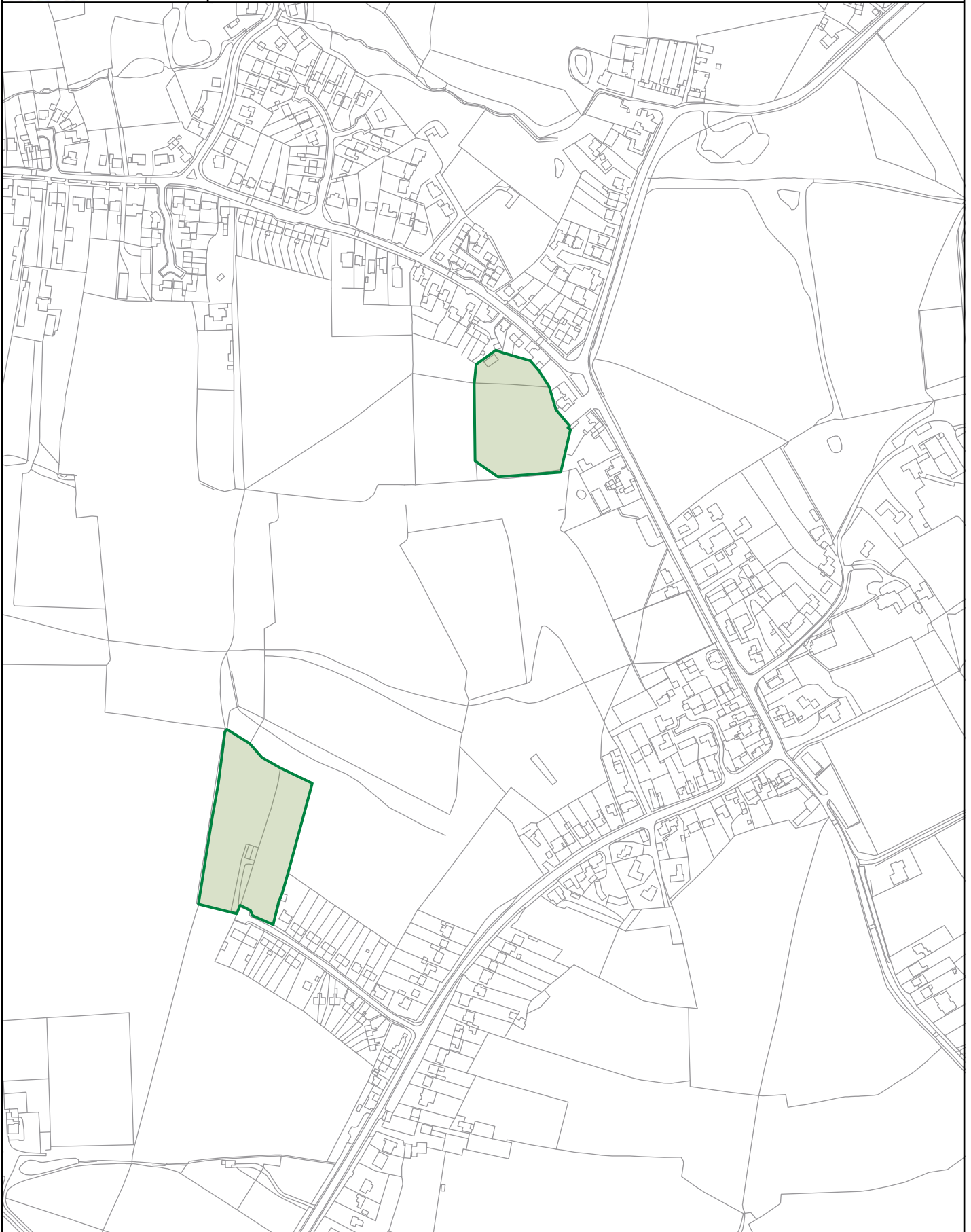


Local Green Space







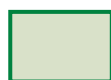


Local Green Space





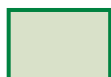
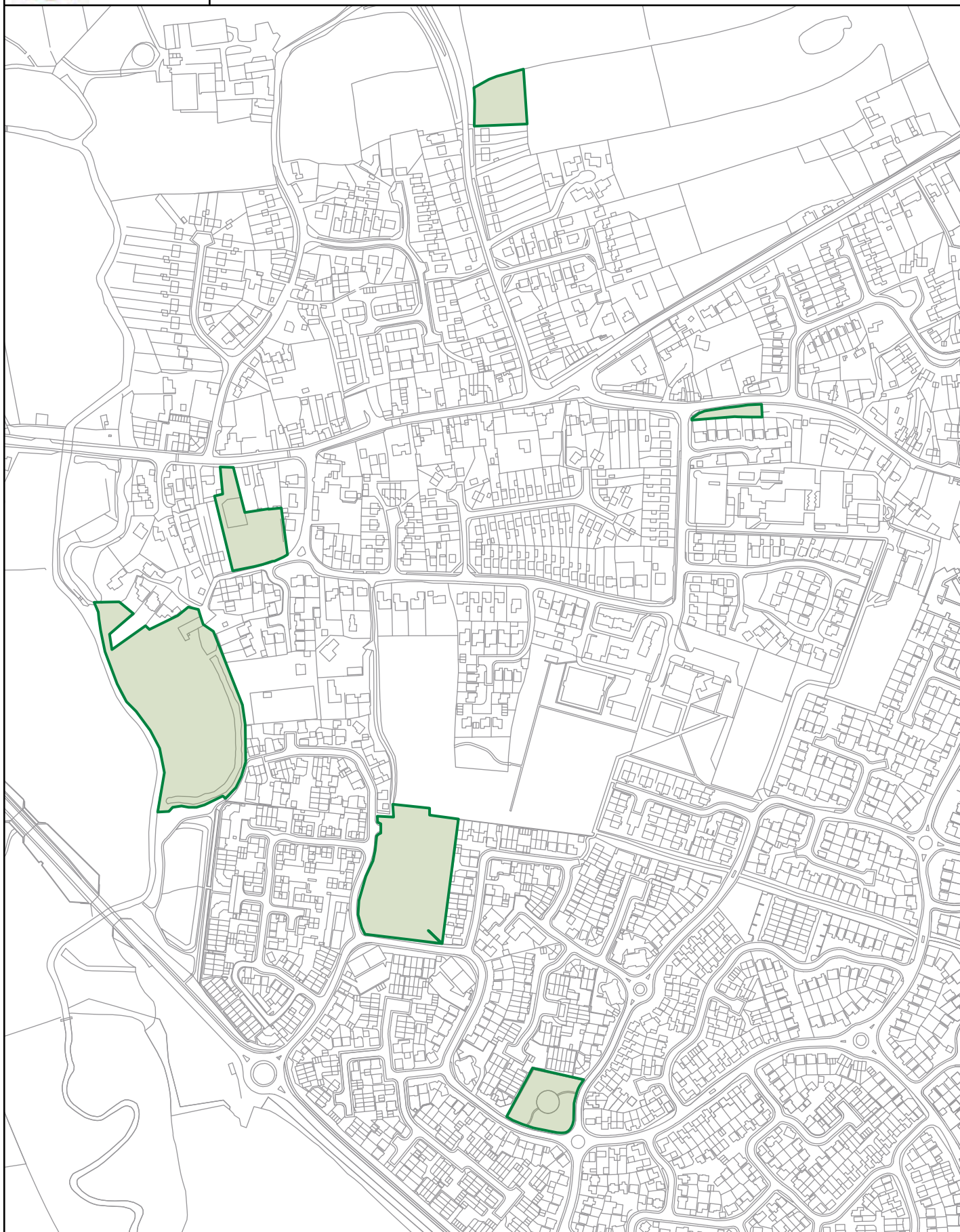
## Hatton : Local Green Spaces





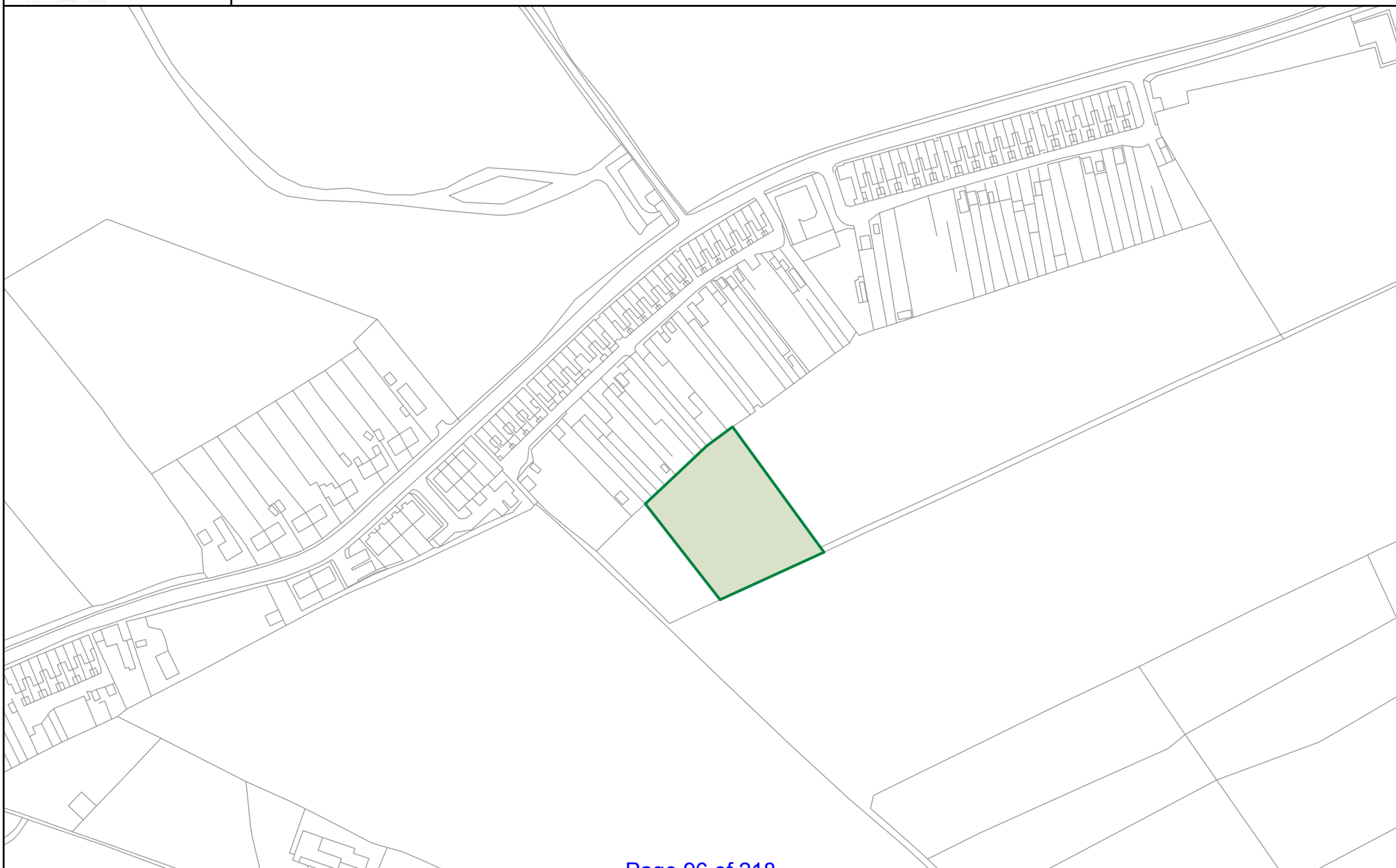


## Hilton : Local Green Spaces

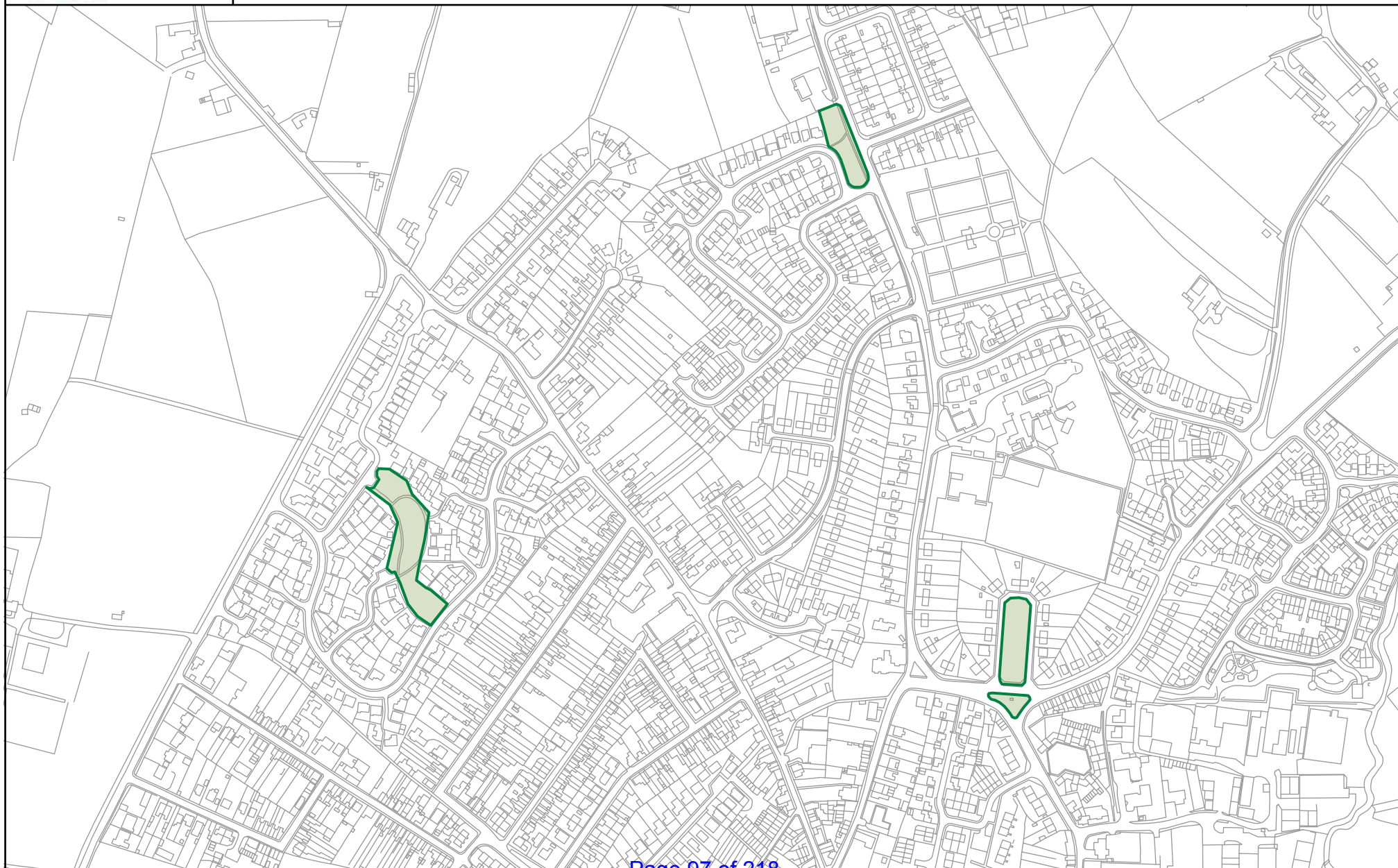


Local Green Space



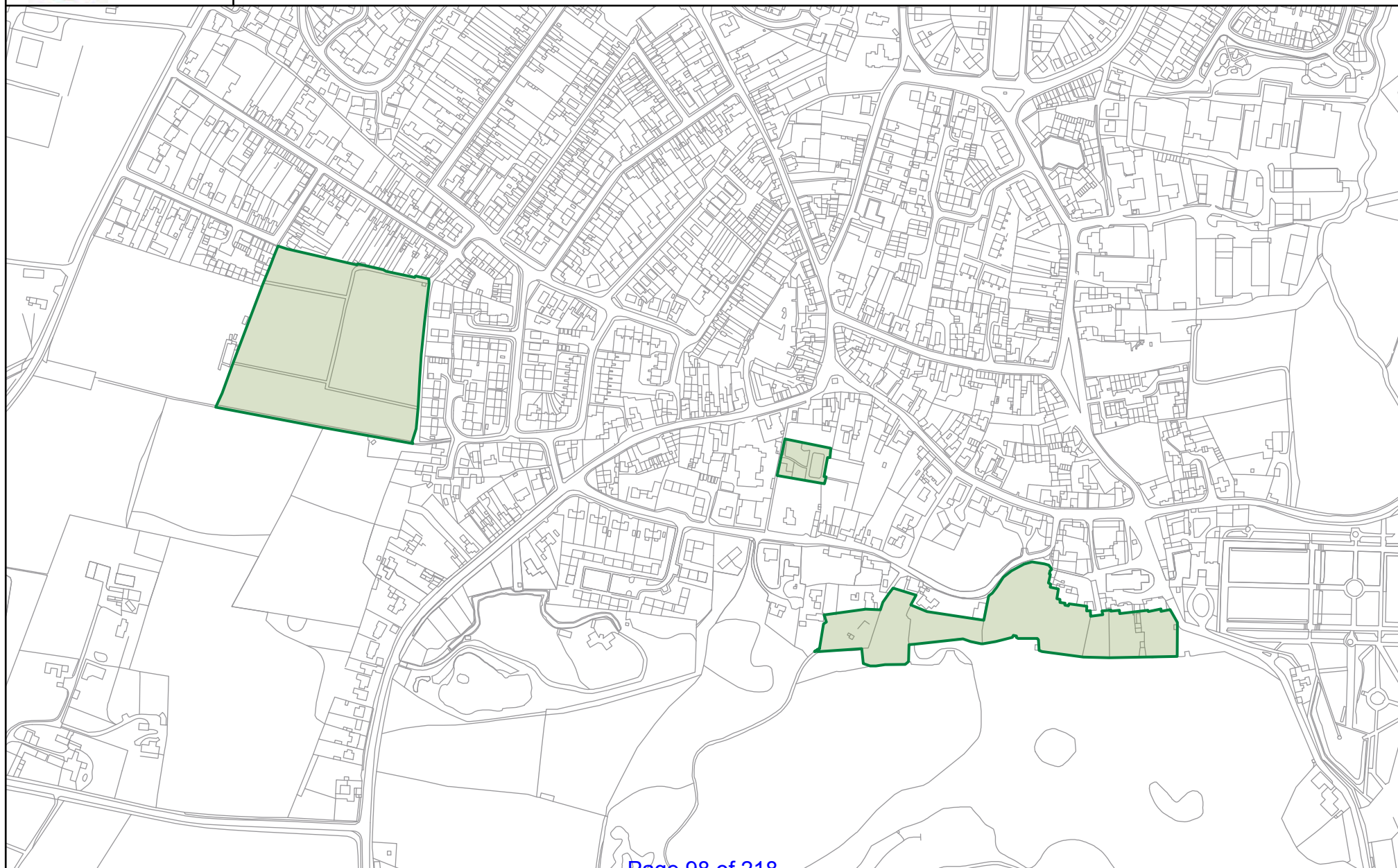








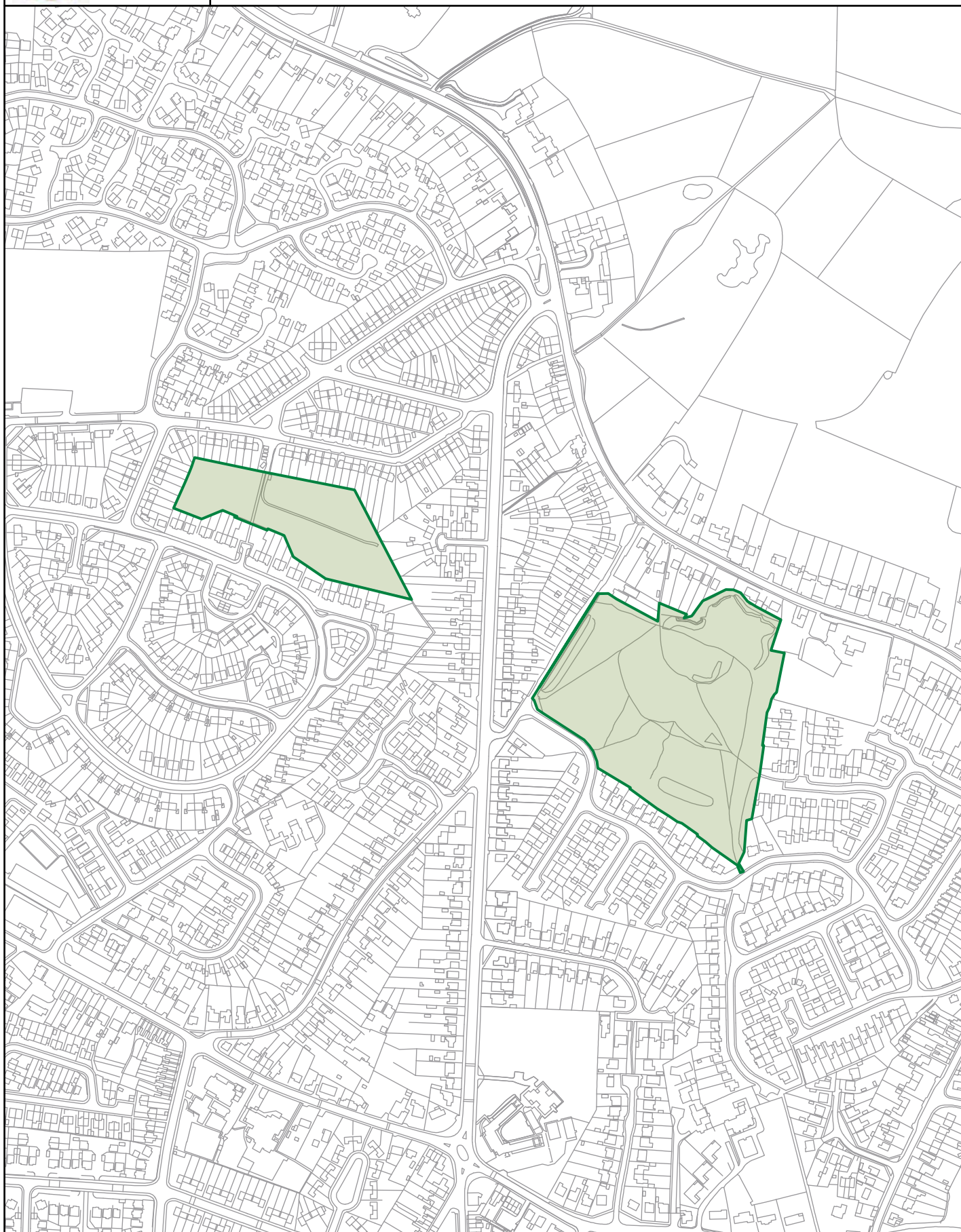
## Melbourne (south) : Local Green Spaces







## Midway (east) : Local Green Spaces



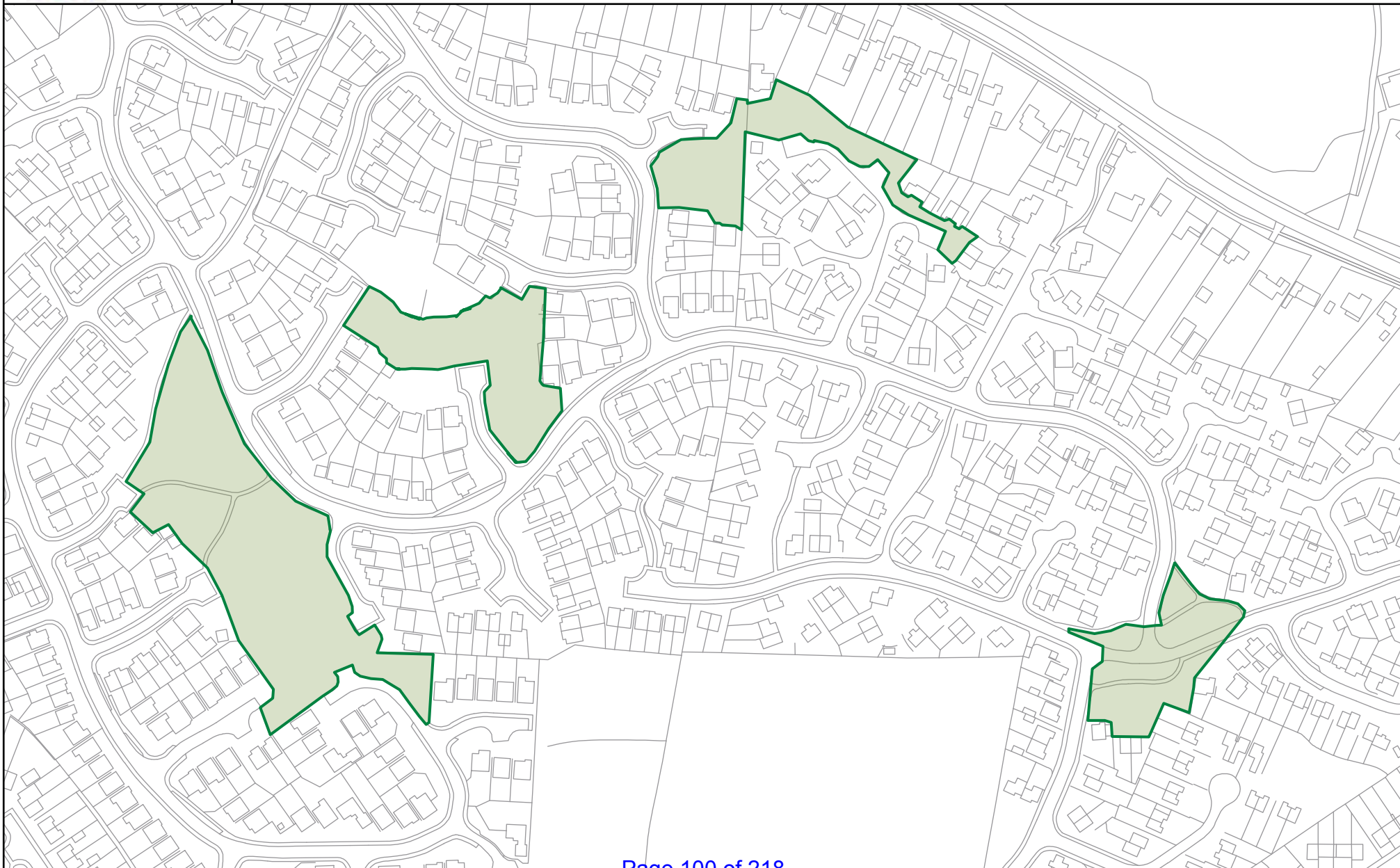
Local Green Space





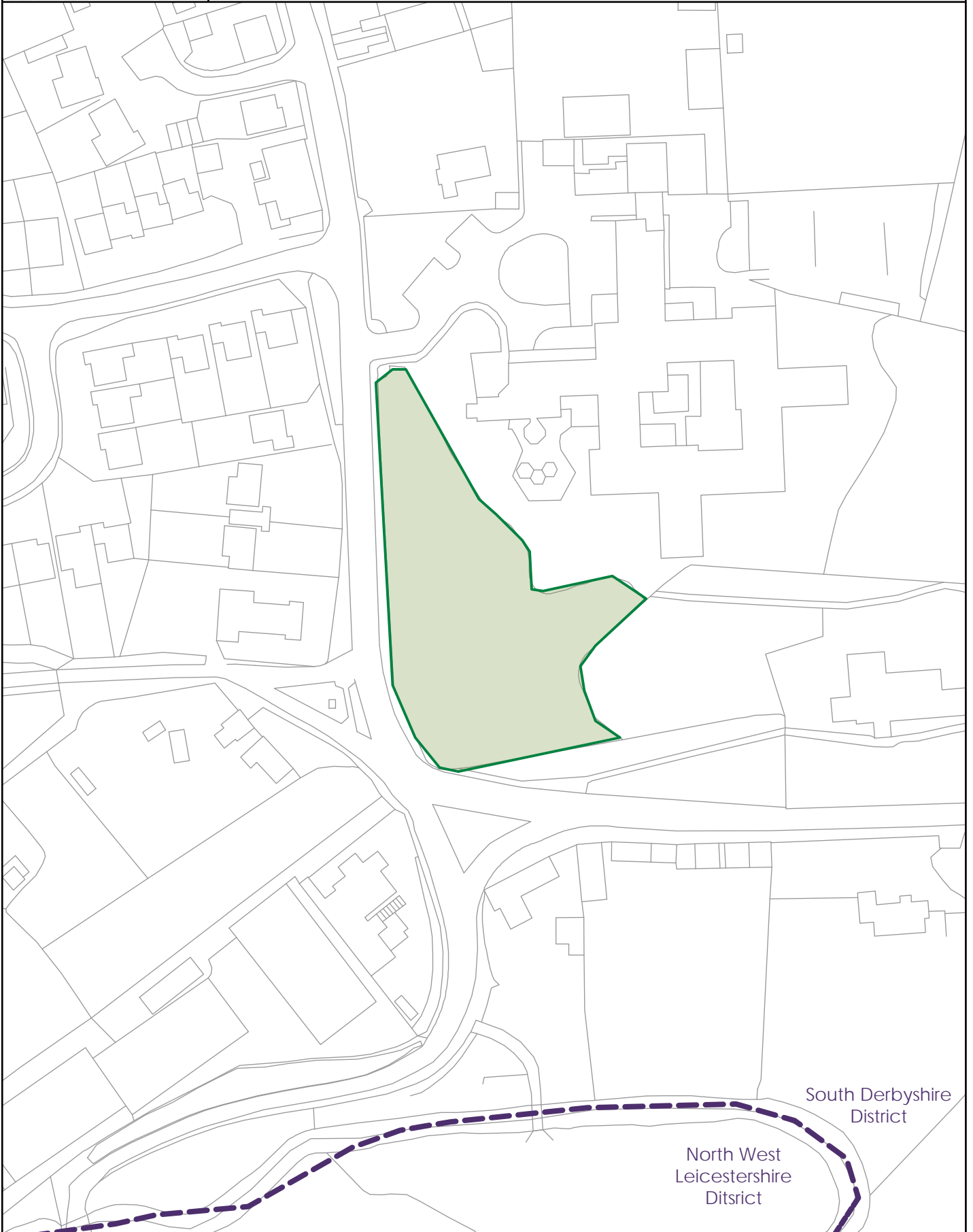


## Midway (west) : Local Green Spaces



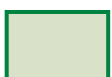


## Netherseal : Local Green Spaces



South Derbyshire  
District

North West  
Leicestershire  
District

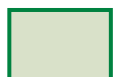


Local Green Space





## Newhall (north) : Local Green Spaces



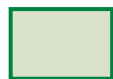
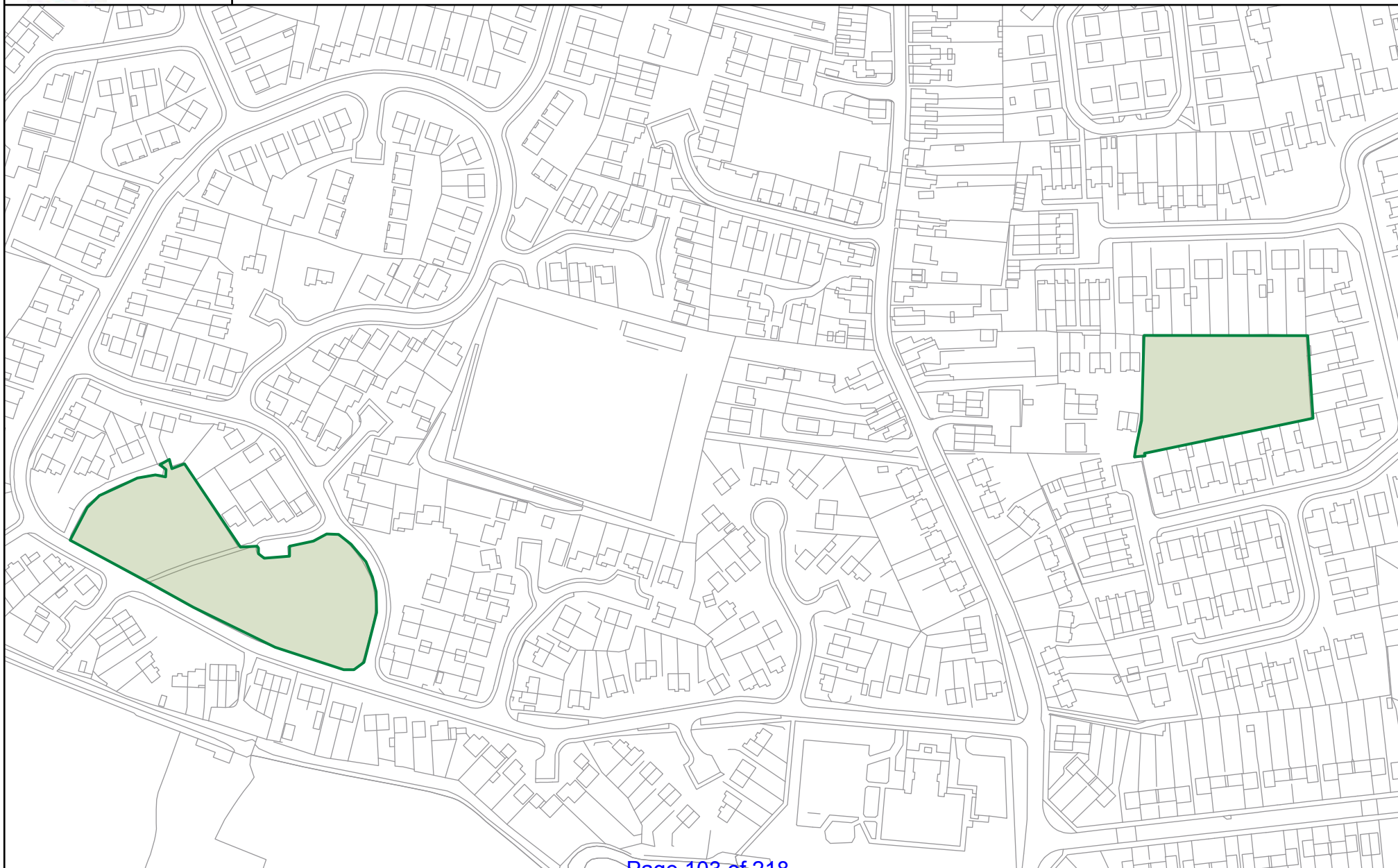
Local Green Space



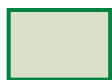




## Newhall (south) : Local Green Spaces





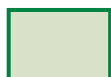
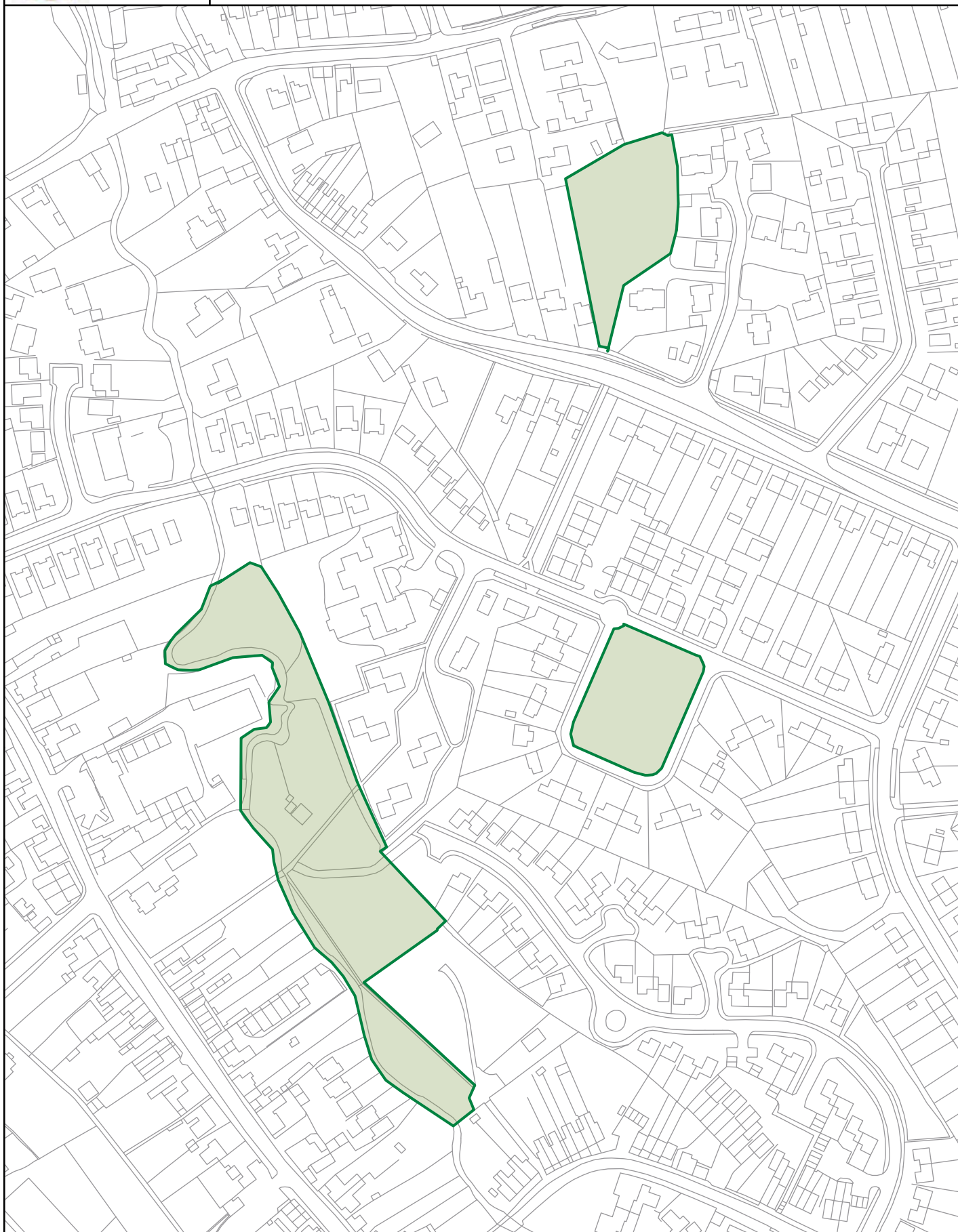


Local Green Space





## Repton : Local Green Spaces

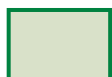
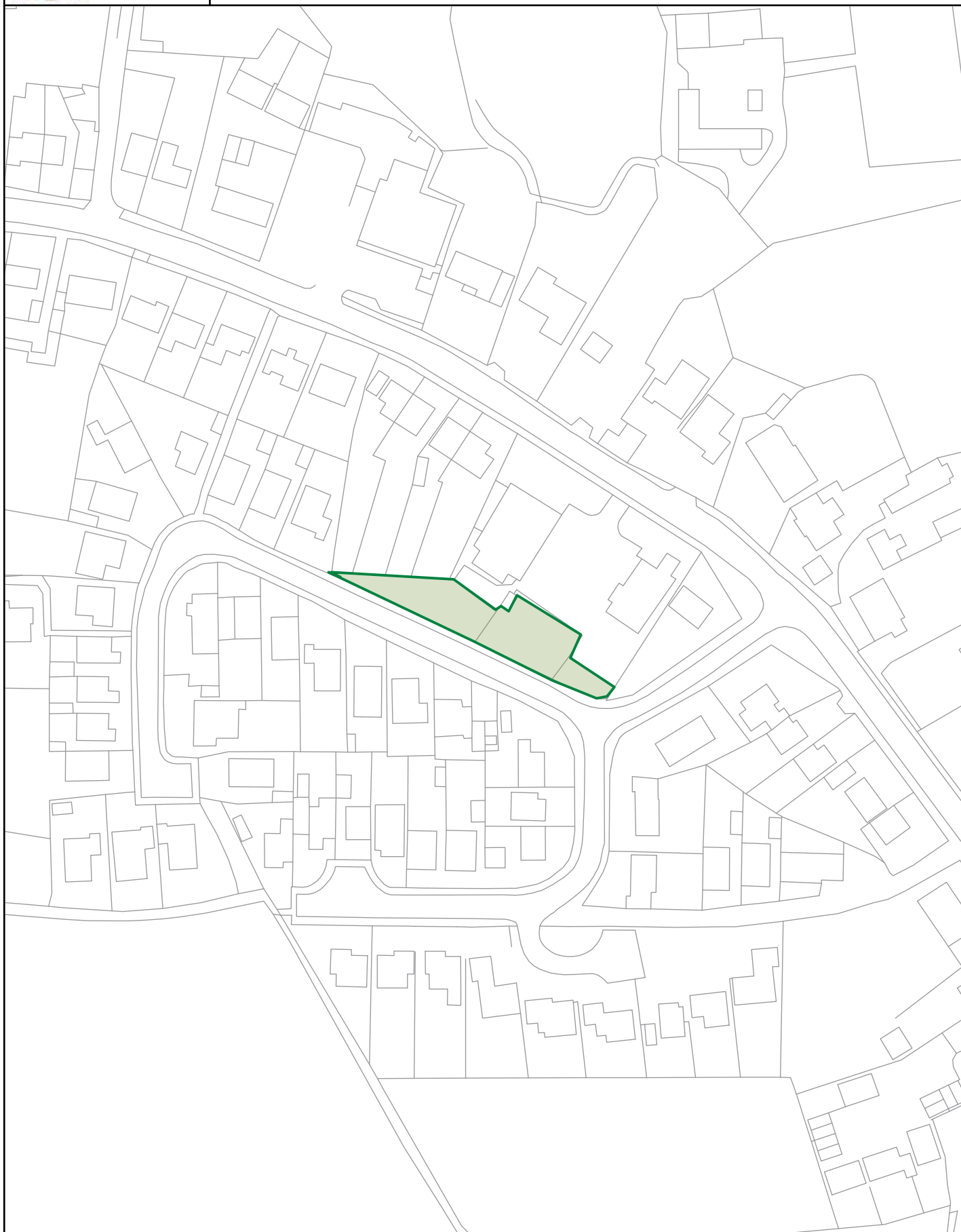


Local Green Space





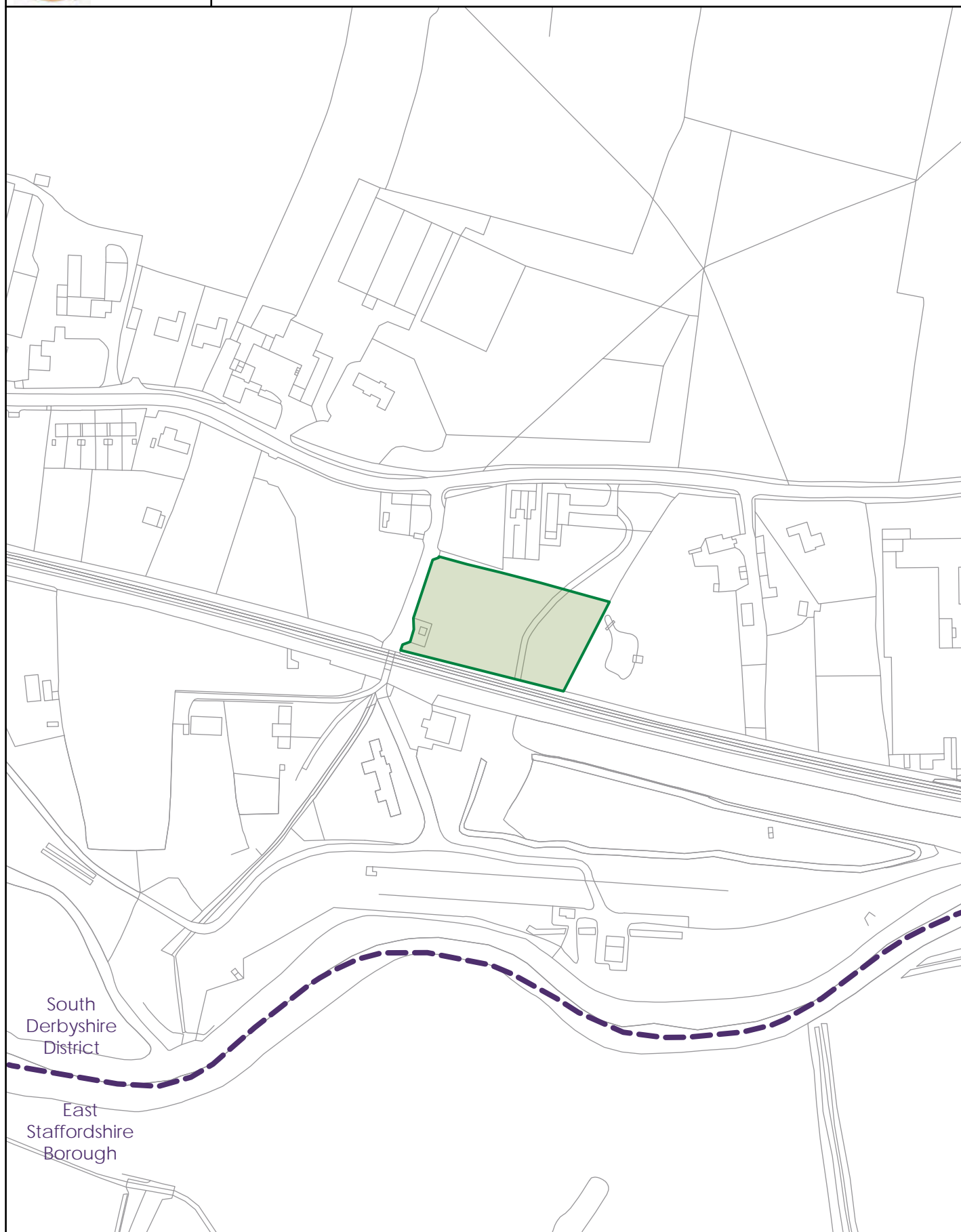
## Rosliston : Local Green Spaces



Local Green Space







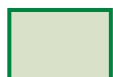
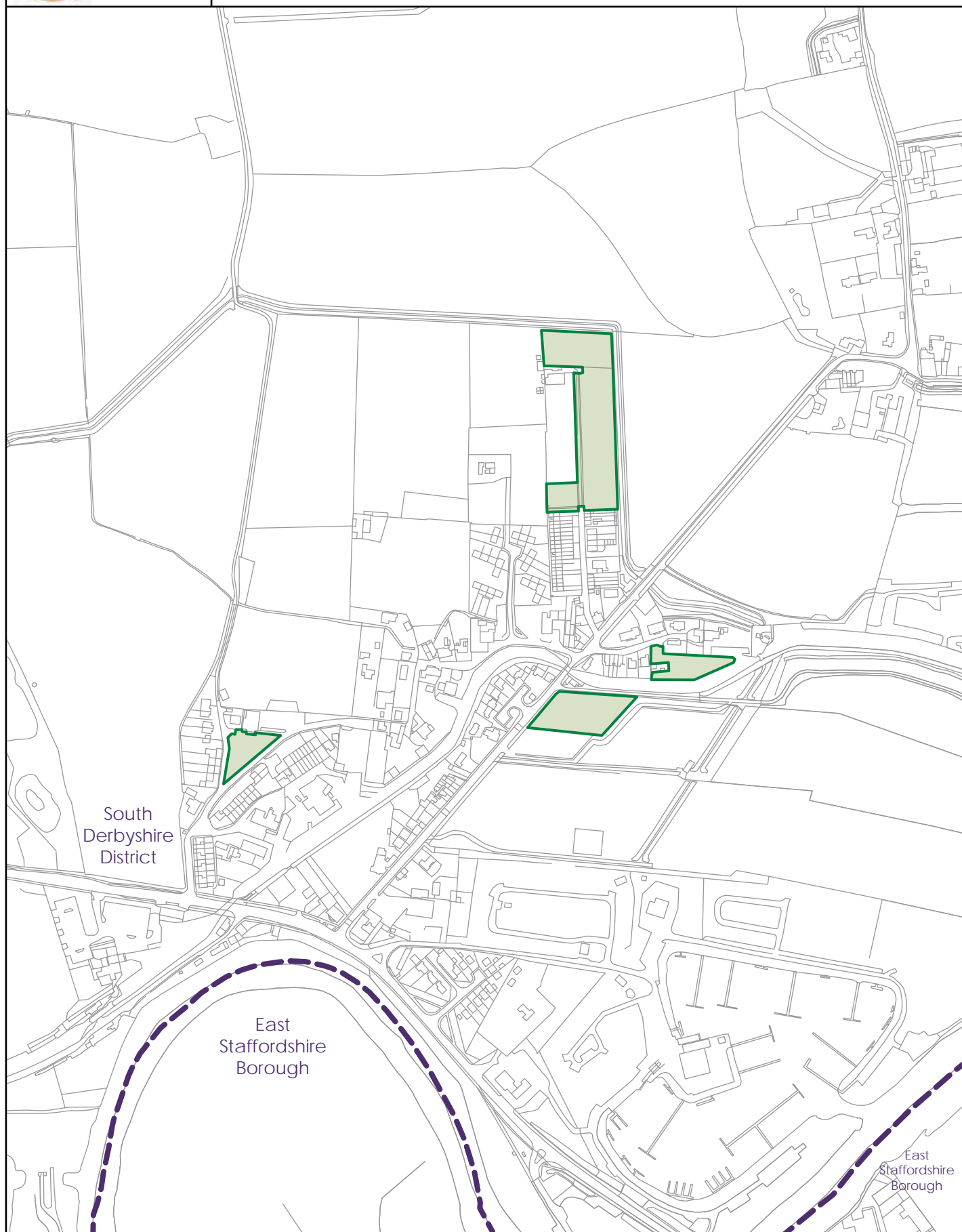
Local Green Space







## Shardlow (east) : Local Green Spaces

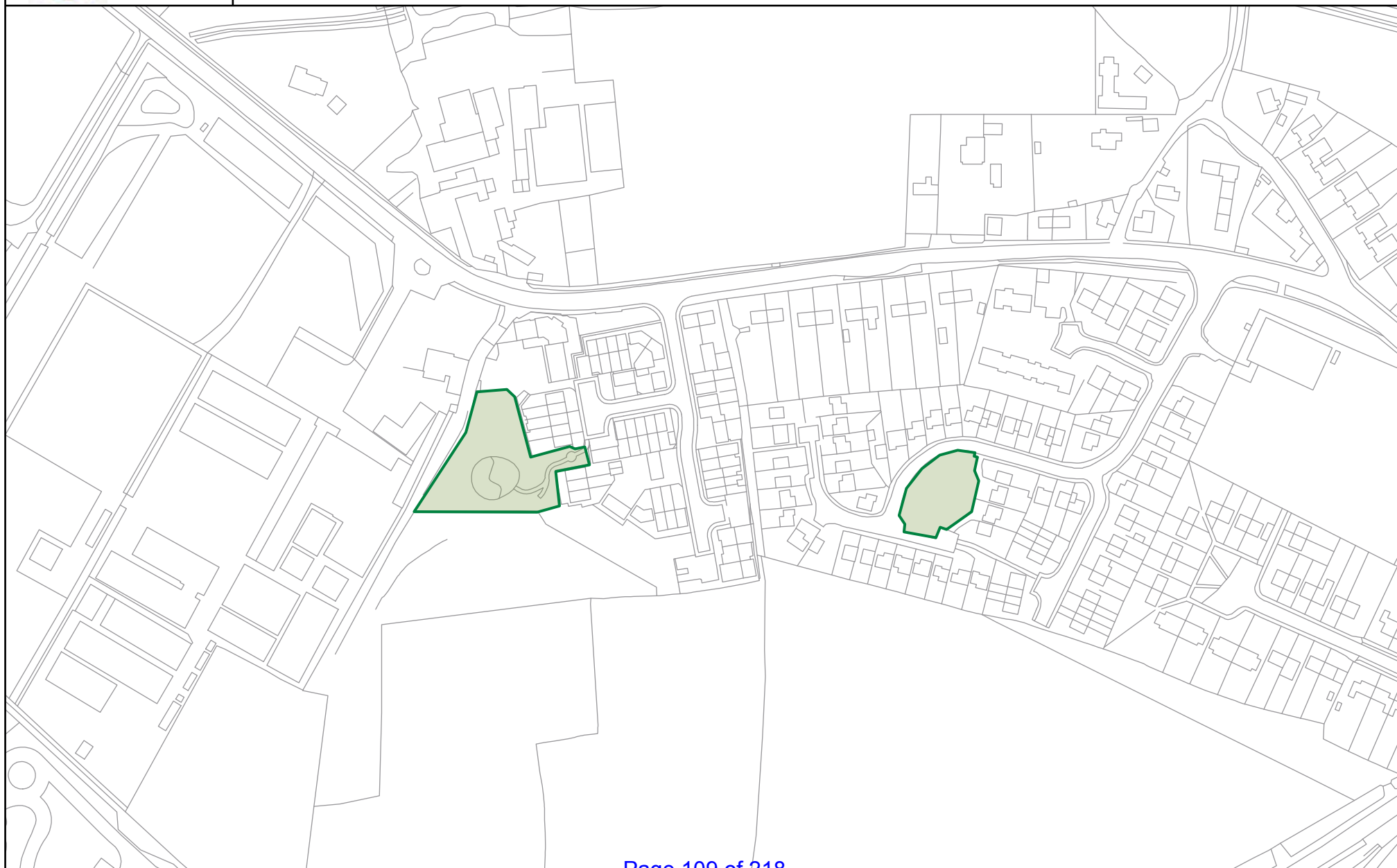


Local Green Space



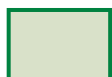
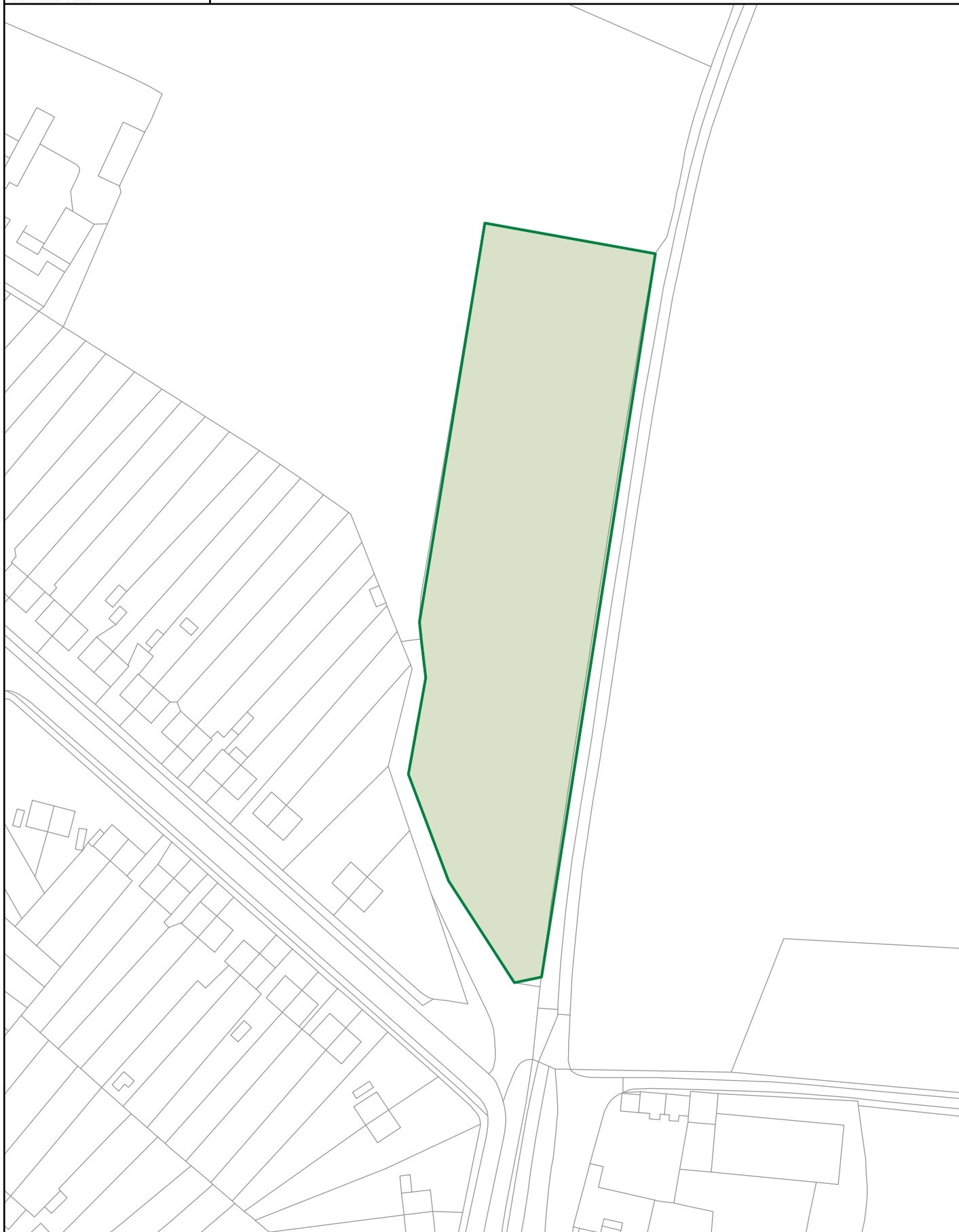


## Shardlow (west) : Local Green Spaces





## Stanton, Swadlincote : Local Green Spaces



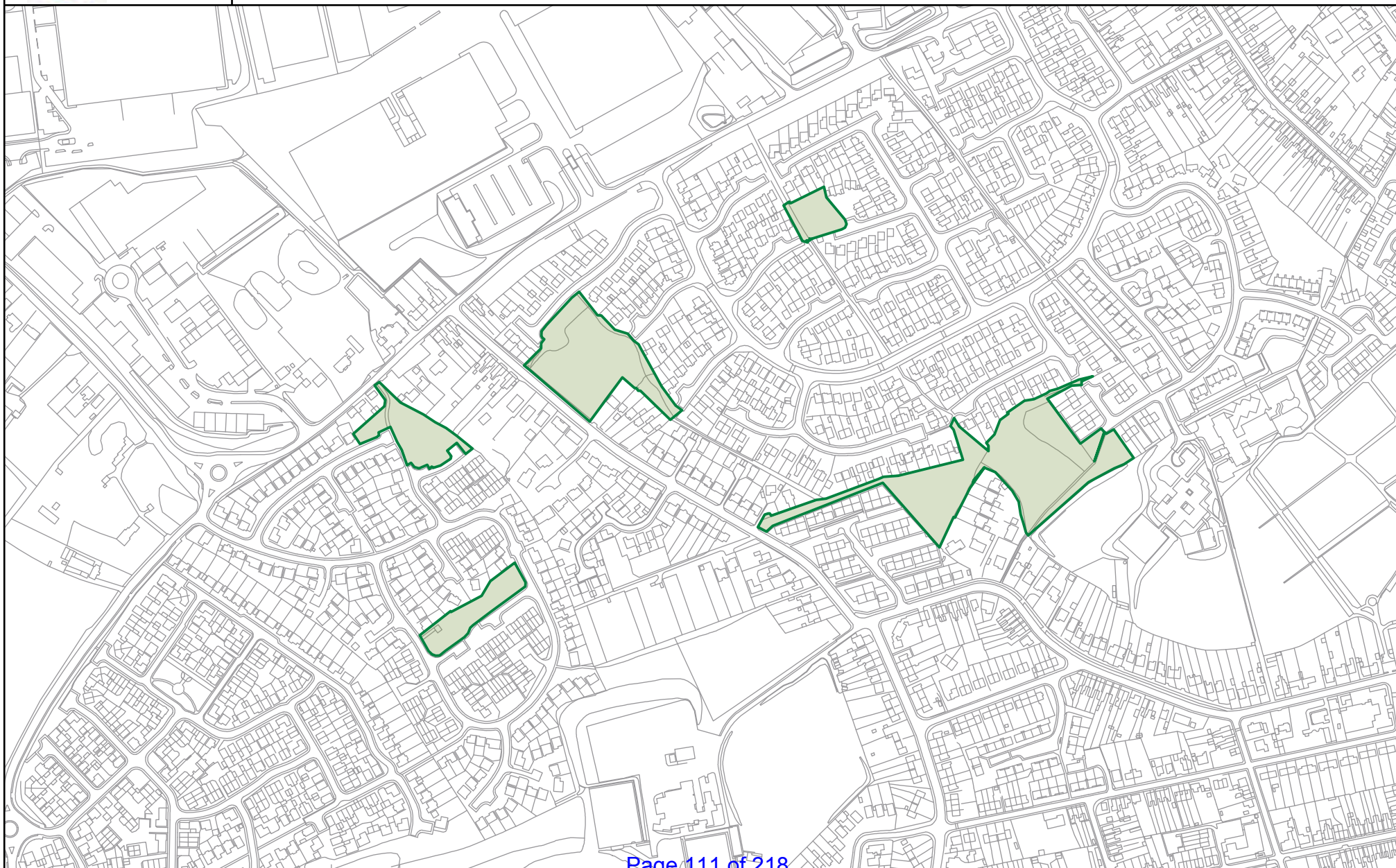
Local Green Space







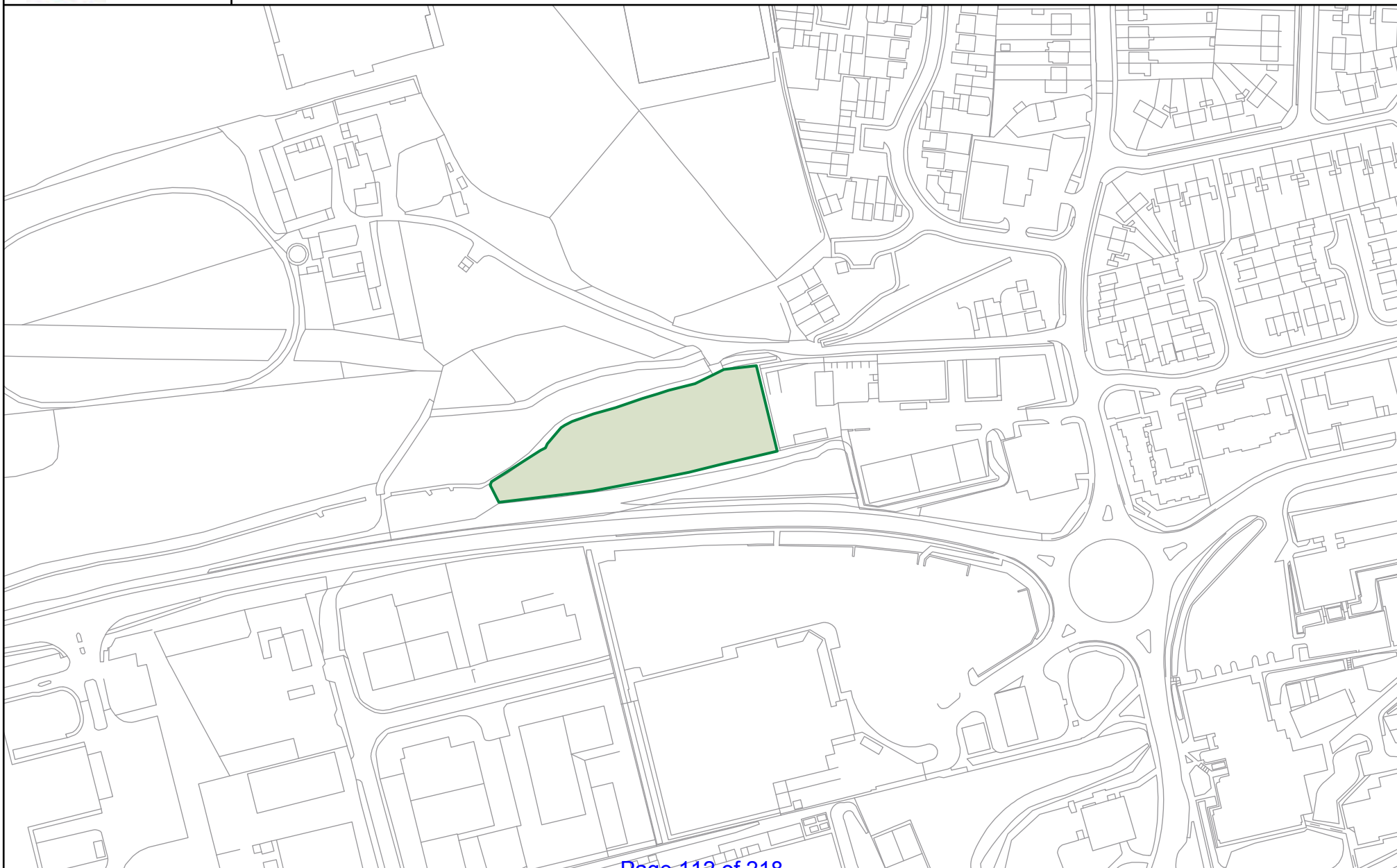
## Swadlincote : Local Green Spaces







## Swadlincote (west) : Local Green Spaces



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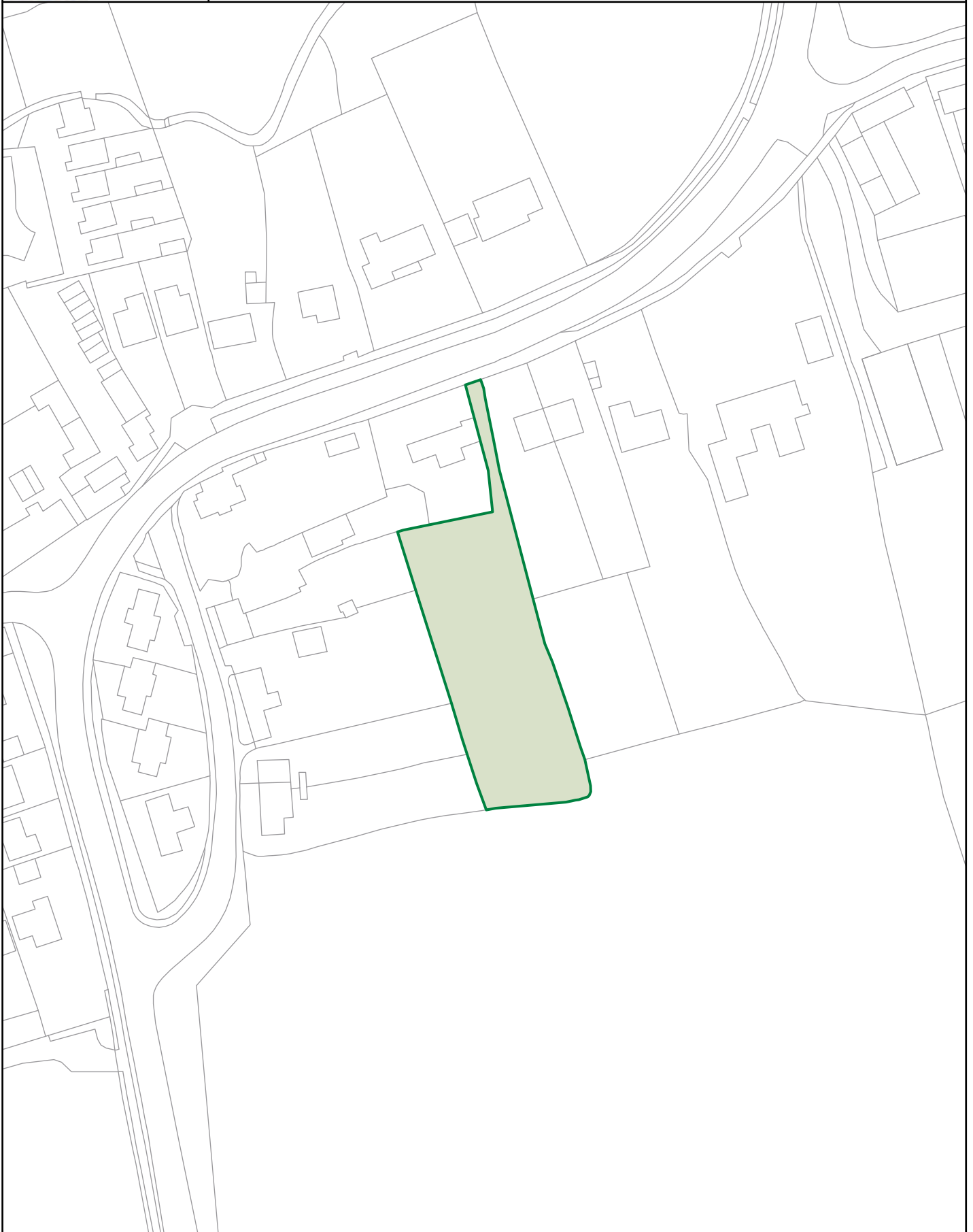


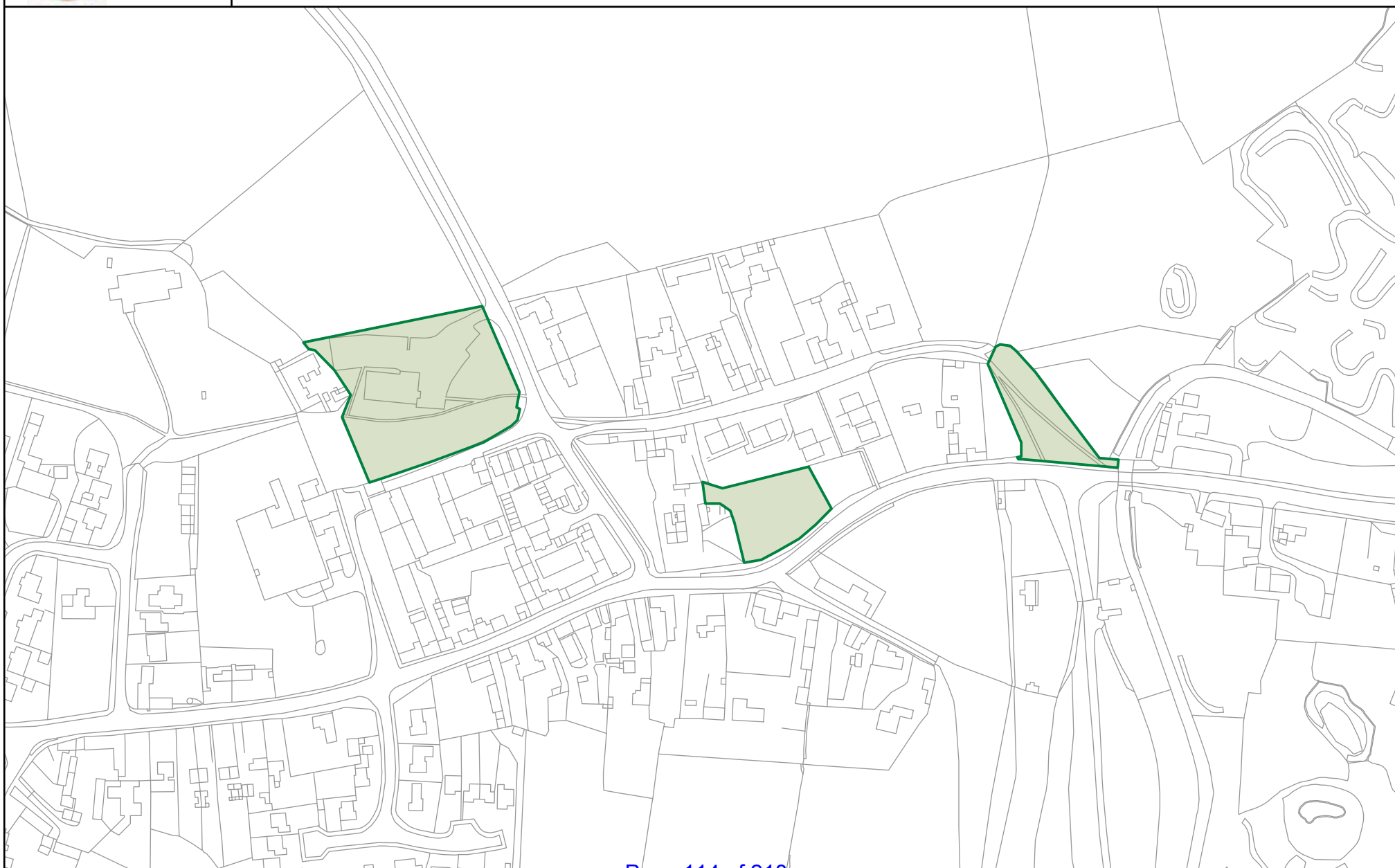
Local Green Space

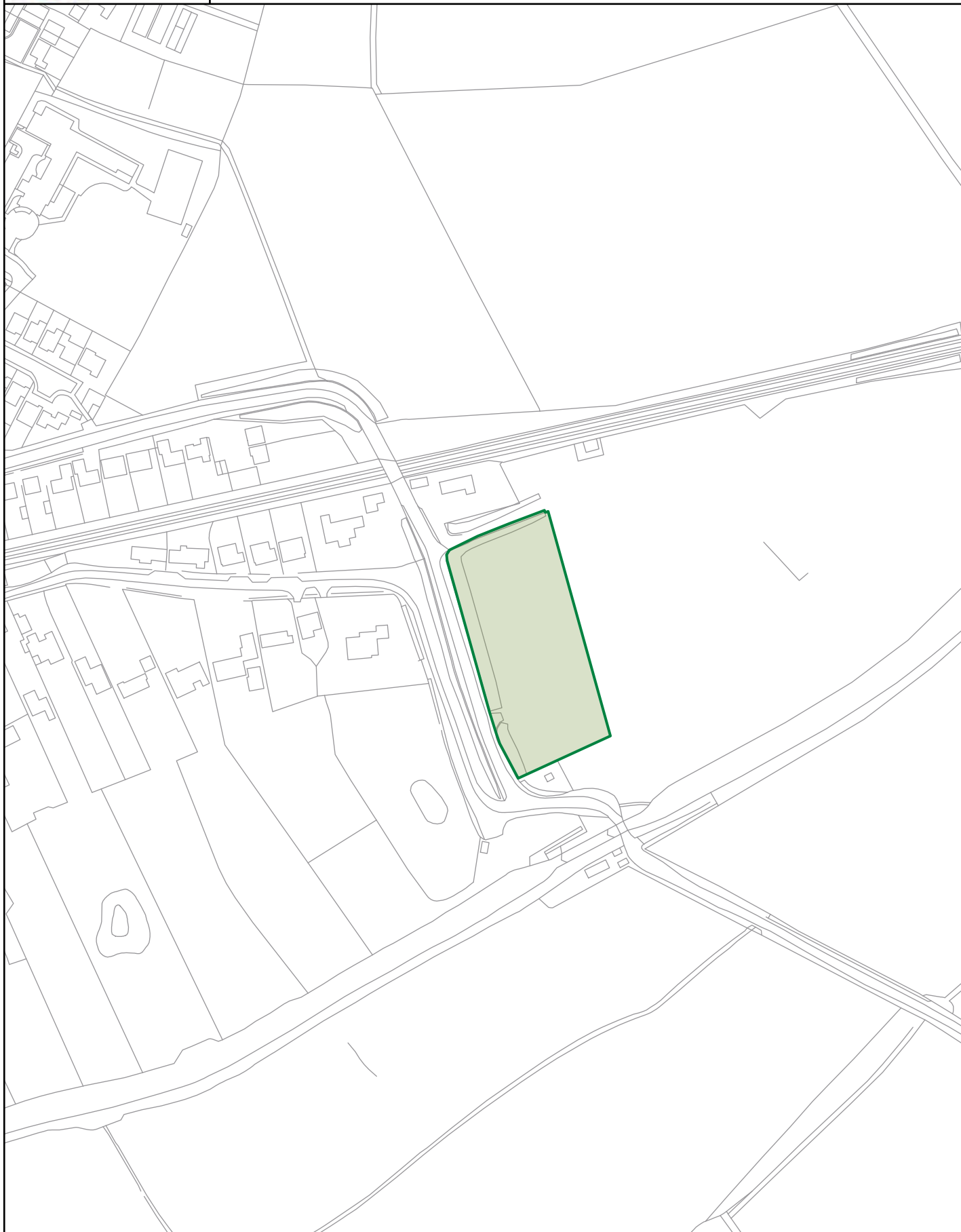
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Scale: 1: 2500 at A4





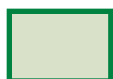
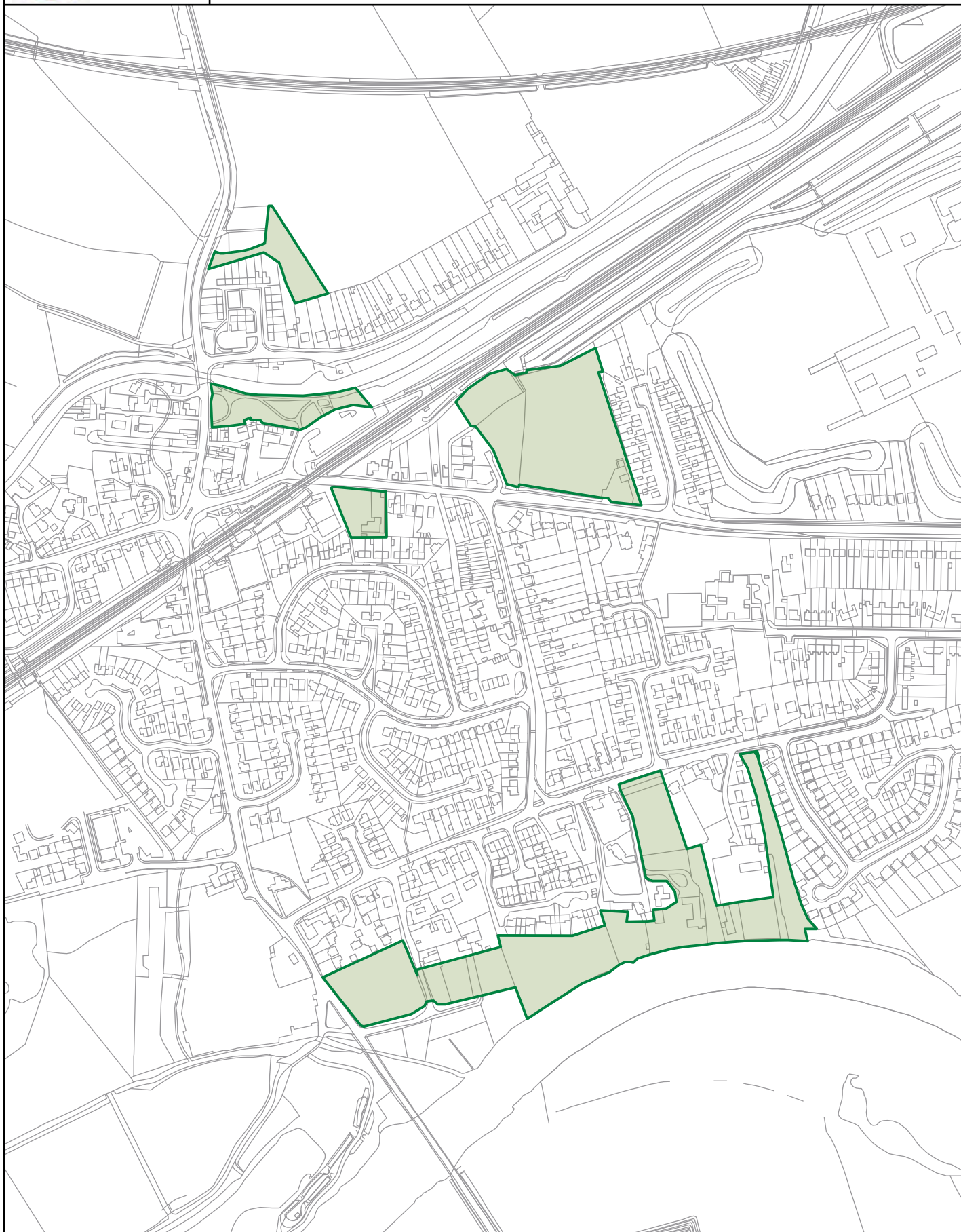




Local Green Space





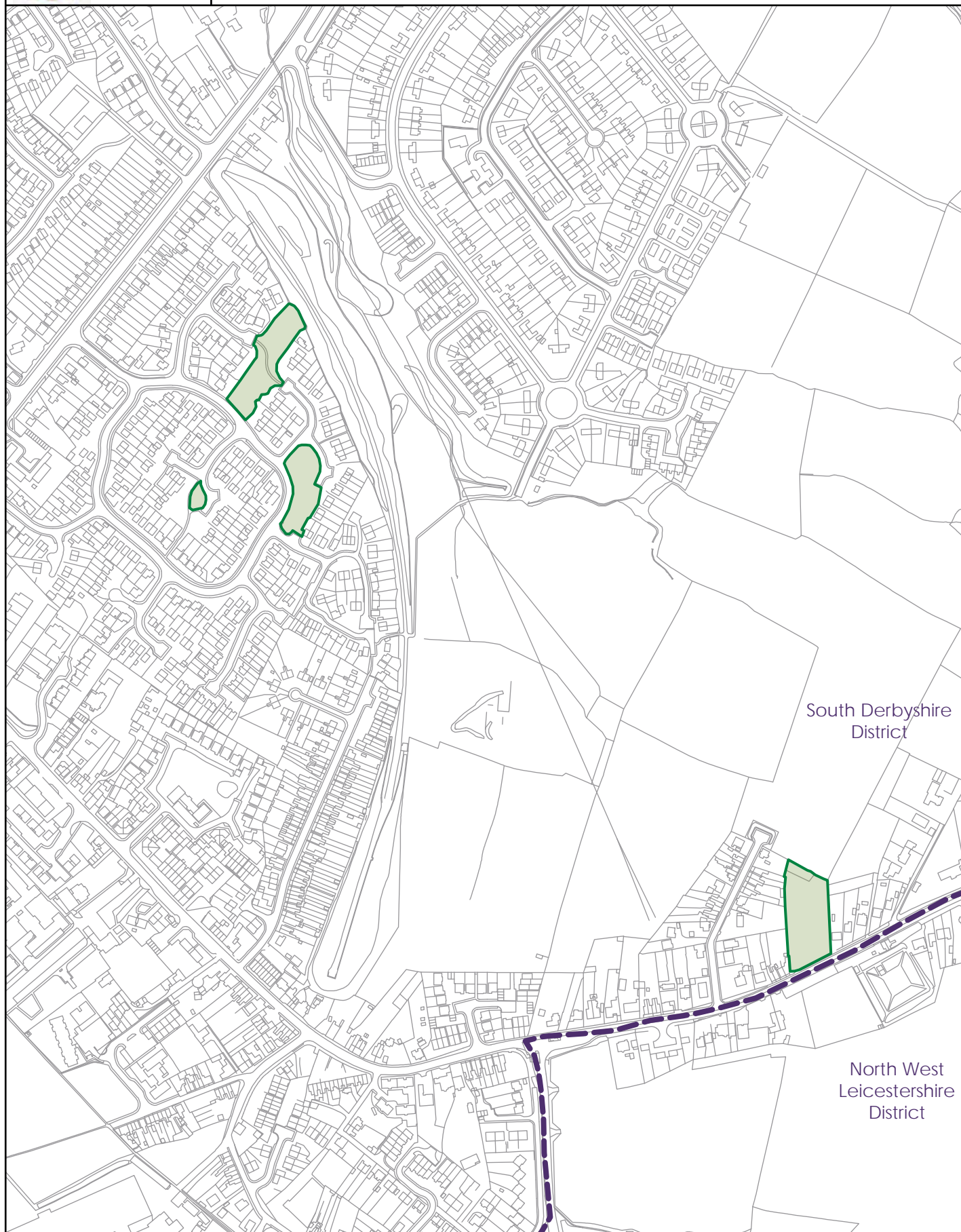


Local Green Space





## Woodville : Local Green Spaces



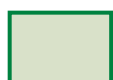
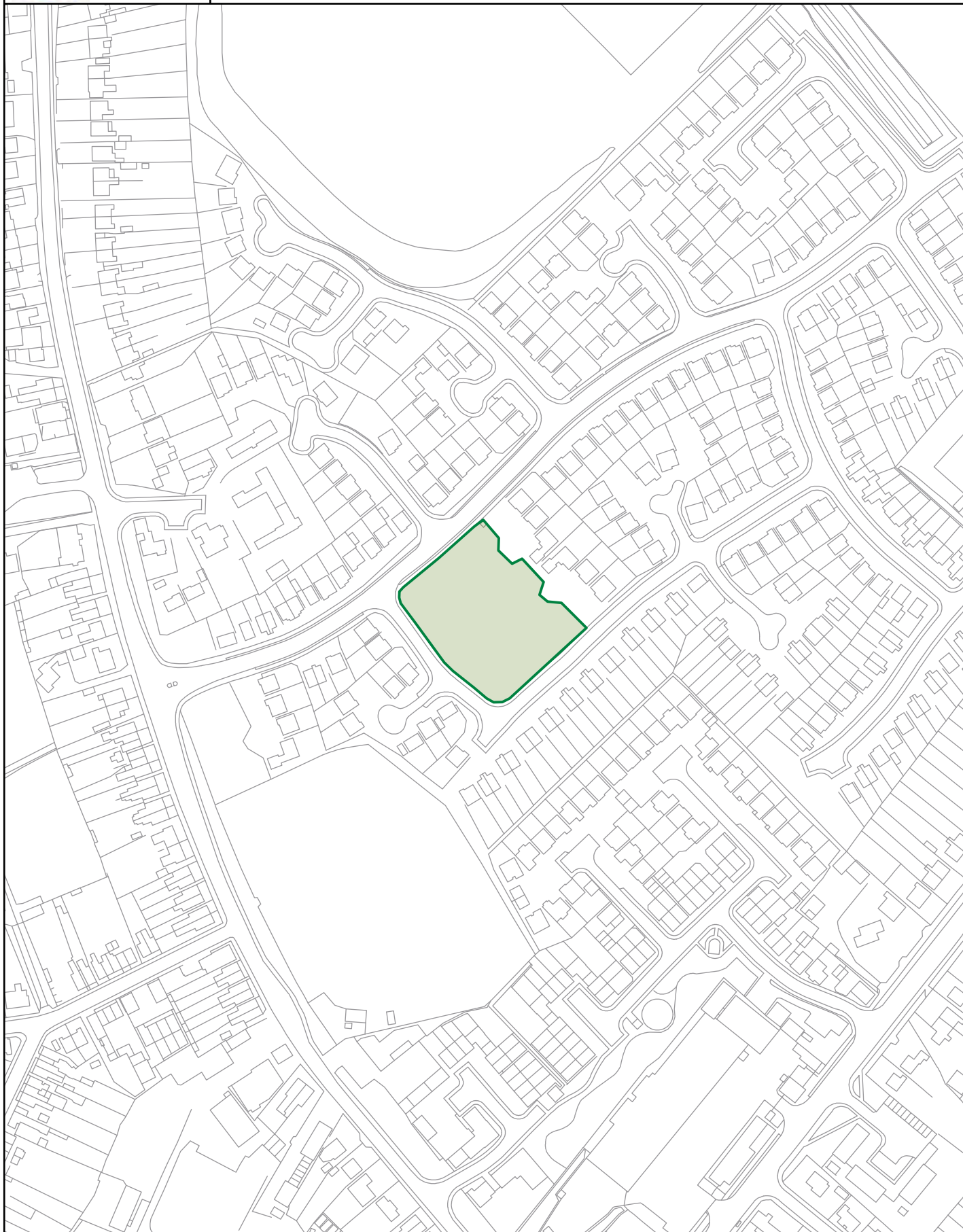
Local Green Space







## Woodville (north) : Local Green Spaces



Local Green Space





**South  
Derbyshire**  
District Council  
Community and  
Planning Services

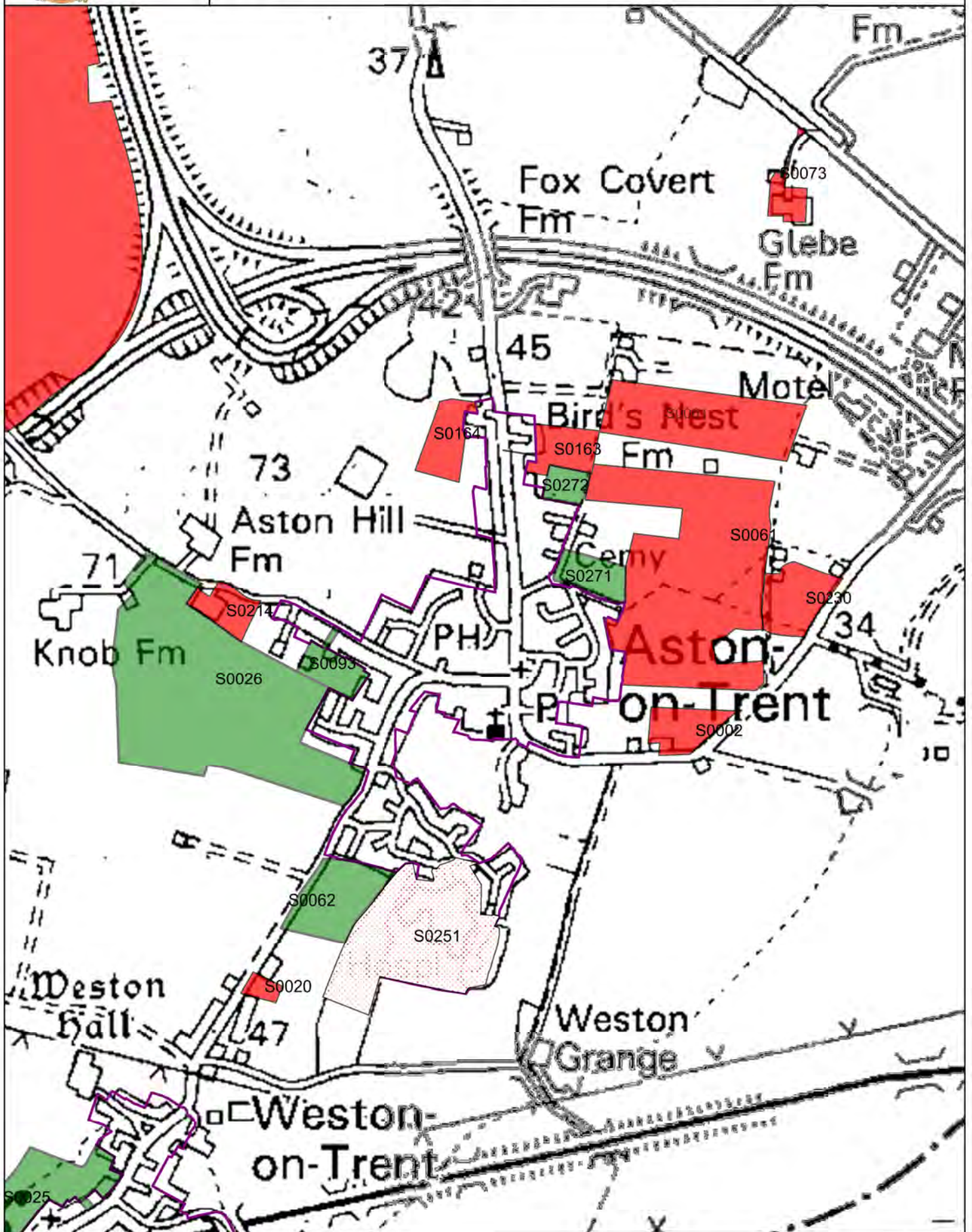
# Housing Site Options Local Plan Part 2







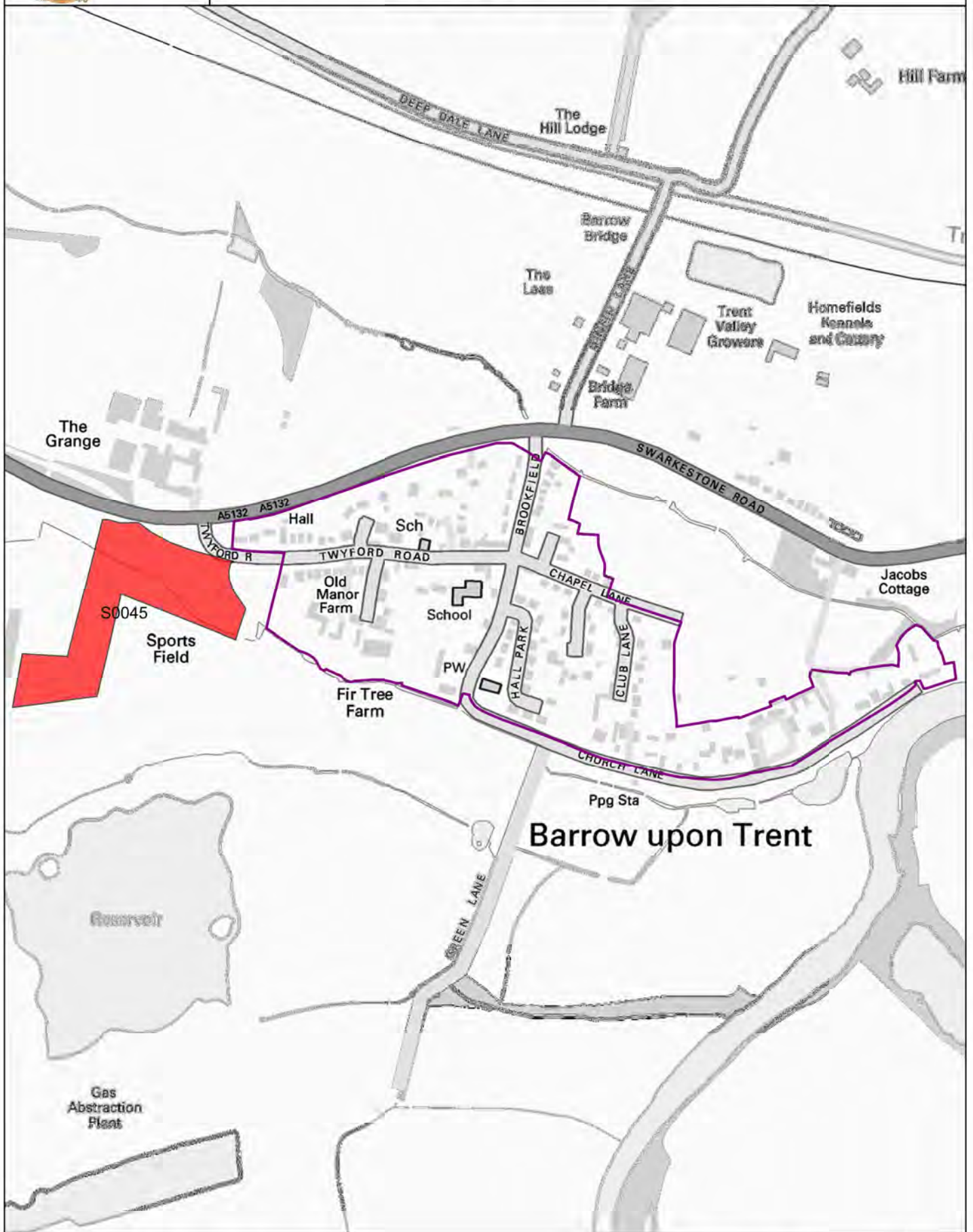
## Housing Site Options - Aston On Trent





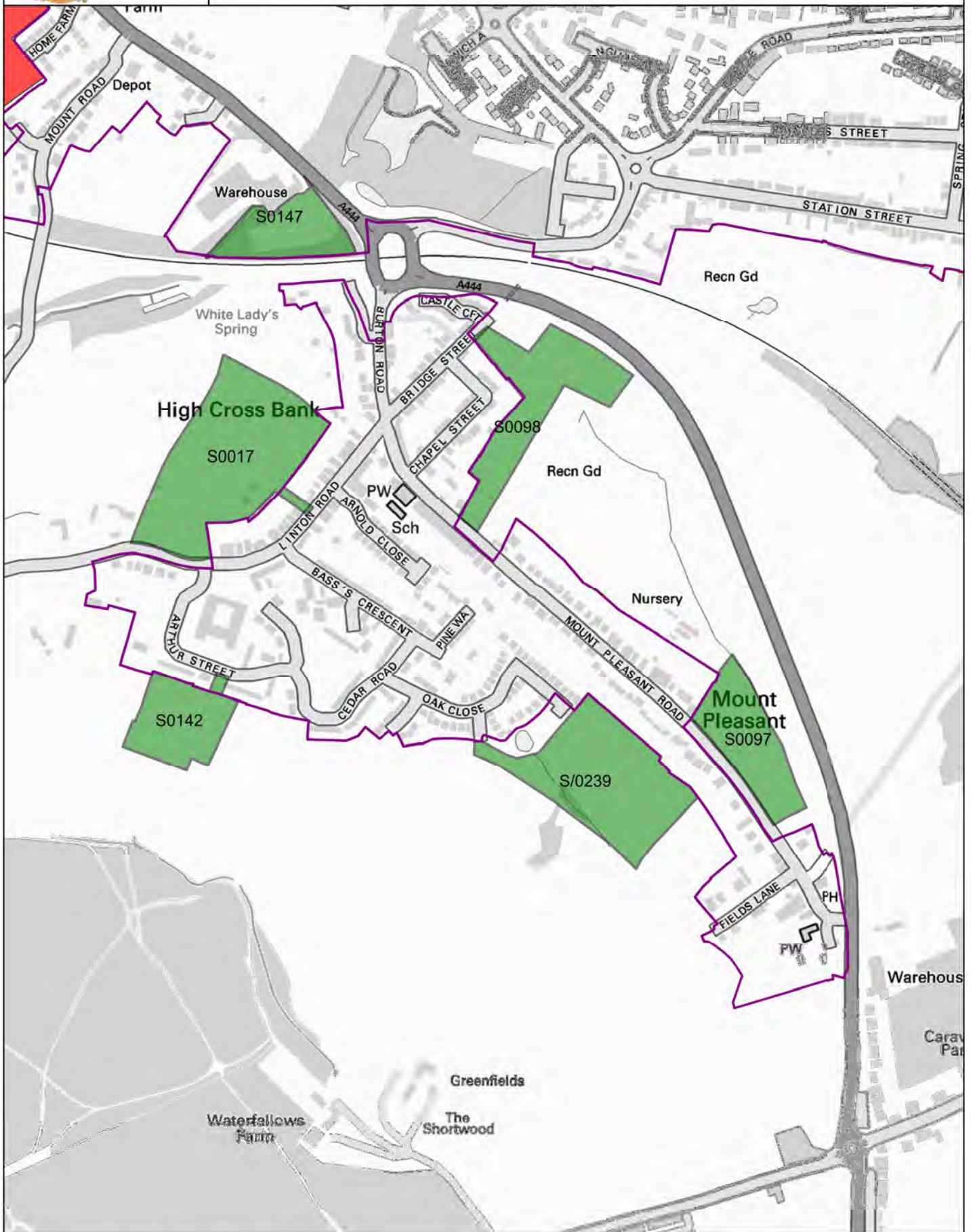


## Housing Site Options - Barrow upon Trent





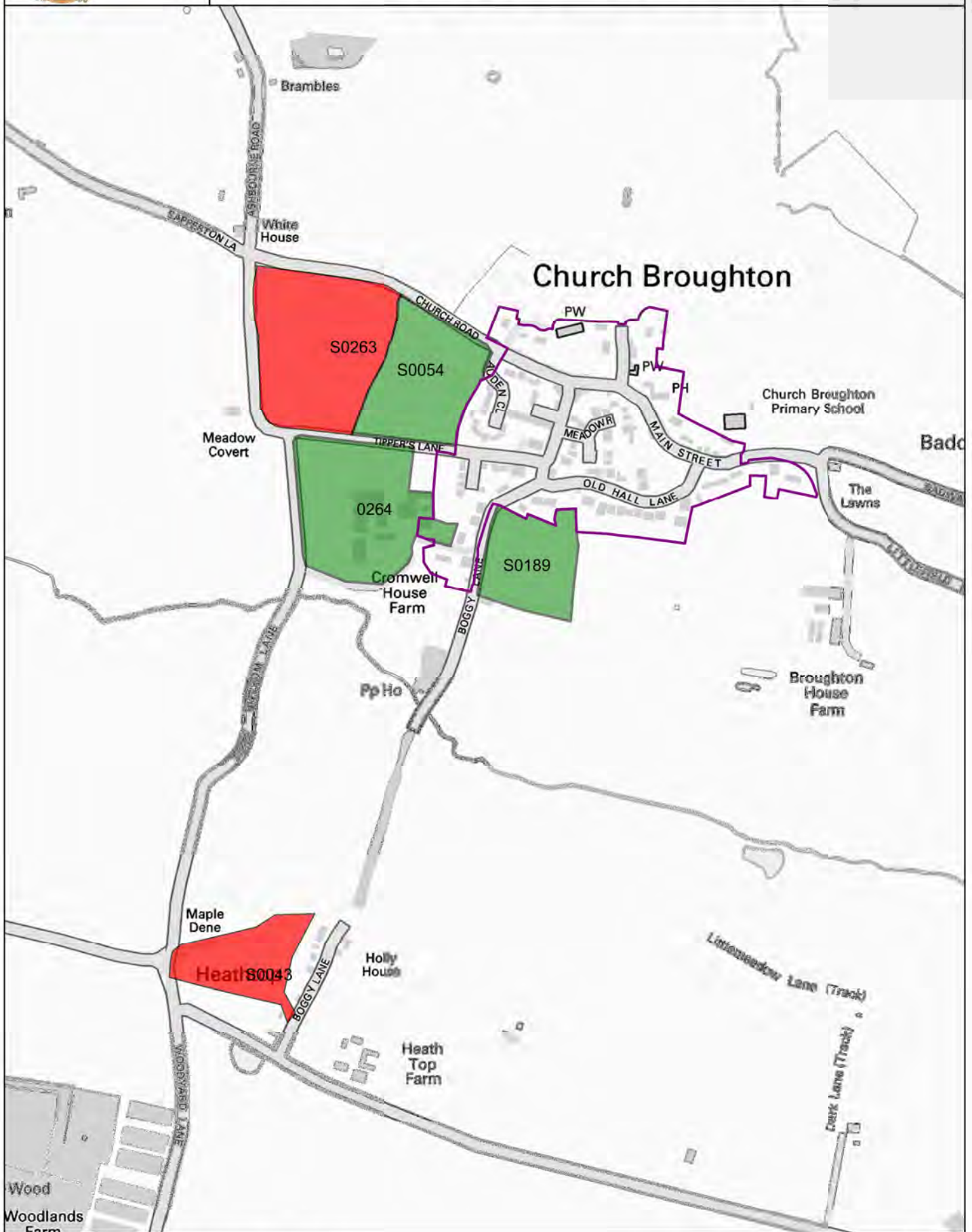
## Housing Site Options - Castle Gresley (Mount Pleasant)







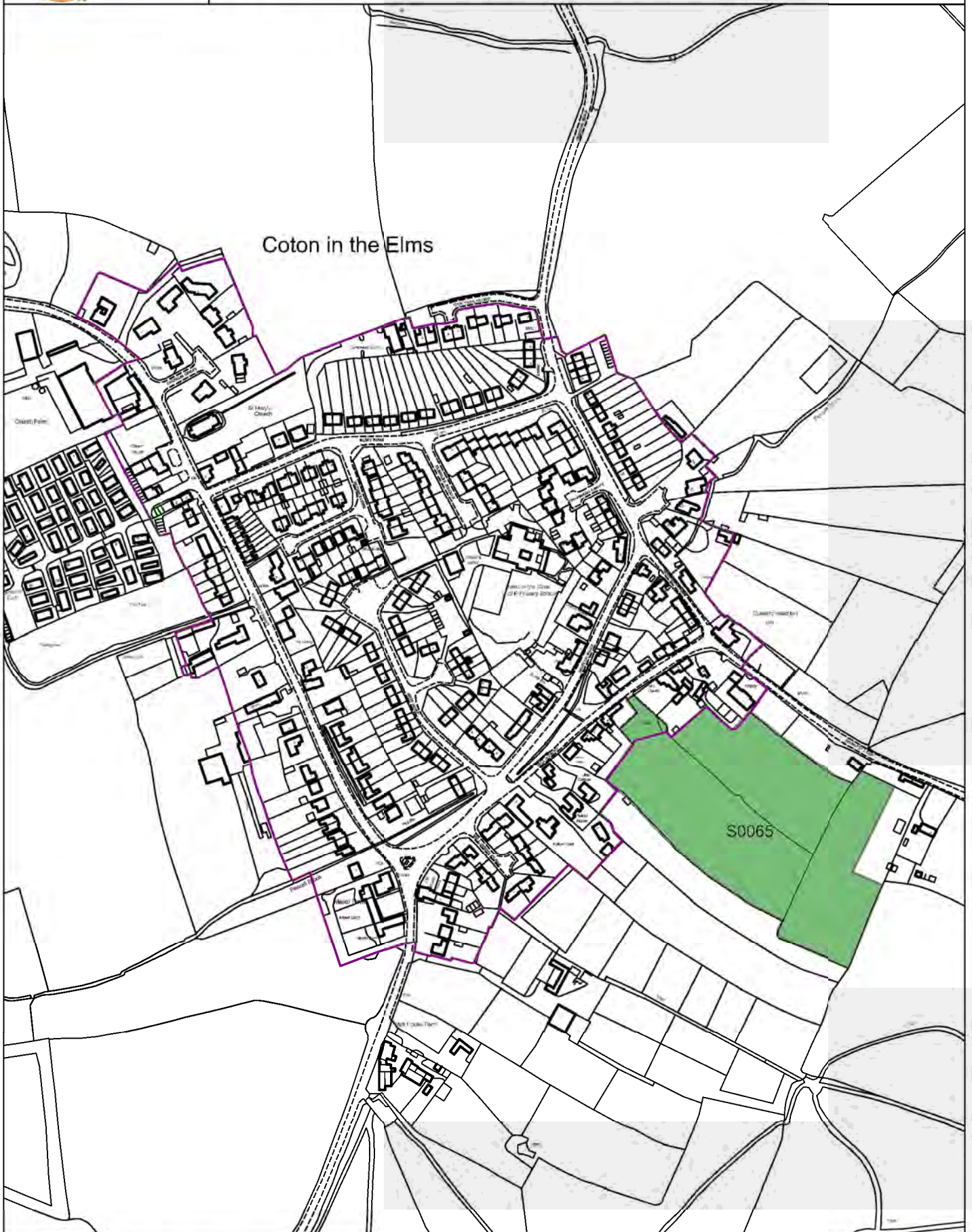
## Housing Site Options - Church Broughton







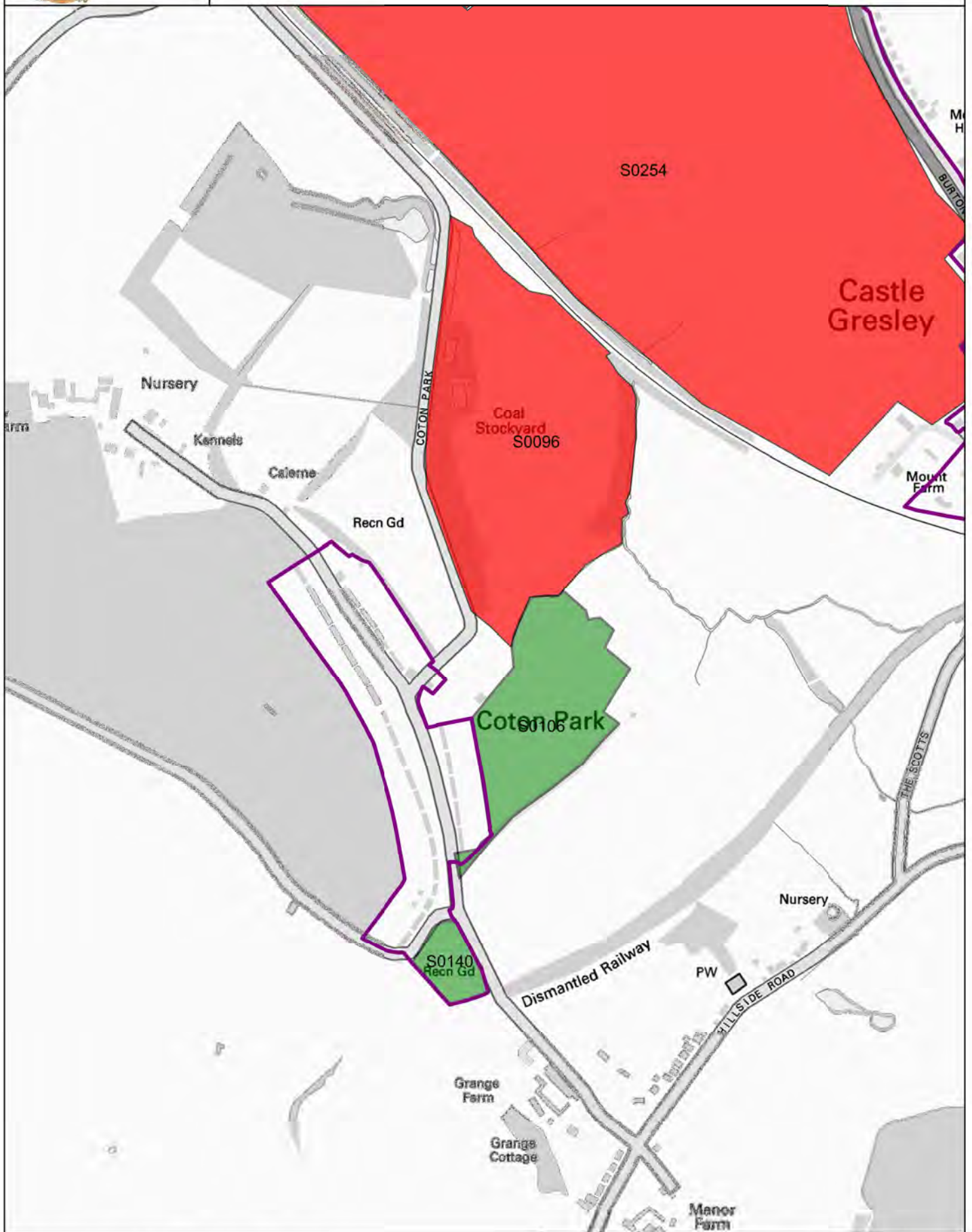
## Housing Site Options - Coton in the Elms







## Housing Site Options - Coton Park





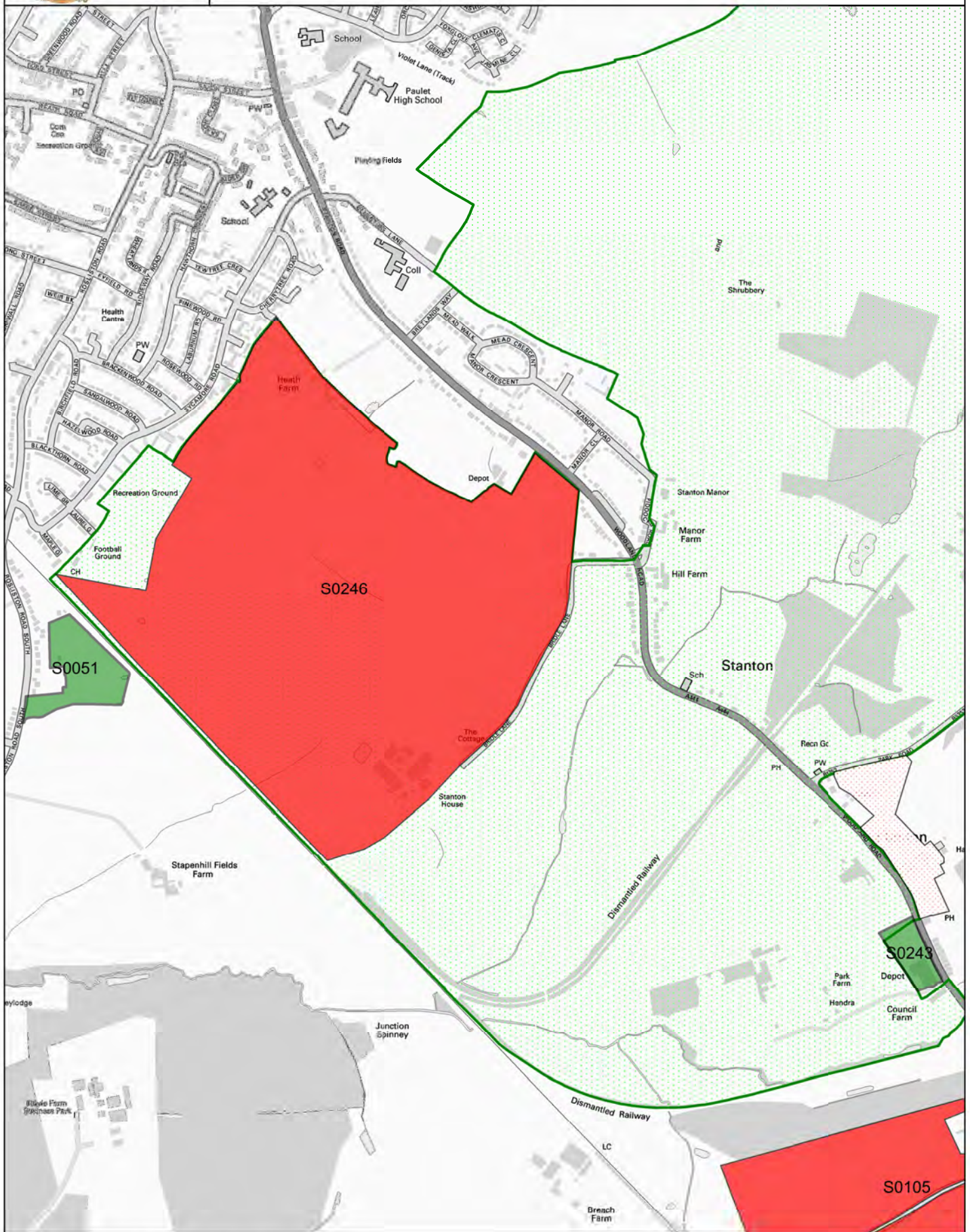
## Housing Site Options - Dalbury







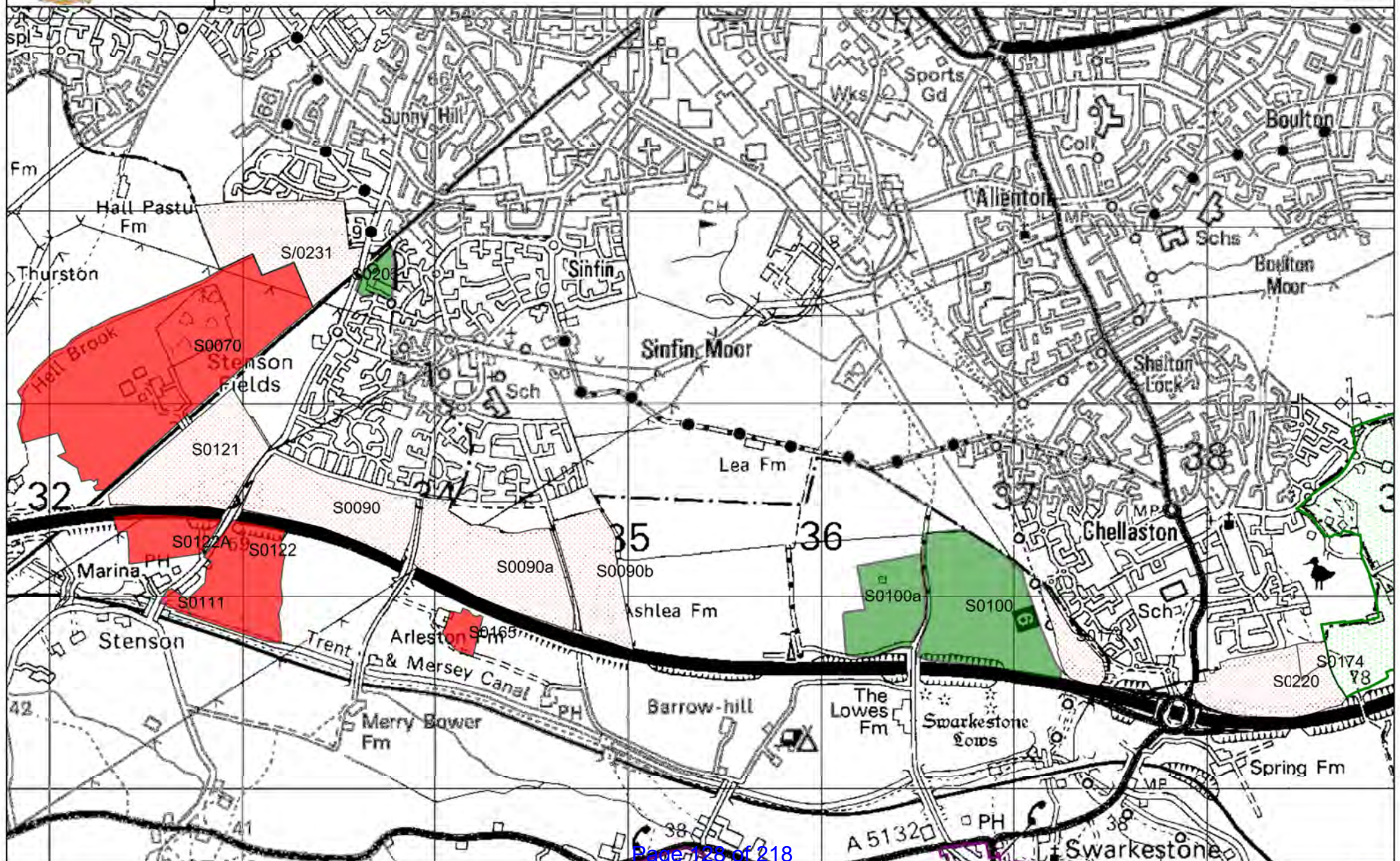
## Housing Site Options - Drakelow and Stanton







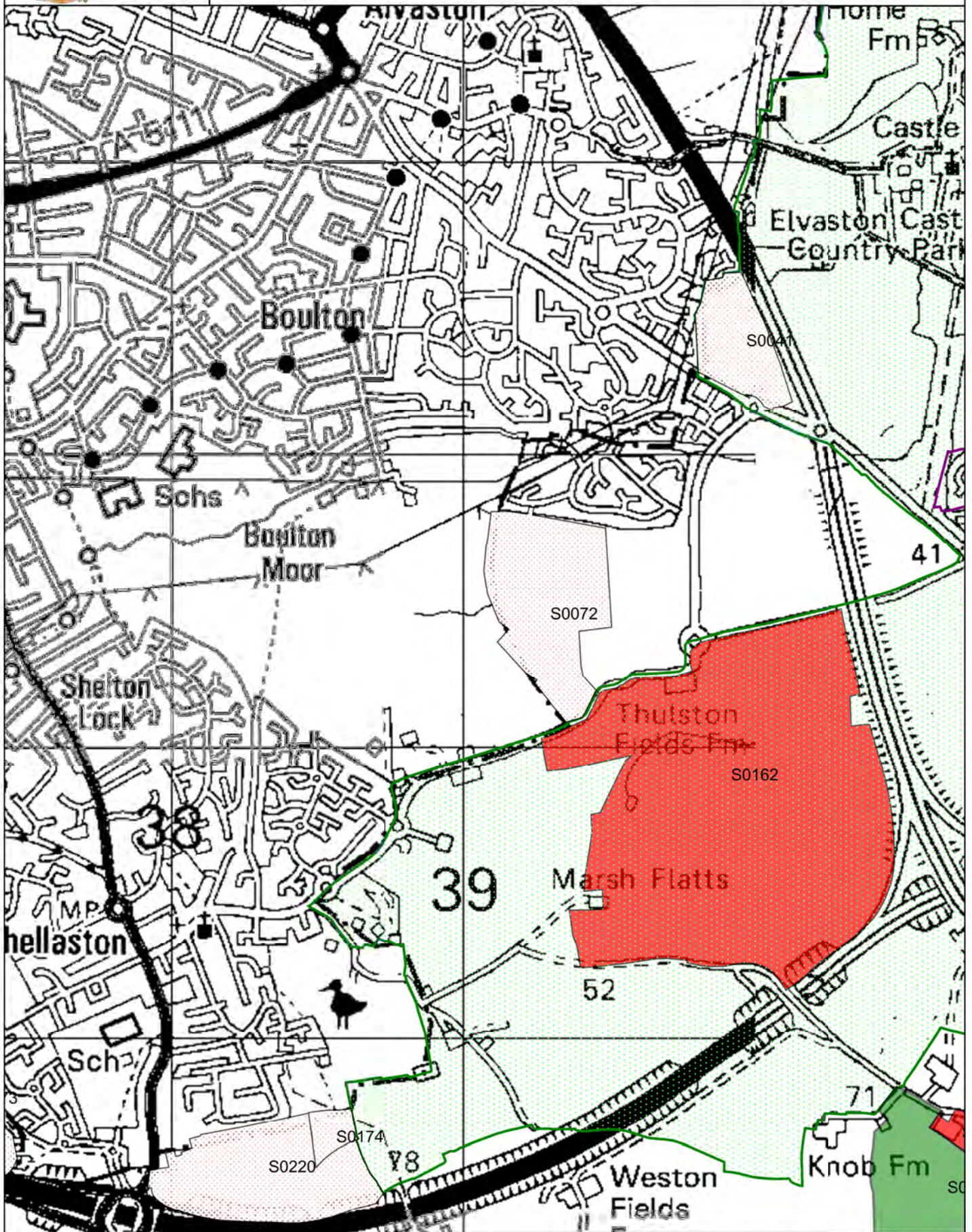
## Housing Site Options - DUA Central







## Housing Site Options - DUA East









Elvaston Castle Country Park

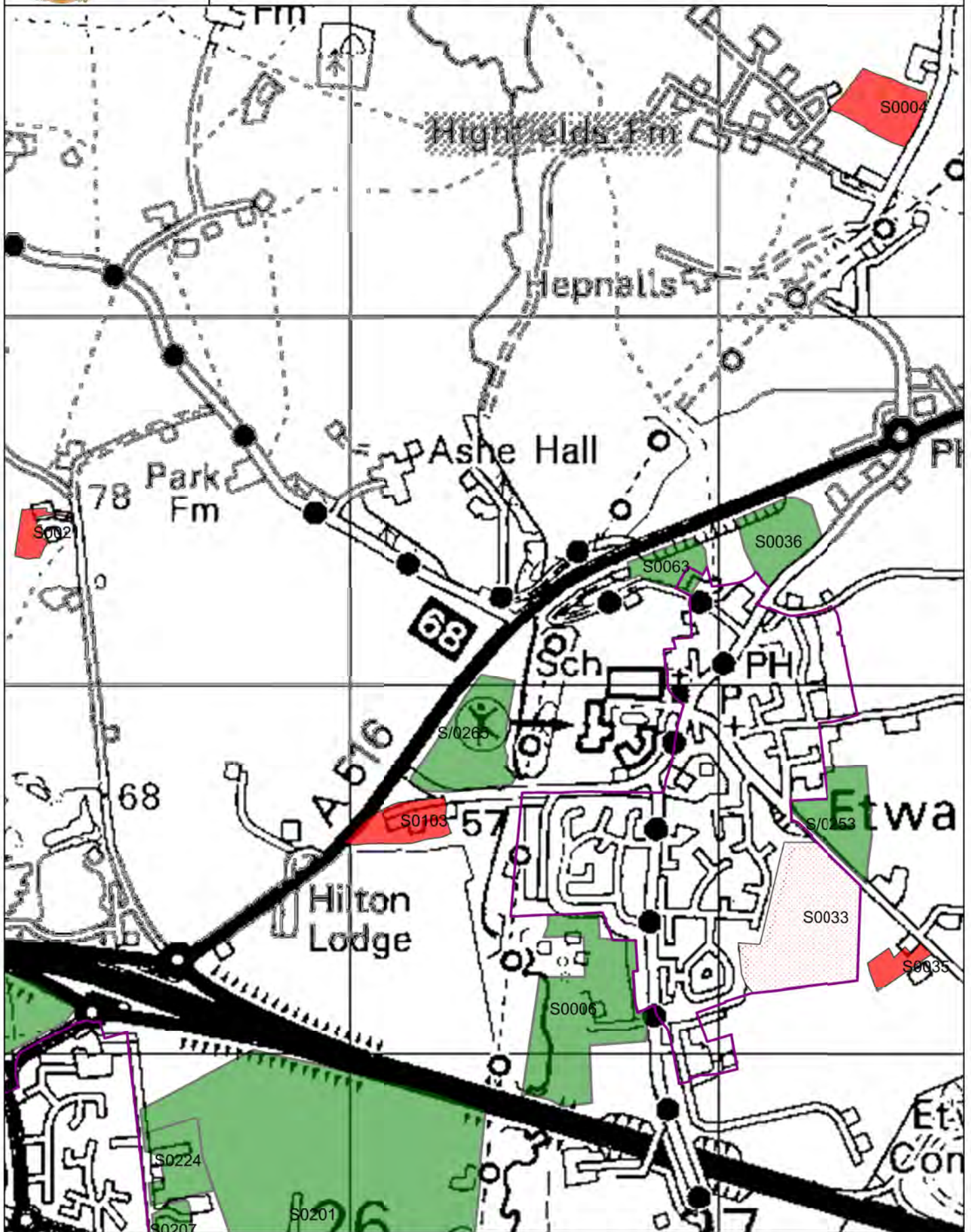
Elvaston

S0069





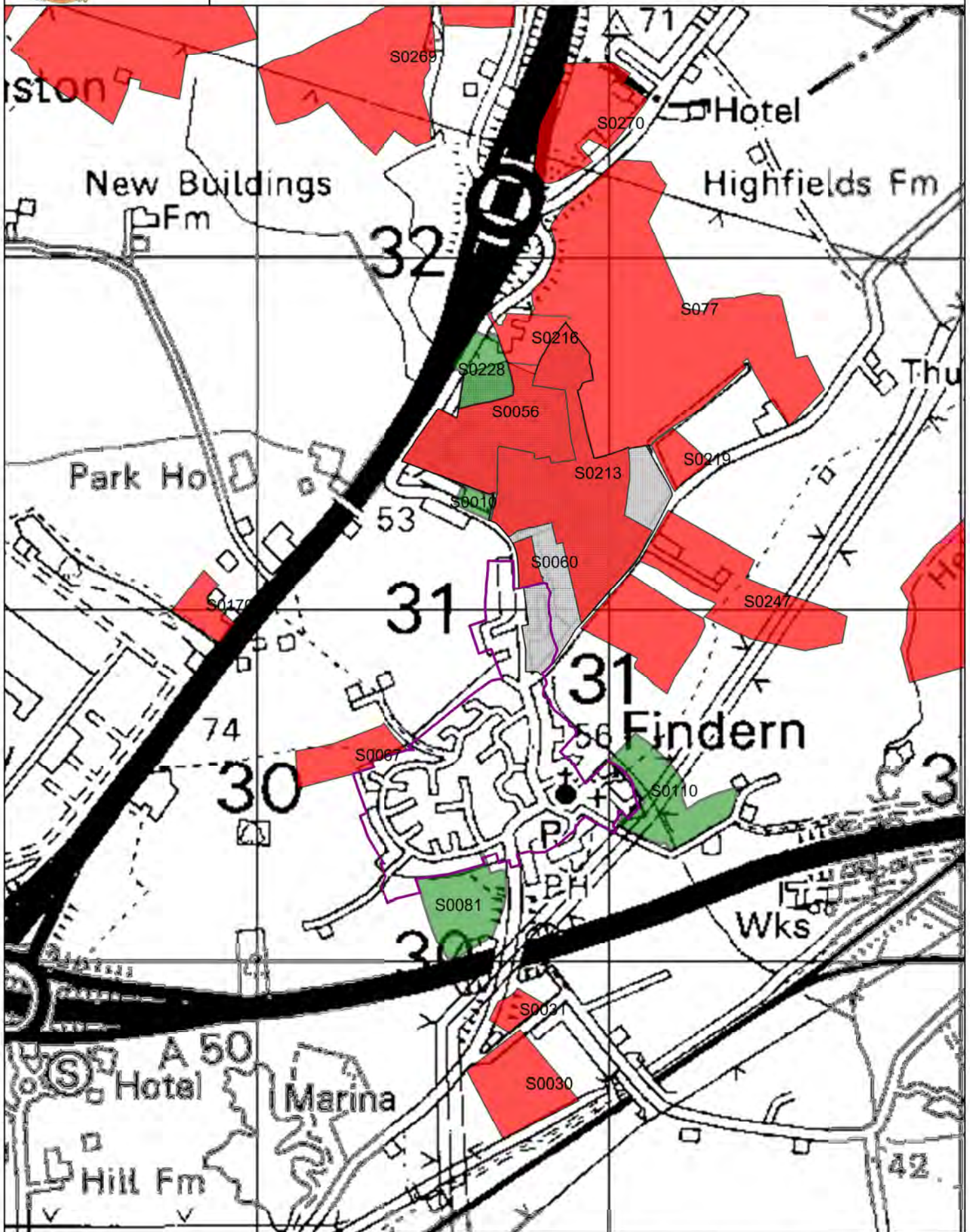
## Housing Site Options - Etwall





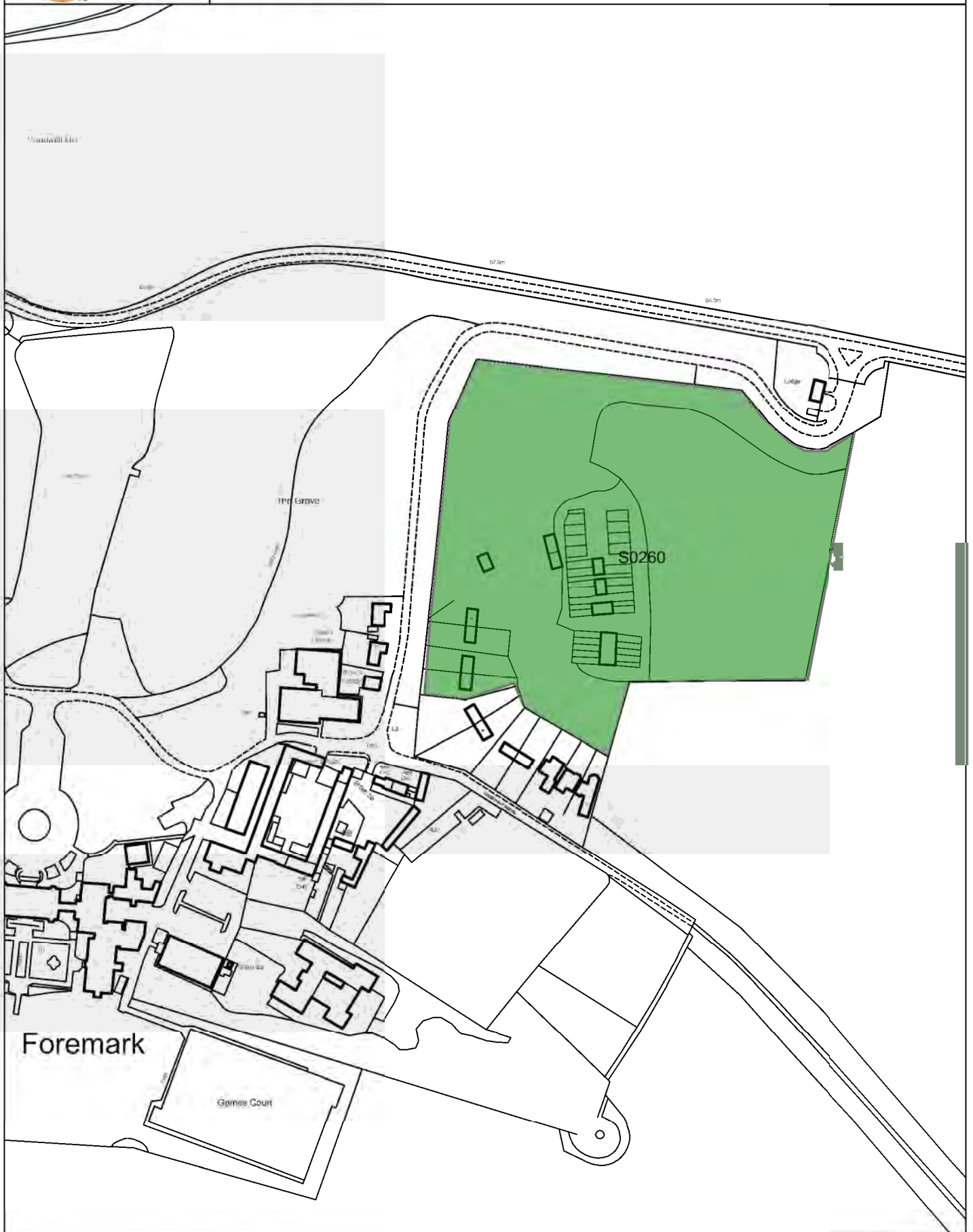


## Housing Site Options - Findern and DUA West





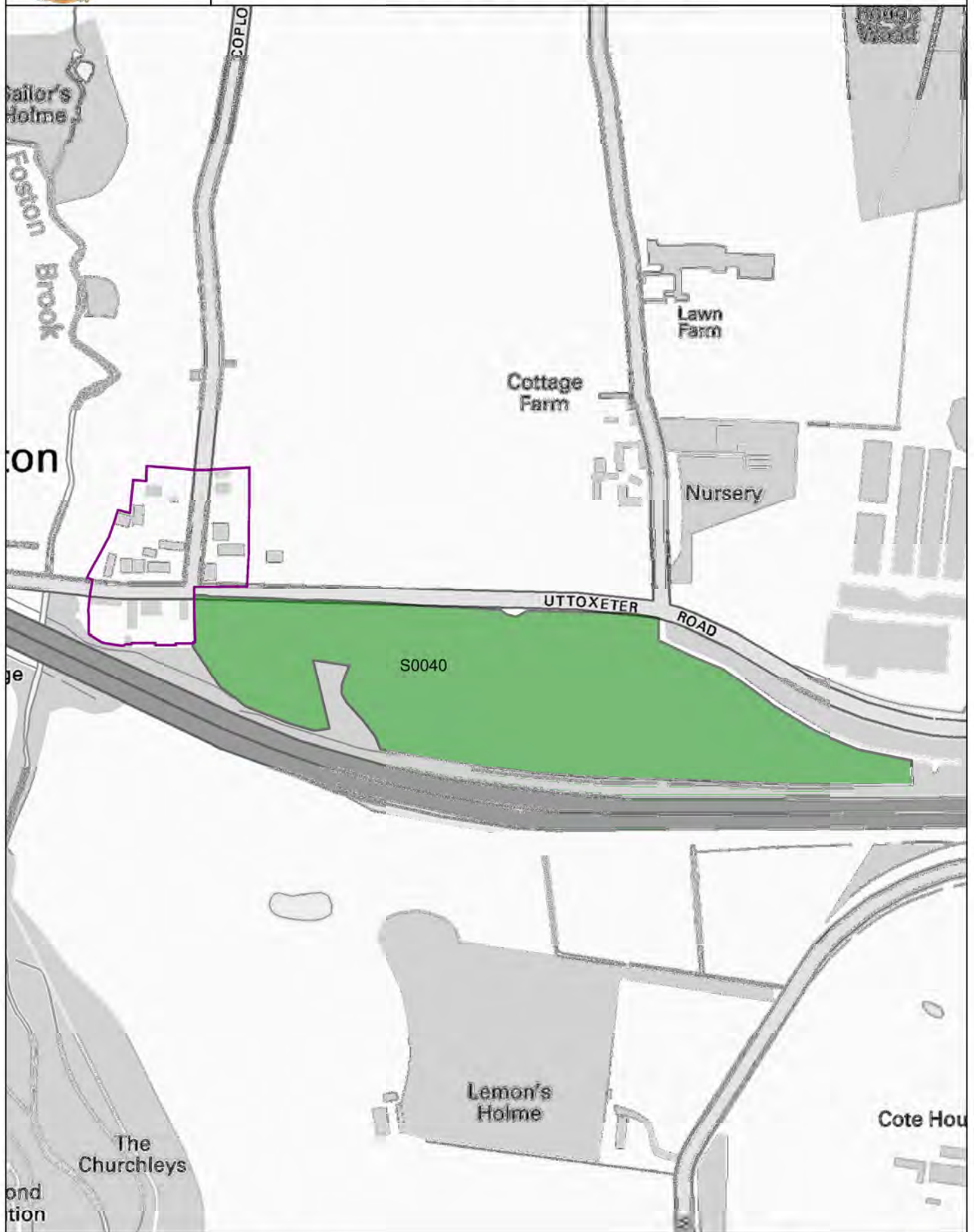
## Housing Site Options - Foremark





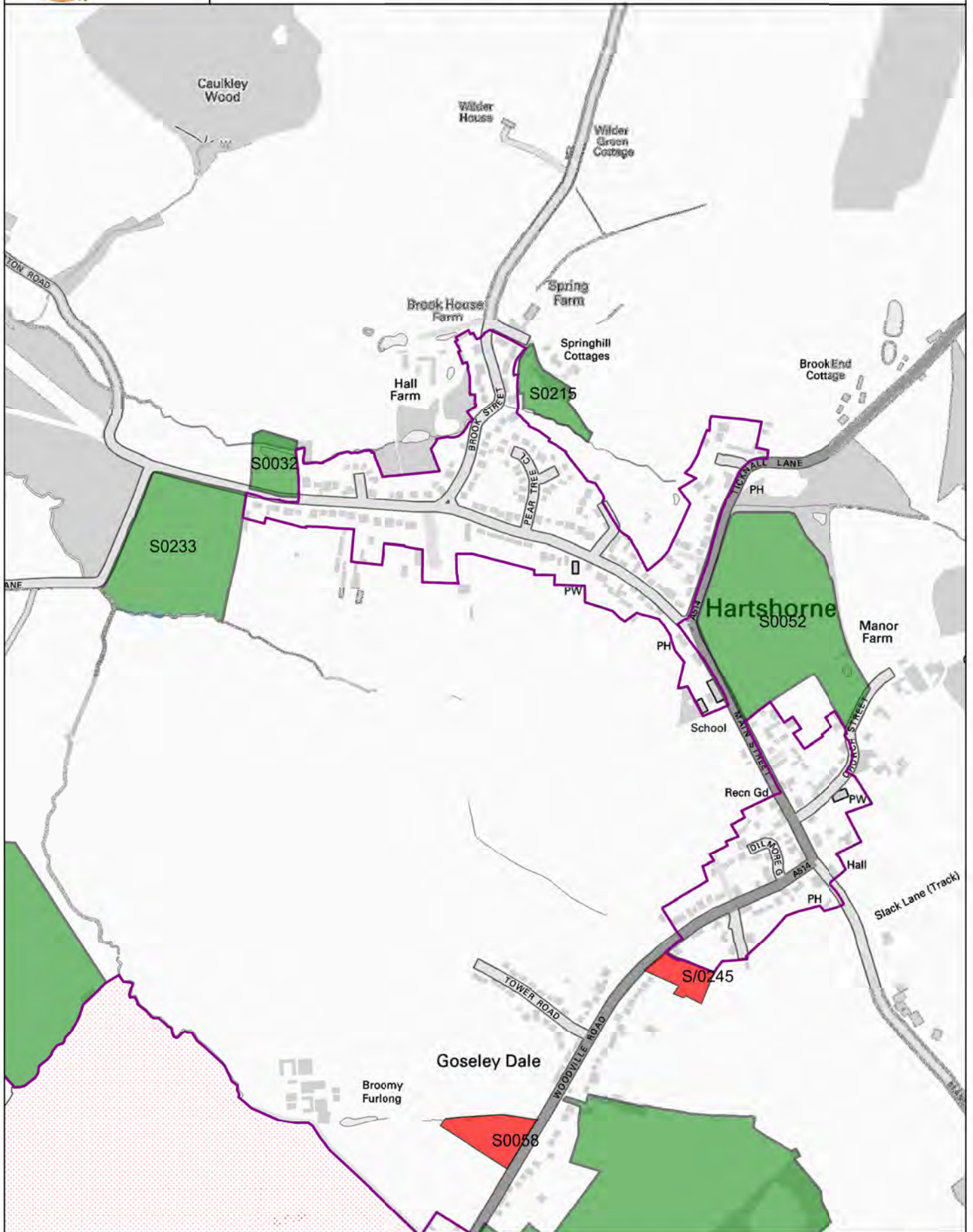


## Housing Site Options - Foston





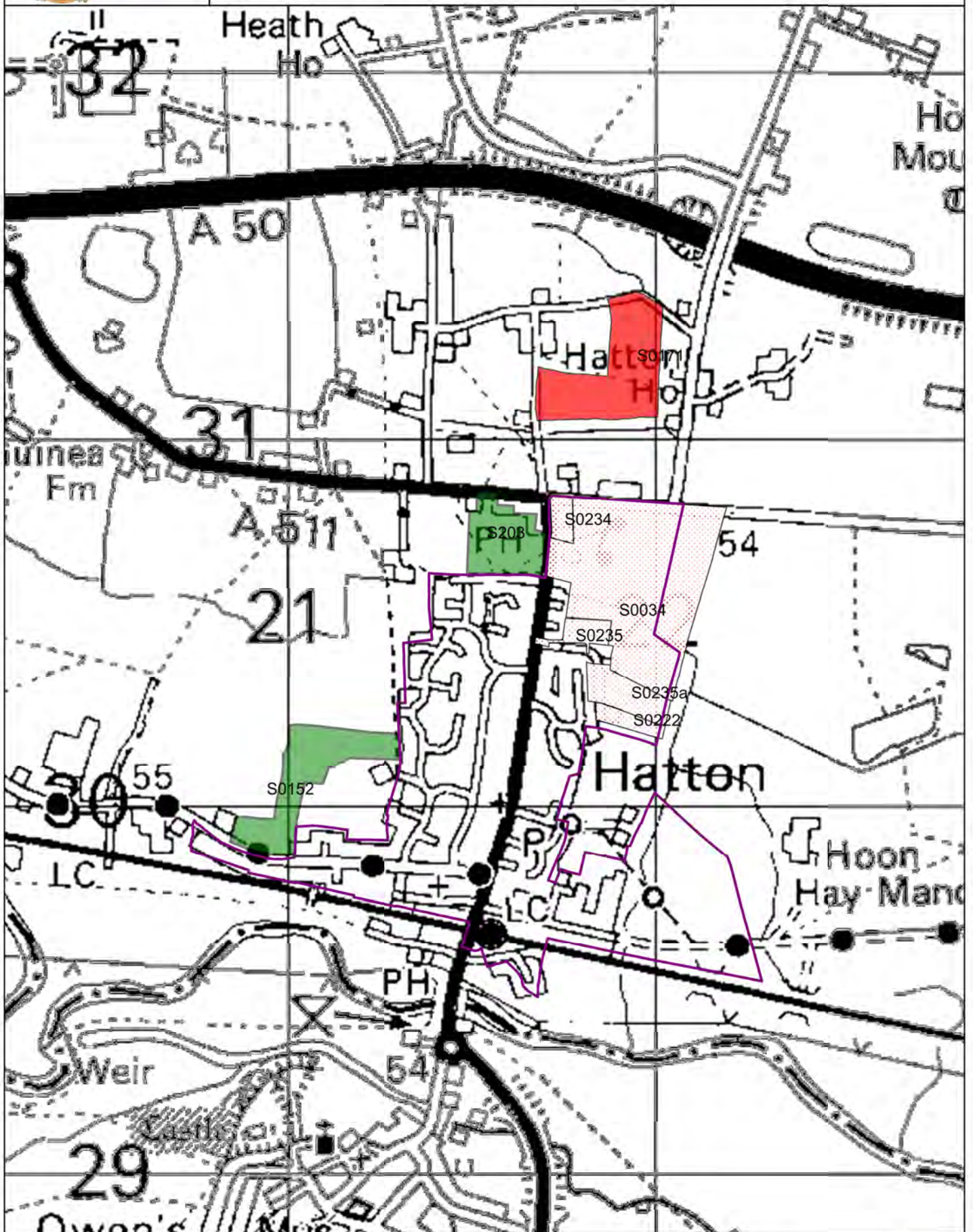
## Housing Site Options - Hartshorne







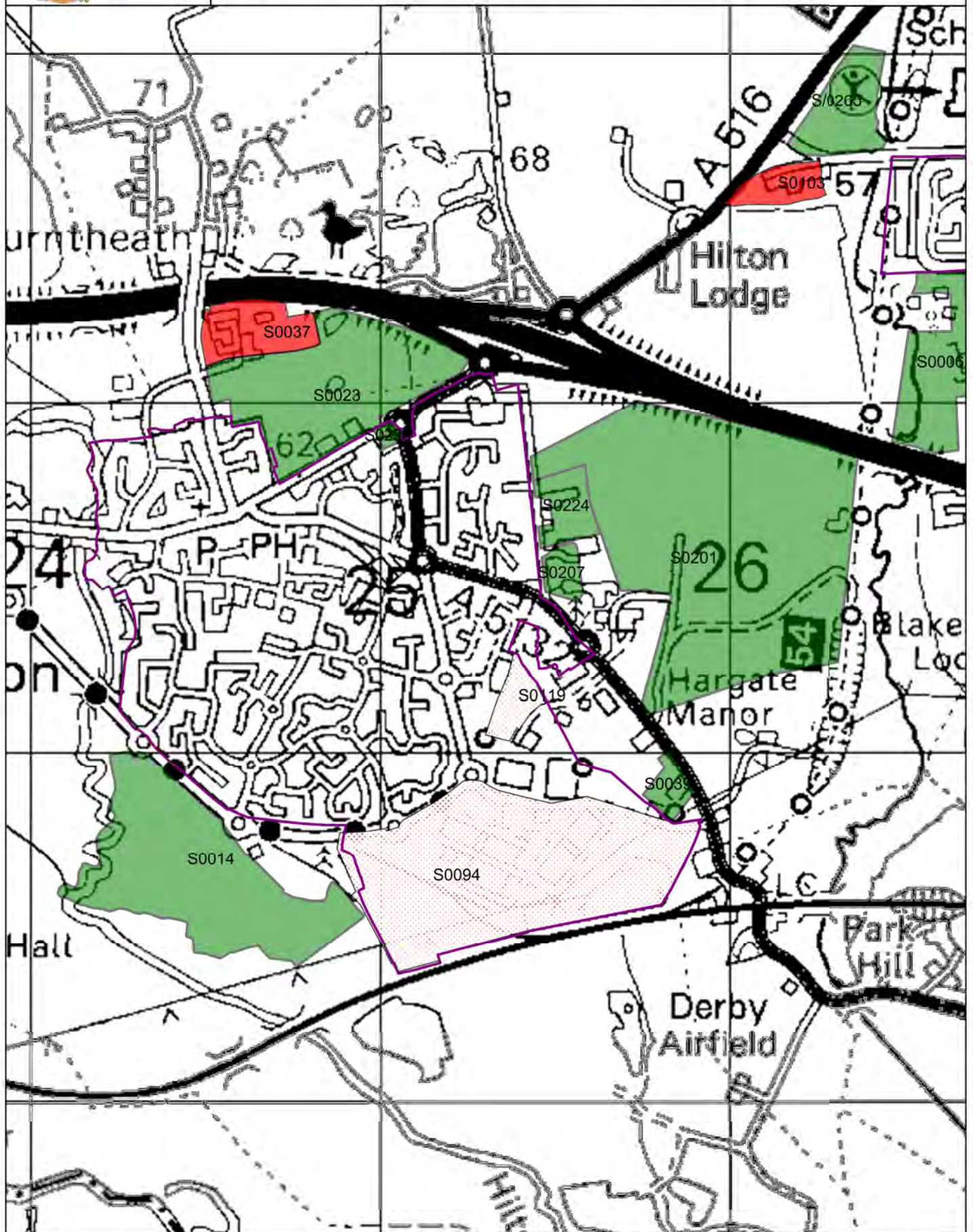
## Housing Site Options - Hatton







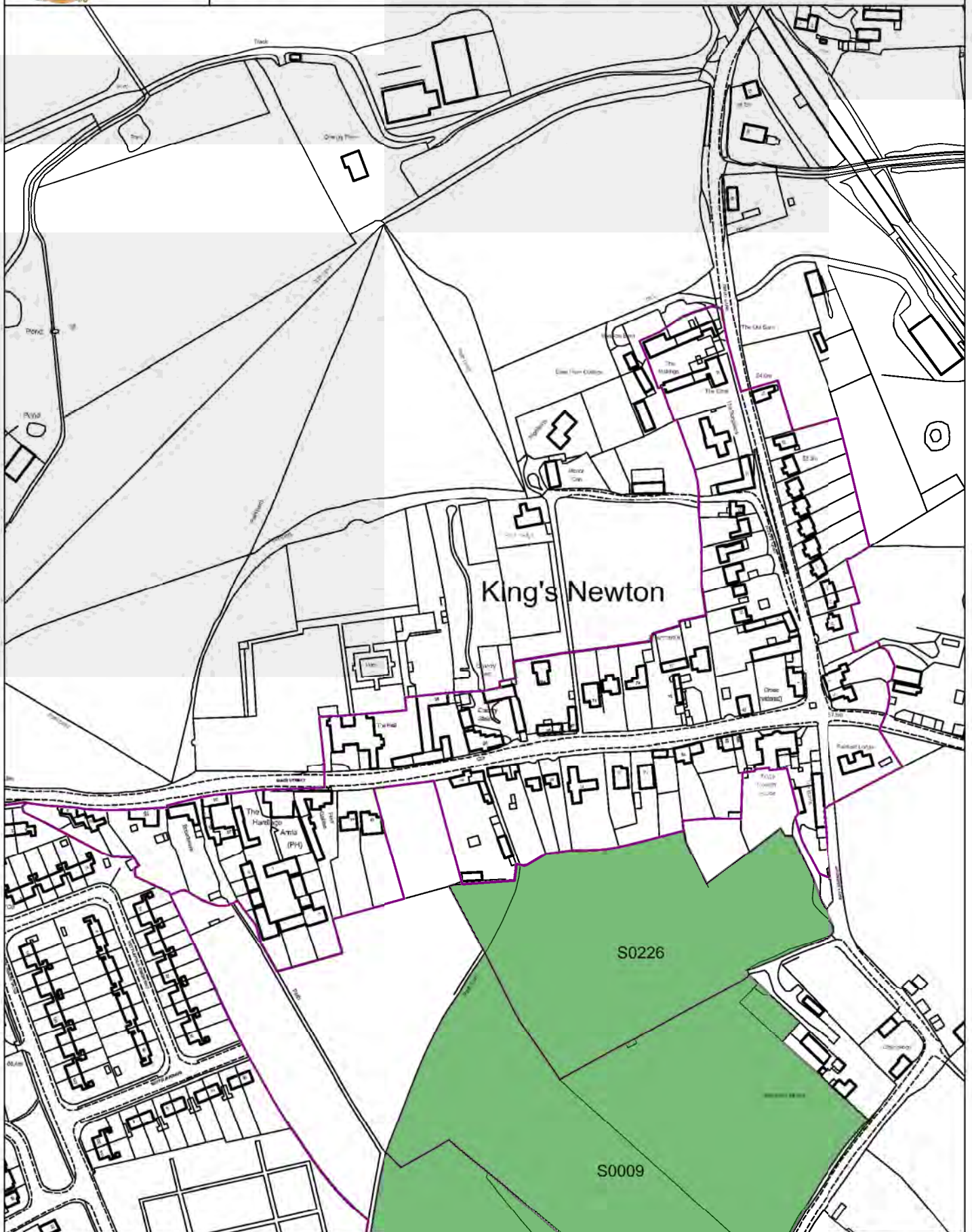
## Housing Site Options - Hilton







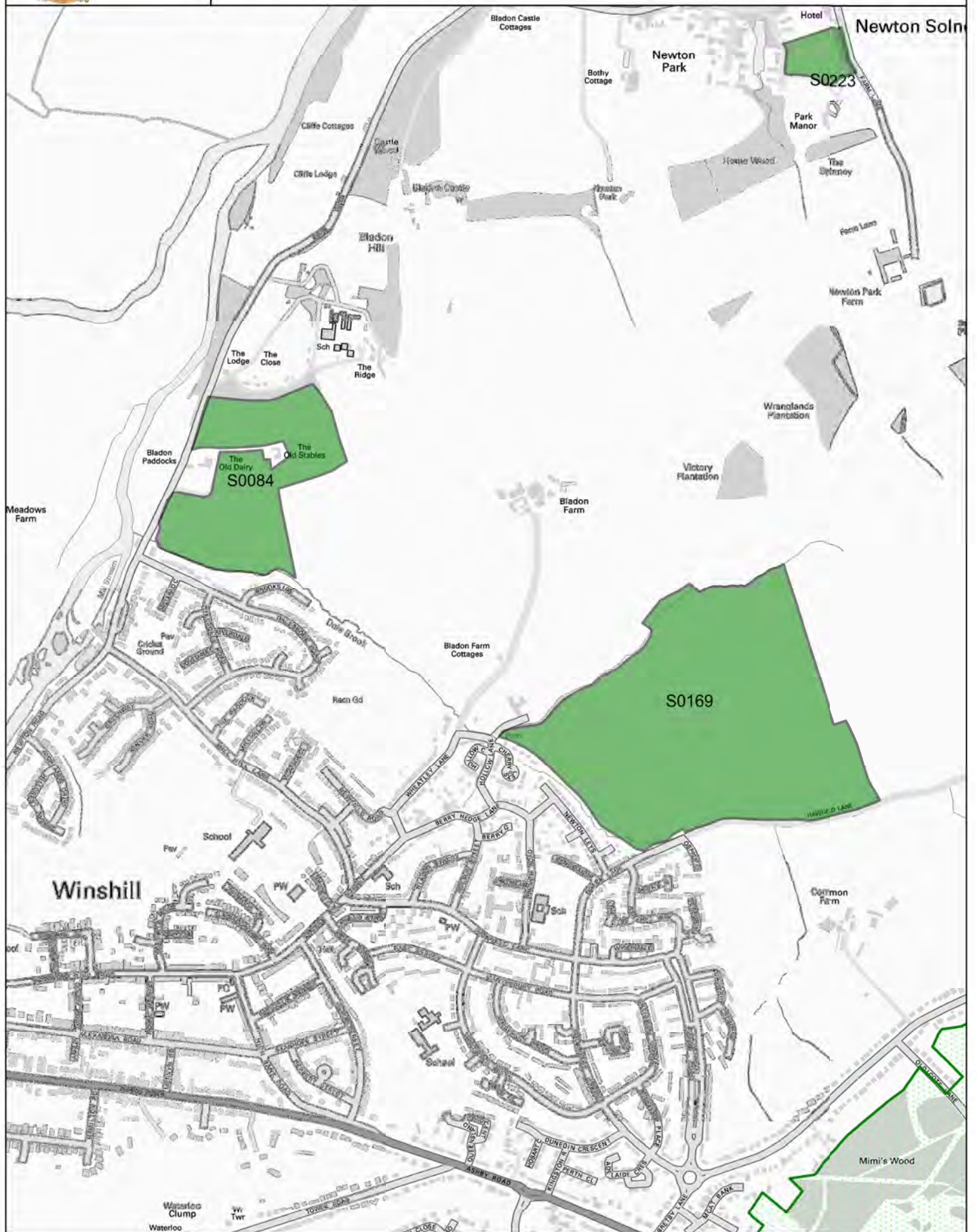
## Housing Site Options - Kings Newton







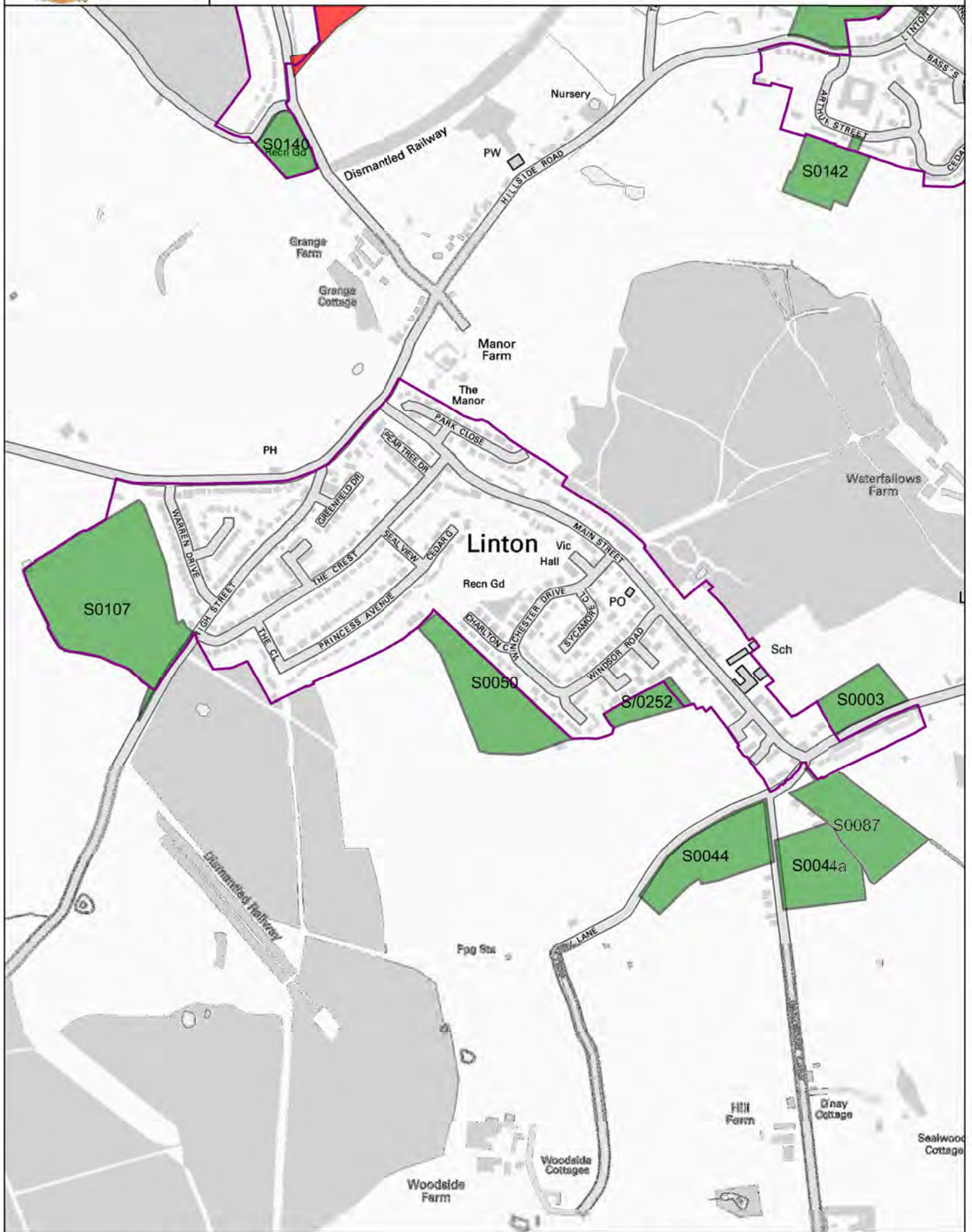
## Housing Site Options - Land adjacent to Winshill





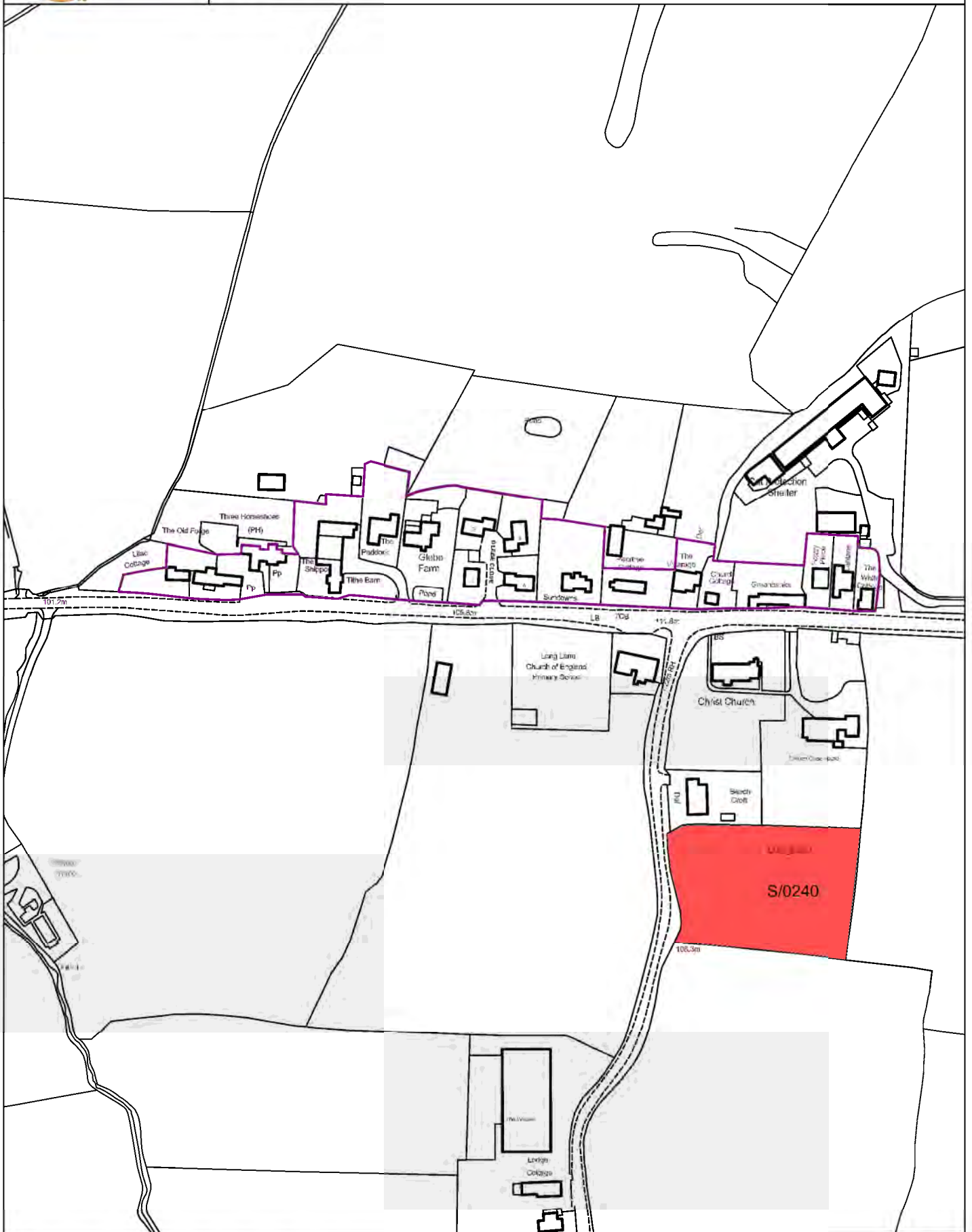


## Housing Site Options - Linton





## Housing Site Options - Long Lane







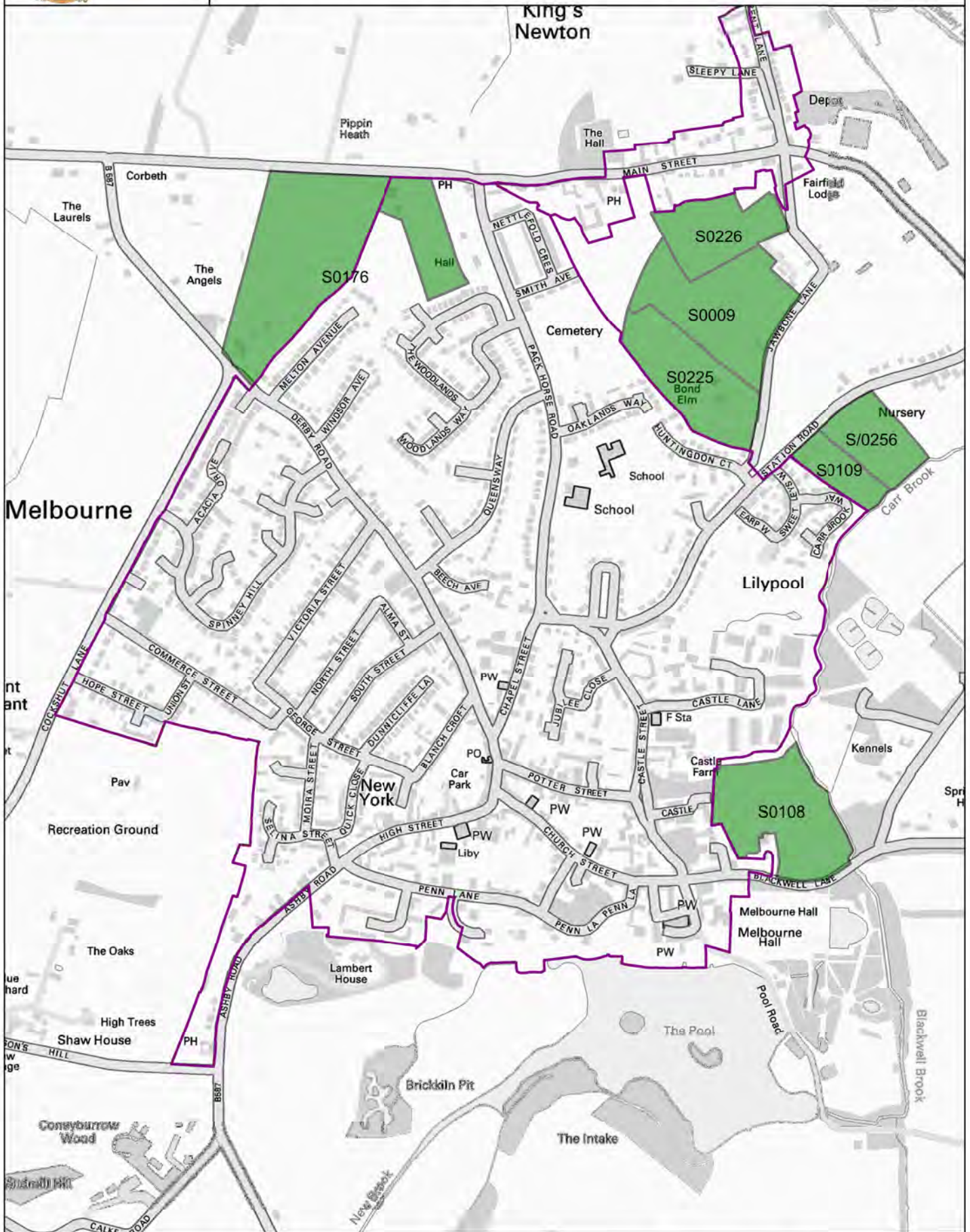
## Housing Site Options - Lullington





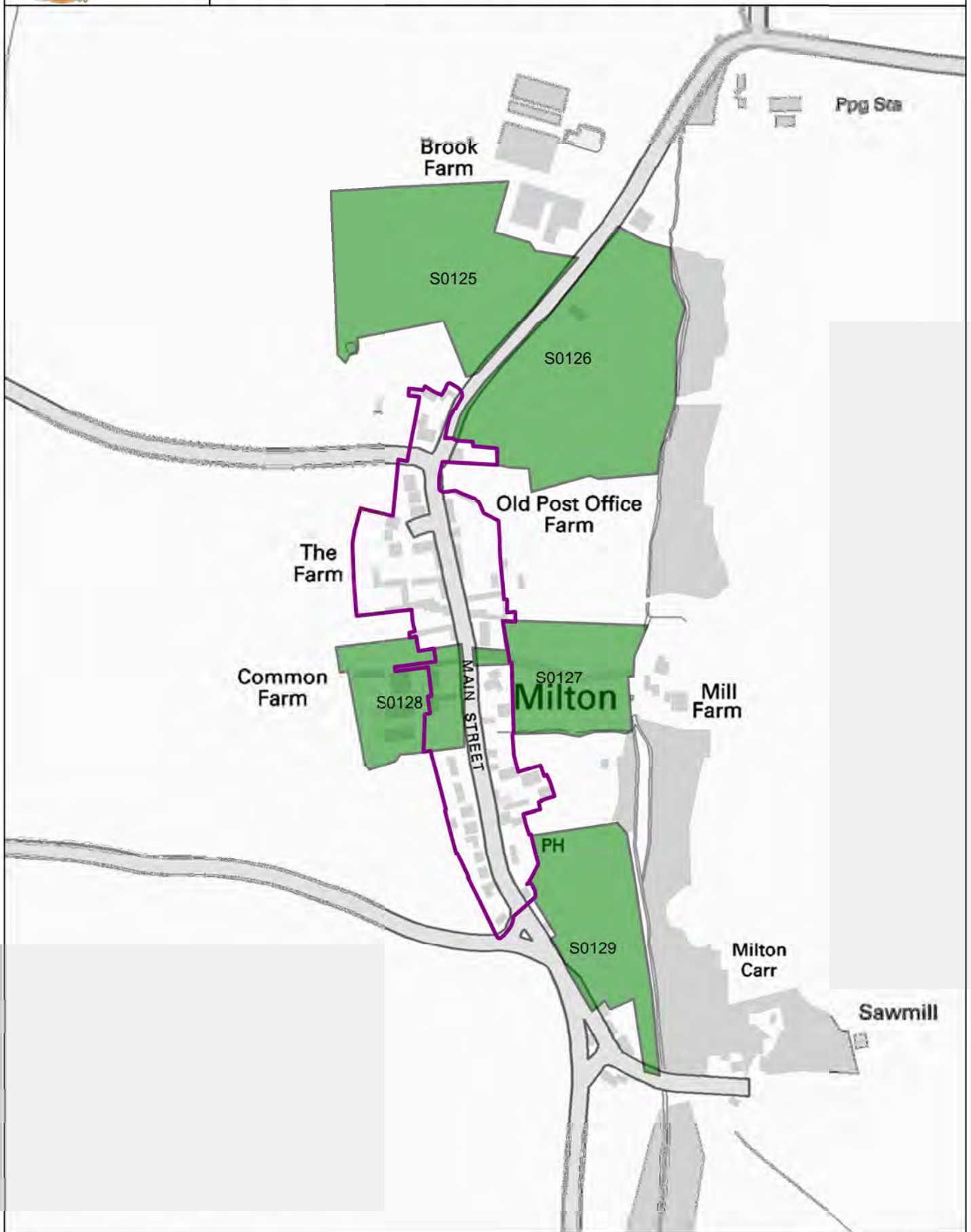


## Housing Site Options - Melbourne





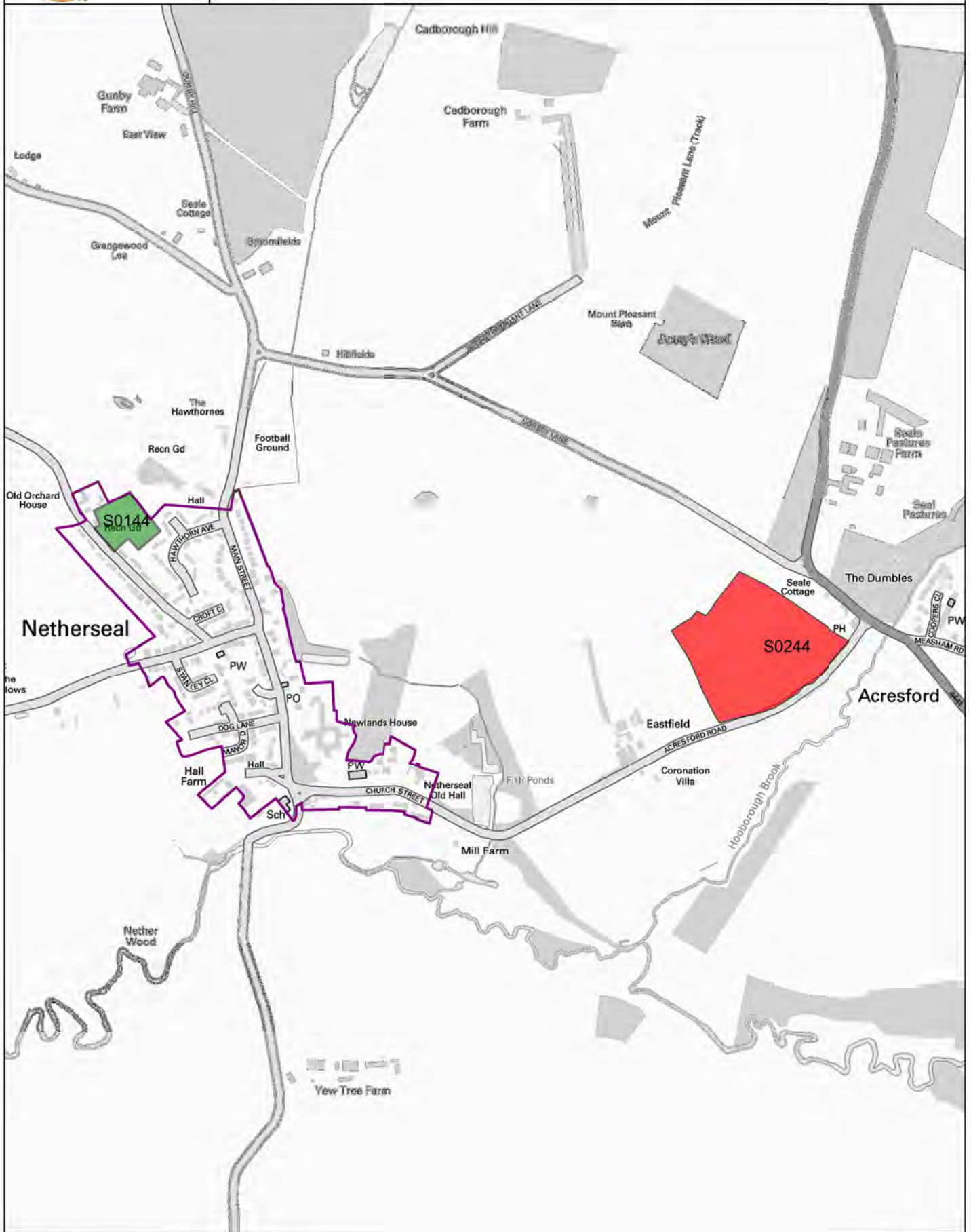
## Housing Site Options - Milton







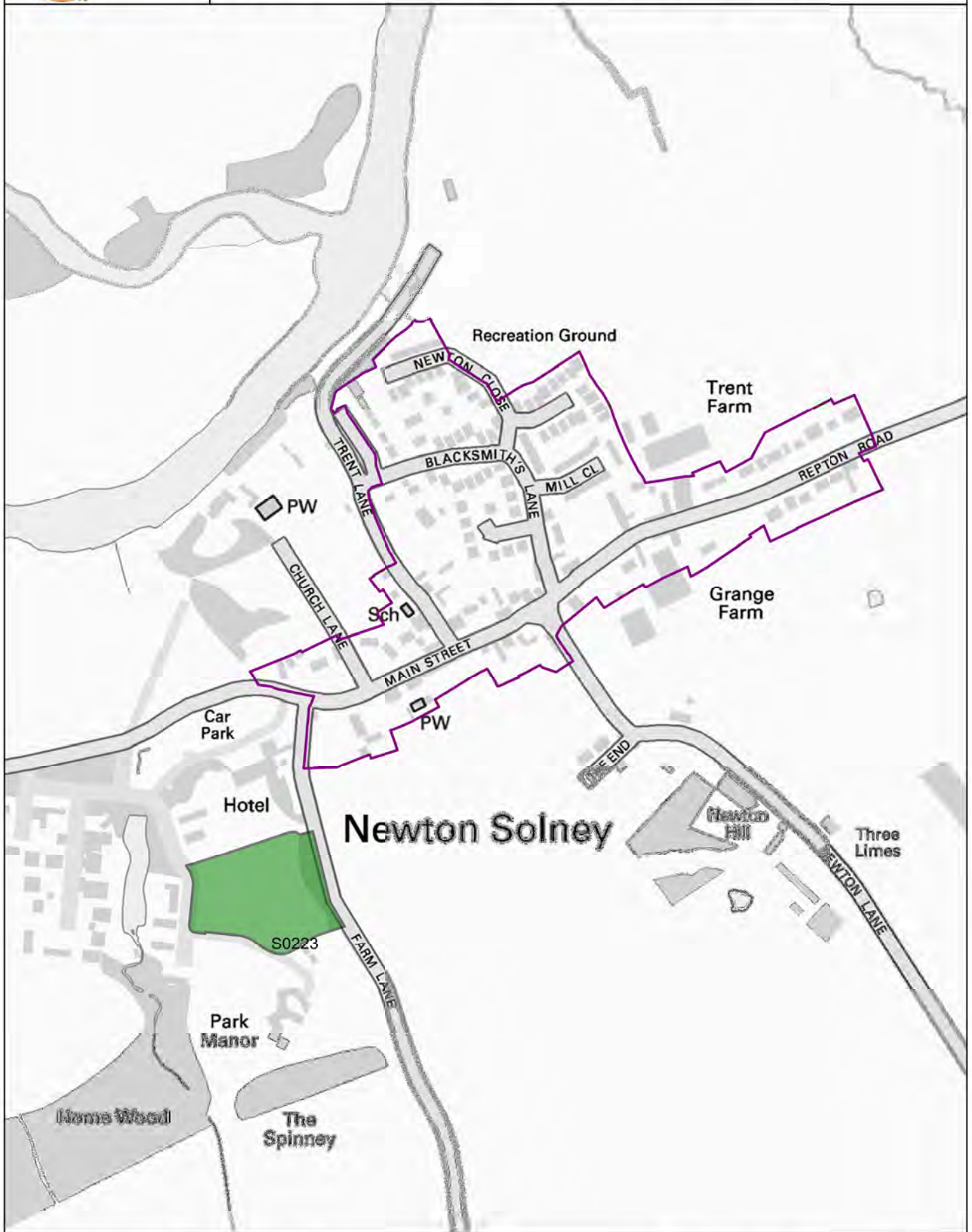
## Housing Site Options - Netherseal and Acresford





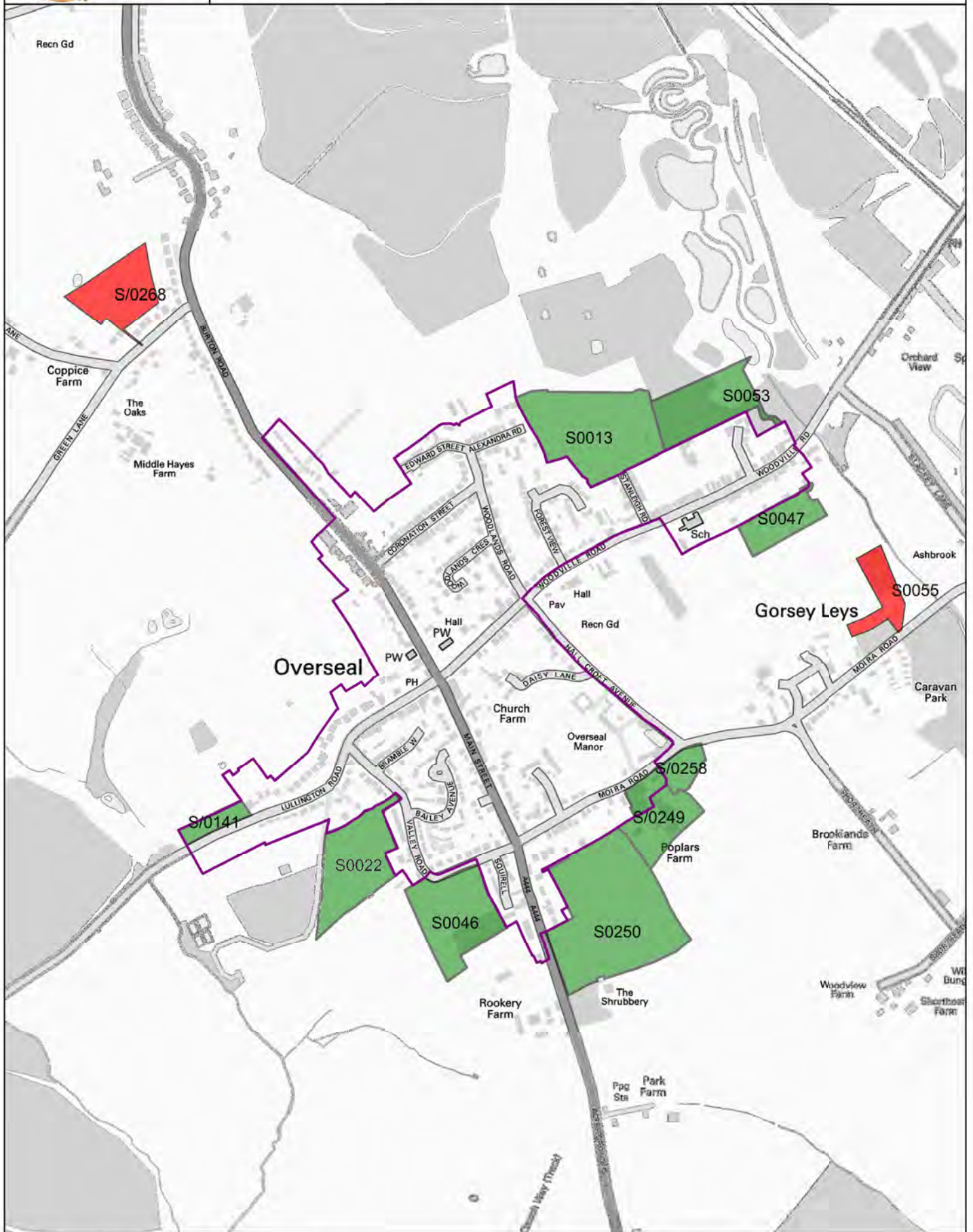


## Housing Site Options - Newton Solney





## Housing Site Options - Overseal



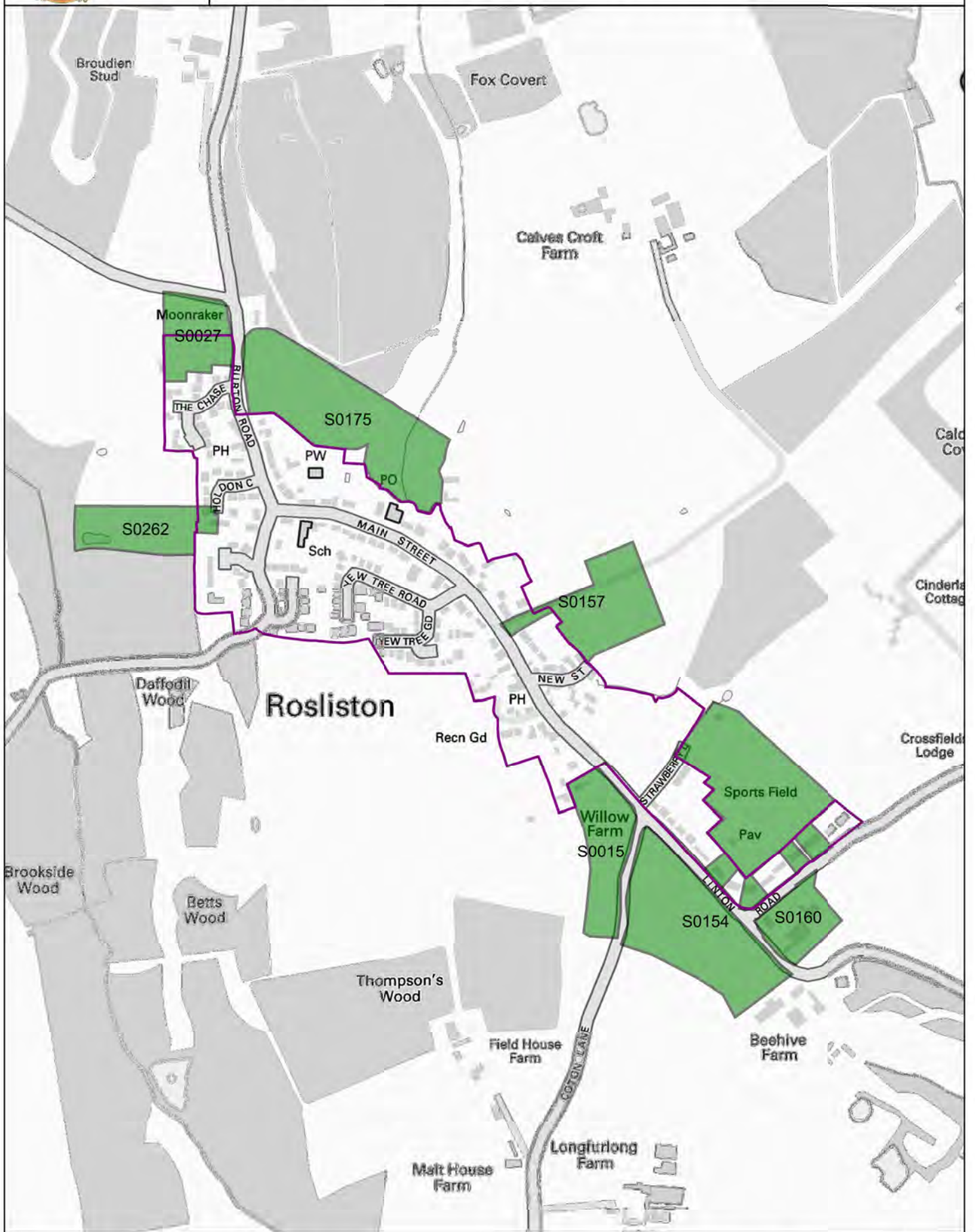


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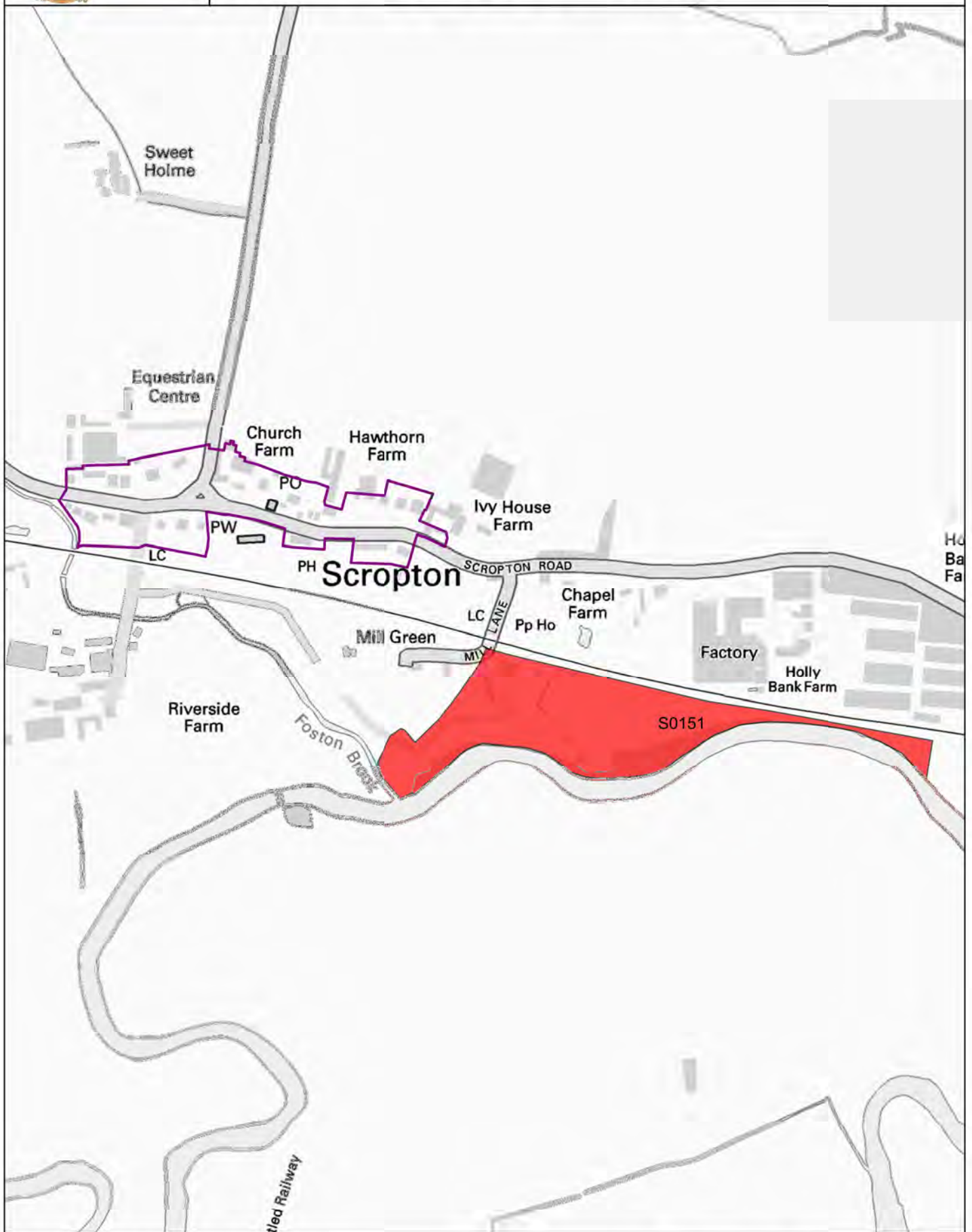


## Housing Site Options - Rosliston





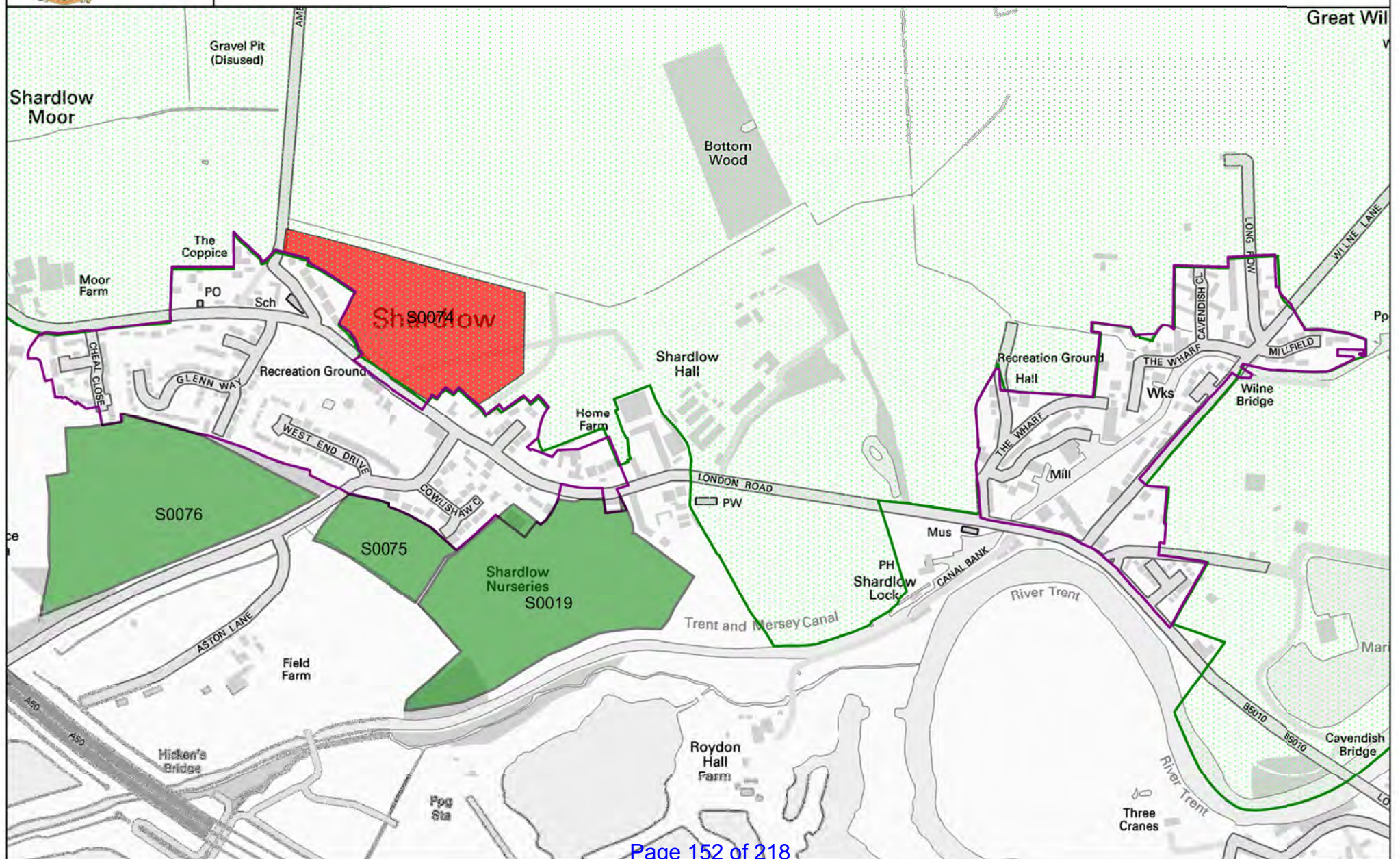
## Housing Site Options - Scropton







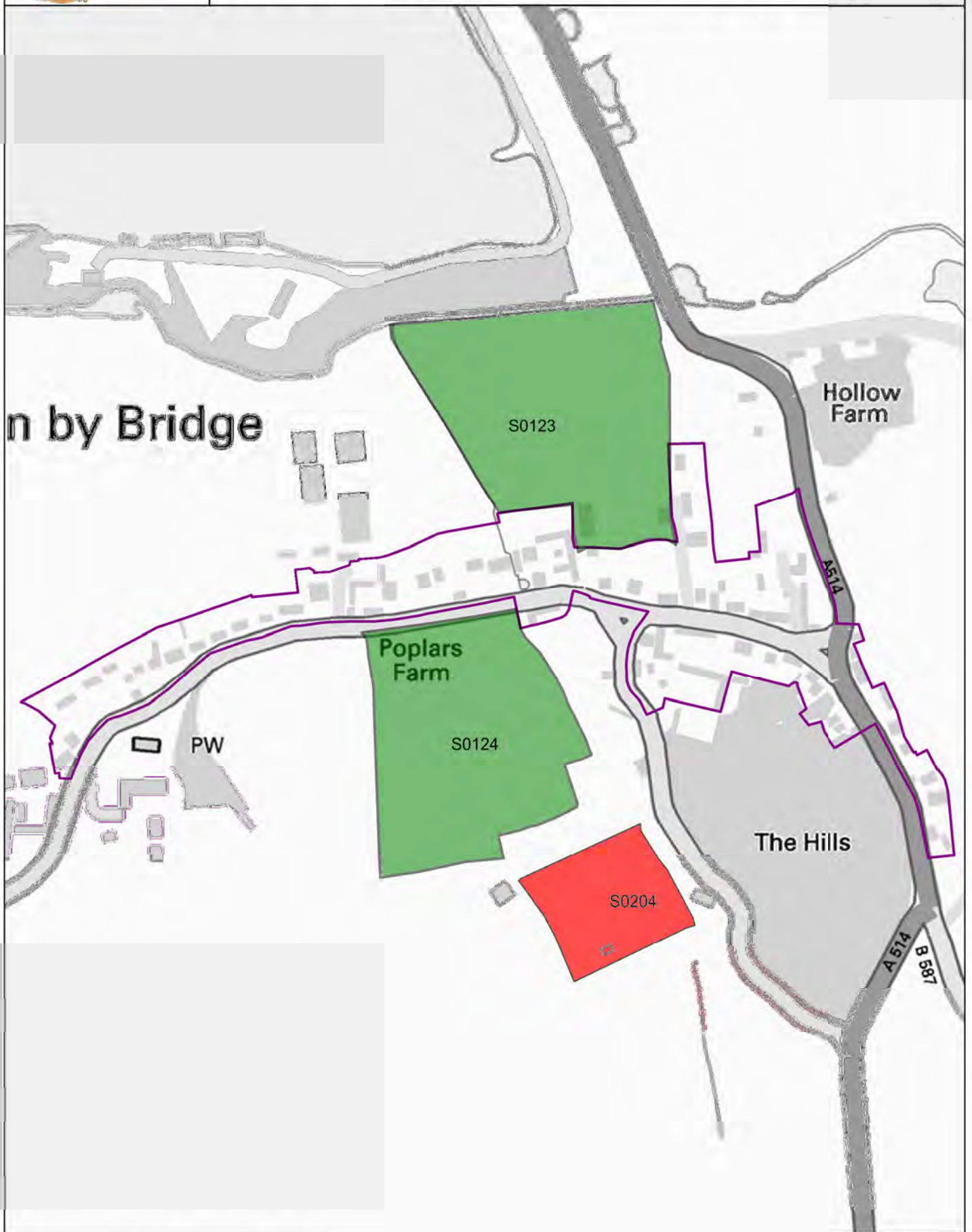
## Housing Site Options - Shardlow







## Housing Site Options - Stanton By Bridge



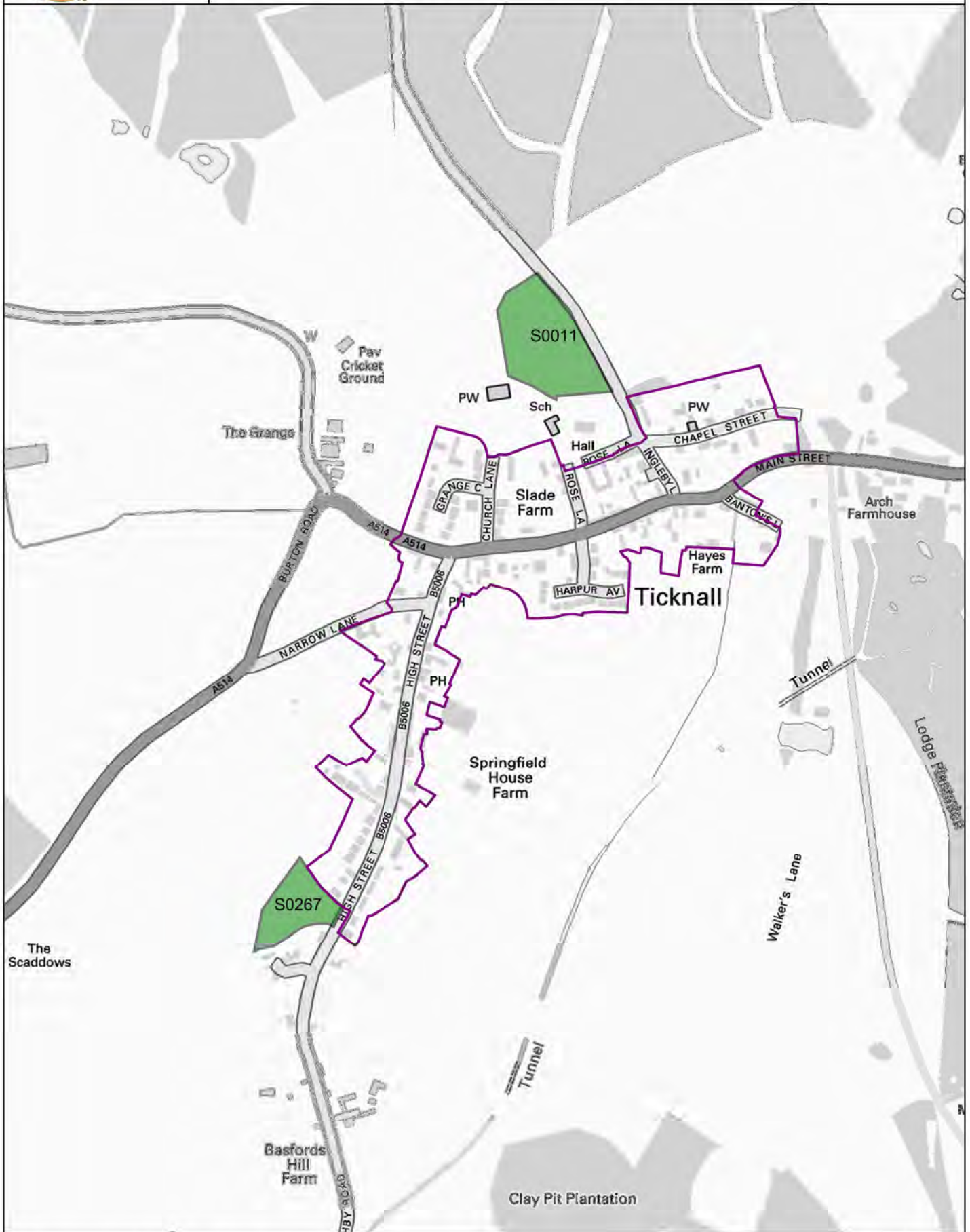








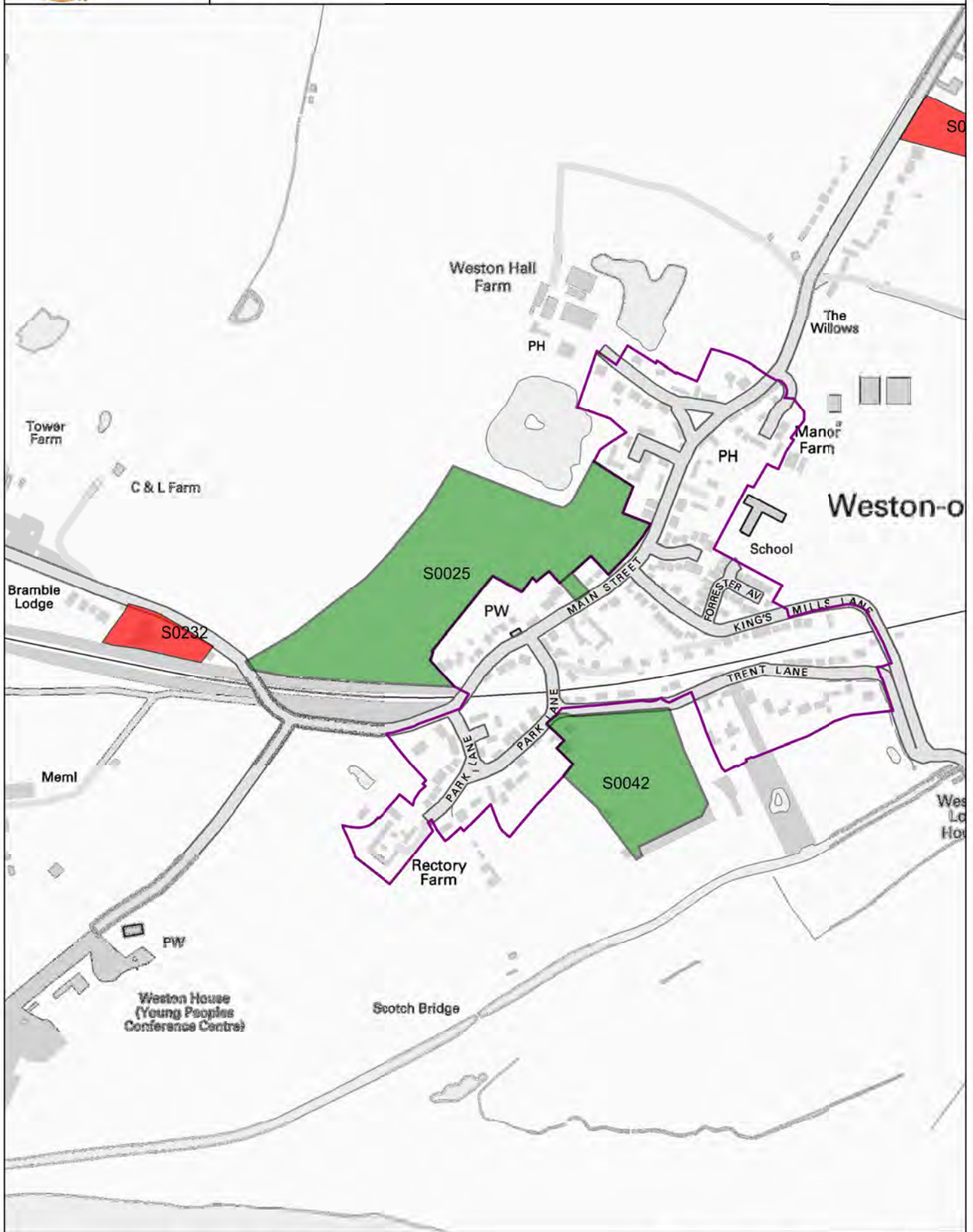
## Housing Site Options - Ticknall





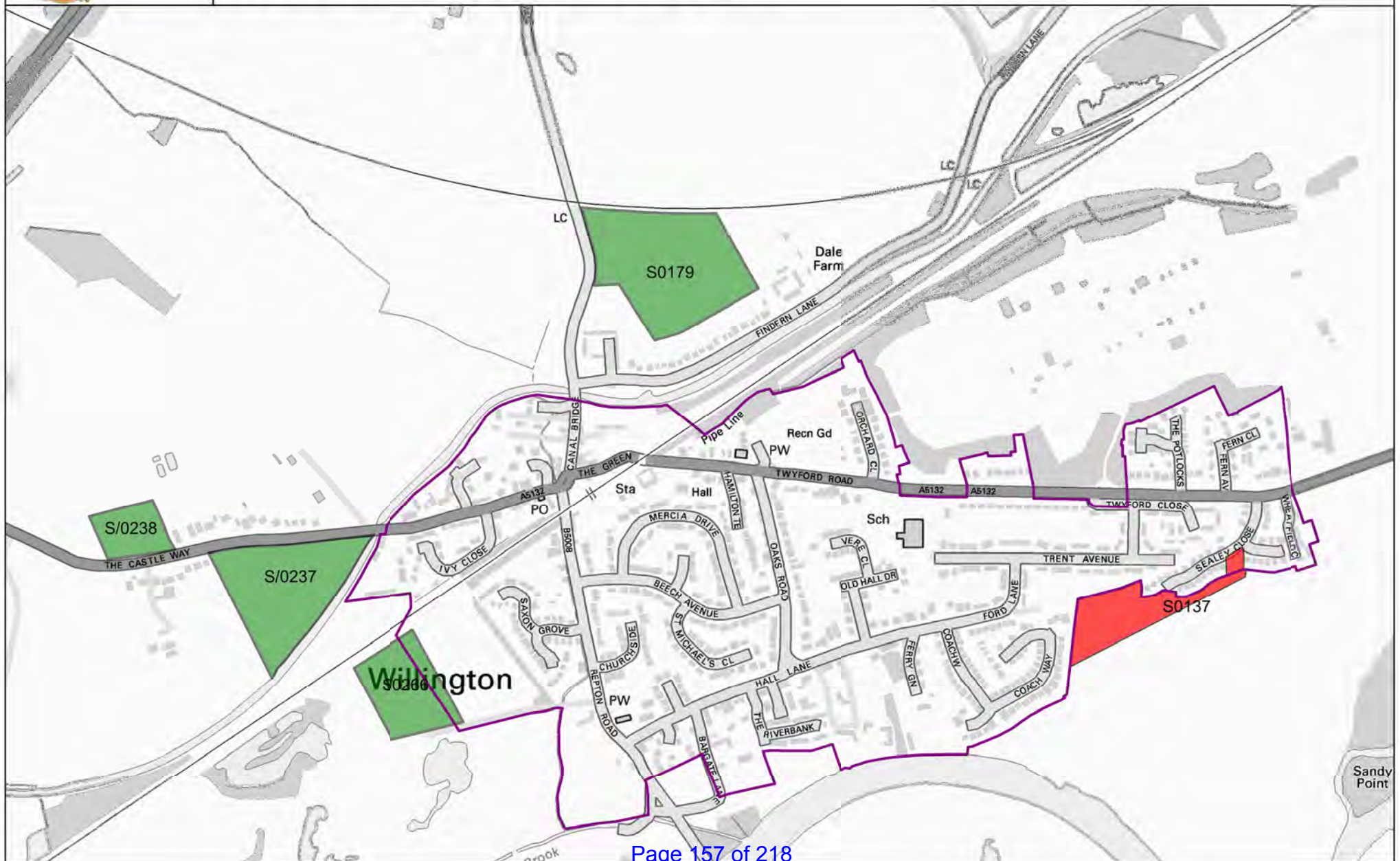


## Housing Site Options - Weston On Trent





## Housing Site Options - Willington



<b>REPORT TO:</b>	<b>ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE</b>	<b>AGENDA ITEM: 8</b>
<b>DATE OF MEETING:</b>	<b>19<sup>th</sup> NOVEMBER 2015</b>	<b>CATEGORY: *see below DELEGATED/ RECOMMENDED</b>
<b>REPORT FROM:</b>	<b>STUART BATCHELOR DIRECTOR OF COMMUNITY AND PLANNING SERVICES</b>	<b>OPEN **see below</b>
<b>MEMBERS' CONTACT POINT:</b>	<b>NICOLA SWOROWSKI (ext. 5983) <a href="mailto:nicola.sworowski@south-derbys.gov.uk">nicola.sworowski@south-derbys.gov.uk</a></b>	<b>DOC:</b>
<b>SUBJECT:</b>	<b>HERITAGE LOTTERY FUND – SWADLINCOTE TOWNSCAPE UPDATE</b>	<b>REF:</b>
<b>WARD(S) AFFECTED:</b>	<b>ALL</b>	<b>TERMS OF *see below REFERENCE:</b>

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## **1.0 Recommendations**

- 1.1 Members agree to the establishment of the Project Board and also the Grants Panel.
- 1.2 Agree to the continuation of the project.

## **2.0 Purpose of Report**

- 2.1 The report is being submitted to Committee as an update to the HLF scheme for Swadlincote Town Centre and to consider which Members will be on the Project Board and Grants Panel.

## **3.0 Detail**

- 3.1 The bid to the Heritage Lottery Fund (HLF) for Swadlincote Townscape Heritage Scheme has been successful with official confirmation received on 26<sup>th</sup> October.
- 3.2 The scheme is to run for three years starting in early 2016. The scheme included the cost of employing a Townscape Heritage Officer to manage the scheme alongside existing Officers at the Council. It is intended the post will start from January 2016.
- 3.3 The bid was for £411,600.00 to include third party grants for building works, redesign and landscaping of the Diana, Princess of Wales Memorial Garden and also an Activity Plan covering the period of the scheme.
- 3.4 Third party grants of up to 67 per cent and 85 per cent of the total project cost (per building) will be available for eligible properties in the town, with any applications to go through a selection and assessment process. As part of the bid it was essentially to have priority areas/buildings given the relative small bid money. So, these will be given priorities above other buildings that come forward. However, the grant has to be applied for and if those target buildings don't come forward then other works will be considered.



- 3.5 Expressions of interest for grants will be sought in the very early part of the scheme with the first Grants Panel planned for around September 2016. The Grants Panel will include a mix of people who are able to determine which grants are successful and also what level of grant is to be offered.
- 3.6 Along with a Grants Panel there will also be a Project Board that will meet a few times a year to get updates on the progress of the scheme but also make decisions should things have changed.
- 3.7 The Grants Panel will include:
- Four SDDC Councillors
  - Two County Councillors
  - Representative of Swadlincote Chamber of Commerce
  - 2 Young Persons (aged 11-16)
  - Derbyshire County Council Officer
  - Magic Attic Representative
  - Townscape Heritage Officer
  - Conservation Officer.
- 3.8 Whilst the Project Board will include:
- Four SDDC Councillors
  - Two County Councillors
  - Townscape Heritage Officer
  - Conservation Officer
  - Design Excellence Officer
  - Environmental Development Manager
  - Conservation and Design Section Manager (DCC project partner)
  - Representative from Town Team.
- 3.9 One of the recommendations to ask that the Chair of the Committee gives consideration to the Members that are to be included in the Panel and the Board.
- 3.10 The redesign of the Diana Memorial Garden is another major part of the scheme which in the early part of the scheme will be consulted on for design considerations and a landscape architect will be appointed in mid-2016.
- 3.11 Alongside all of these physical changes is the Activity Plan that has been set out for the entire period of the scheme and includes lots of different activities that will encourage people to consider the Town Centre's heritage. The first activities will start in early 2016 with things such as pop-up heritage displays, school engagement and decision days and starting the development of the trails around the Town Centre.
- 3.12 The scheme will be publicised via the press but also through leaflets and posters to ensure that building owners are aware of the grants available but also that everyone is aware of the planned activities.

#### **4.0 Financial Implications**

- 4.1 There are no direct financial implications with this report.

#### **5.0 Corporate Implications**

- 5.1 This project falls under the sustainable growth and opportunity theme of the Corporate Plan as through the [Implementation of the Project](#) there will be an economic boost

to the Town Centre and also a greater interest in the history and the buildings that make up the Town Centre through the Activity Plan.

## **6.0 Community Implications**

- 6.1 The project will continue with the work already undertaken in the Town Centre. The outcome of the project will be to have individual buildings enhanced, to have encouraged people to get involved in various activities but also to have publicised through the Conservation Area throughout the life of the project.

## **7.0 Background Papers**

- 7.1 None

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REPORT TO:	ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE	AGENDA ITEM: 9
DATE OF MEETING:	19 <sup>th</sup> NOVEMBER 2015	CATEGORY: DELEGATED/ RECOMMENDED
REPORT FROM:	CHIEF EXECUTIVE	OPEN/
MEMBERS' CONTACT POINT:	EMMA McHUGH (ext. 5716) <a href="mailto:emma.mchugh@south-derbys.gov.uk">emma.mchugh@south-derbys.gov.uk</a>	DOC:
SUBJECT:	ADOPTION OF CCTV IN PRIVATE HIRE VEHICLES POLICY	REF:
WARD(S) AFFECTED:	ALL	TERMS OF REFERENCE: EDS13

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## 1. Recommendations

- 1.1 That Members approve the CCTV in Private Hire Vehicles Policy ("the Policy").

## 2. Purpose of Report

- 2.1 To provide Members with the outcome of a consultation with interested parties.
- 2.2 To provide Members with the necessary information to be able to give full consideration to the recommendation contained in paragraph 1.1 of this report.

## 3. Detail

- 3.1 At the Private Hire Driver's Forum held in March 2015, there was a question as to whether licensed private hire vehicles could have CCTV in their vehicles. The response from Officers was that CCTV could be installed in licensed private hire vehicles but there are legal requirements that the owner of the vehicle must comply with for data protection reasons. It was agreed at the Forum that the Licensing Authority would put a Policy in place for owners to comply with when installing CCTV in licensed private hire vehicles.

### **Consultation**

- 3.2 A consultation took place between 14<sup>th</sup> September and 23<sup>rd</sup> October 2015. Copies of the Policy were sent to all licensed private hire drivers and operators. The Policy was also placed on the Council's website.
- 3.3 No responses were received during the consultation. The draft Policy is attached as **Appendix 1**.



#### **4. Financial Implications**

- 4.1 There are no financial implications to the Council.
- 4.2 Recommendation 1.1 may have financial implications on existing licence holders if they decide to install CCTV in their licensed private hire vehicle. It is not a mandatory requirement to install CCTV in private hire vehicles.

#### **5. Corporate Implications**

- 5.1 These proposals will continue to demonstrate to members of the public that the Council takes the protection of local residents, children, and vulnerable adults seriously, which contributes to the theme of safety and security.



## **SOUTH DERBYSHIRE DISTRICT COUNCIL**

# **CCTV IN PRIVATE HIRE VEHICLES POLICY**

**Issue 1: #**

## **Introduction**

These guidelines set out to ensure that CCTV systems in private hire vehicles within South Derbyshire are used to prevent and detect crime, reduce the fear of crime and enhance the health and safety of private hire drivers and their passengers.

Vehicle owners, who may also be the driver and/or operators, installing CCTV systems must fully comply with the requirements set out in the guidelines.

For the purposes of these guidelines, the term 'CCTV system' will include any electronic recording device attached to the inside of the vehicle having the technical capability of capturing and retaining visual images and audio recording from inside or outside of the vehicle. In addition to the standard CCTV camera system, these may include, for example, such devices as events/incident/accident data recording devices.

## **The purpose of CCTV systems**

The purpose of a CCTV system shall be to provide a safer environment for the benefit of vehicle drivers and passengers by:

- Deterring and preventing the occurrence of crime;
- Reducing the fear of crime;
- Assisting the Police and/or an authorised officer of the Council in investigating incidents of crime, disorder, accident and complaint;
- Assisting insurance companies in investigating motor vehicle accidents.

It is important that any person who suspects a crime has been committed and that a CCTV system may contain relevant information to the crime should report that suspected crime to the Police as soon as possible. Any delay in reporting a suspected crime may result in evidence being lost.

An authorised officer of the Council or the Police may, at any reasonable time and upon production of identification, if requested, examine any CCTV system.

## **General Requirements**

Any CCTV system to be fitted must, as a minimum, meet the requirements set out in these guidelines. Only CCTV systems meeting these requirements and approved by the Licensing Authority can be installed in private hire vehicles.

The installation and operation of the CCTV system shall comply with the requirements of the Information Commissioner's Office (ICO) Code of Practice which is available on the ICO website.

The CCTV system shall at all times remain the property of the private hire vehicle licence holder or the private hire driver who uses the vehicle, who will be liable, at all times, for its use in the vehicle. The vehicle licence holder shall be responsible for the maintenance of the system and shall ensure that it is checked regularly and maintained in working order at all times.



The CCTV system must comply with any legislative requirements contained in the Road Vehicles Construction and Use Regulations 1986 (as amended).

The CCTV system must be designed, constructed and installed in such a way and in such materials as to present no danger to the passengers or the driver, including impact with the equipment in the event of a collision or danger from the electrical integrity being breached through vandalism, misuse or wear and tear.

The CCTV system must meet all applicable legal requirements as regards safety, technical acceptability and operational/date integrity.

The CCTV system must be marked as complying with current European Industry Standards.

The CCTV system must not interfere with any other safety, control, electrical, computer, navigation, satellite, or radio system in the vehicle.

The CCTV system must be fitted safely and securely, should not adversely encroach into the passenger area and must not impact on the safety of the driver, passenger or other road users.

### **Installation**

No CCTV system may be installed in a private hire vehicle without the prior written consent of the Licensing Authority.

The CCTV system must be installed as prescribed by the equipment and/or vehicle manufacturer installation instructions.

All equipment must be installed in such a manner so as not to increase the risk of injury and/or discomfort to the driver and/or passengers.

All equipment must be protected from the elements, secure from tampering and located such as to have the minimum intrusion into any passenger or driver area or impact on the luggage carrying capacity of the vehicle.

The CCTV system must not obscure the view of the road through the windscreen.

Equipment must not obscure or interfere with the operation of any of the vehicle's standard and/or mandatory equipment, i.e. not mounted on or adjacent to air bags/air curtains or within proximity of other supplementary safety systems which may cause degradation in performance or functionality of such safety systems.

Viewing screens within the vehicle for the purposes of viewing captured images are not permitted.

If more than one camera is being installed, their location within the vehicle must be specific for purpose i.e. to provide a safer environment for the benefit of the private hire driver and passengers.

All system components requiring calibration in situ should be easily accessible.

The CCTV system must be capable of date, time and vehicle identification information.

### **Activation of the Camera**

Activation of the CCTV system may be via a number and combination of options including:

- Door switches;
- Ignition;
- Drivers' panic button.

The CCTV system may be configured to record images for a short period of time before the trigger event, during the related incident and a short period following the related incident.

### **Audio Recording**

The CCTV system must not be used to record conversations between members of the public as this is highly intrusive and unlikely to be justified except in very exceptional circumstances. You must choose a system without this facility wherever possible; however, if the system comes equipped with sound recording facility then this functionality should be disabled.

There are limited circumstances in which audio recording may be justified due to a specific threat to an individual's personal safety, e.g. when a 'panic button' is utilised in response to a threat of physical violence. Where this audio recording facility is utilised, a reset function must be installed which automatically disables audio recording and returns the system to normal default operation after a specified time period has elapsed. The time period that audio recording may be active should be the minimum possible and should be declared at the time of submission for approval of the equipment.

In the limited circumstance where audio recording is justified, signs must make it very clear that audio recording is being or may be carried out.

### **Retention of CCTV images**

Images captured must remain secure at all times.

The images must be digitally encrypted.

The positioning of the CCTV system should be such that the hard disk or data card is not accessible to any passenger traveling in the vehicle.

The CCTV system must be capable of recording and storing images for a minimum period of fourteen days.

The CCTV system must be capable of capturing images that in low light conditions must be of sufficient quality to enable identification of any person travelling in the vehicle and be of such quality that they can be used for prosecution purposes.

The CCTV system must be capable of storing images in a manner, which prevents them being removed, downloaded or viewed by the driver or any other person travelling in the vehicle.

### **Notification to the Information Commissioner's Office**

The CCTV system must be registered with the ICO by the data controller. The 'data controller' is the company, organisation or individual which has decided to have a CCTV system installed and operating within the vehicle. The data controller is responsible for how the images are stored and used and determines in what circumstances the images should be disclosed.

Evidence of the registration must be forwarded to the Licensing Authority. The notification requires renewal on an annual basis and payment of the appropriate fee.

Evidence of registration with the ICO must be present to an authorised office of the Council or the Police at any time during the term of the private hire vehicle licence.

### **Using recorded CCTV images**

The data controller is responsible for complying with all relevant data protection legislation, as well as being legally responsible for the use of all images including any breaches of privacy and data protection legislation.

Any images and/or audio recordings should only be used for the purposes described earlier in these guidelines

Requests to view captured images may be submitted to the data controller by the Police or other statutory law enforcement agencies, authorised officers of the Council, insurance companies/brokers/loss adjusters, or exceptionally other appropriate bodies. The data controller is responsible for responding to these requests in accordance with the law.

All requests should only be accepted where they are in writing, and specify the reasons why disclosure is required.

Under the DPA, members of the public may also make a request for the disclosure of images, but only where they have been the subject of a recording. This is known as a 'Subject Access request'. Such requests must only be accepted where they are in writing and include sufficient proof of identity (which may include a photograph to confirm they are in fact the person in the recording). Data Controllers are also entitled to charge a fee for a subject access request (currently a maximum of £10). More guidance on handling Subject Access requests can be found in the ICO's Subject Access Request Code of Practice, which is available on their website.



## **Signage**

All private hire vehicles fitted with a CCTV system must display two signs in prominent positions. The sign must state 'CCTV cameras in operation' and 'the system is owned and operated by.....'. The name and contact details of the data controller must be stated on the sign. The contact details can be in the form of a telephone number, email address or website URL.

The signage must be displayed in such positions so as to minimise obstruction of vision and to make it as visible as possible to passengers, before and after entering the vehicle. The signage must be maintained in a clean and legible condition.

The driver may also verbally bring to the attention of the passengers that CCTV equipment is in operation within the vehicle, if it is felt necessary or appropriate.

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<b>REPORT TO:</b>	<b>ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE</b>	<b>AGENDA ITEM: 10</b>
<b>DATE OF MEETING:</b>	<b>19<sup>TH</sup> NOVEMBER 2015</b>	<b>CATEGORY: DELEGATED/ RECOMMENDED</b>
<b>REPORT FROM:</b>	<b>CHIEF EXECUTIVE</b>	<b>OPEN</b>
<b>MEMBERS' CONTACT POINT:</b>	<b>EMMA McHUGH (ext. 5716) <a href="mailto:emma.mchugh@south-derbys.gov.uk">emma.mchugh@south-derbys.gov.uk</a></b>	<b>DOC:</b>
<b>SUBJECT:</b>	<b>ADOPTION OF DOG DAY CARE BOARDING ESTABLISHMENT CONDITIONS</b>	<b>REF:</b>
<b>WARD(S) AFFECTED:</b>	<b>ALL</b>	<b>TERMS OF REFERENCE: EDS13</b>

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## **1. Recommendations**

- 1.1 That Members approve the conditions contained in Appendix 1 of this report relating to dog day care boarding establishments to come into effect upon adoption by Council.

## **2. Purpose of Report**

- 2.1 To provide Members with the outcome of a consultation with interested parties.
- 2.2 To provide Members with the necessary information to be able to give full consideration to the recommendation contained in paragraph 1.1 of this report.

## **3. Detail**

- 3.1 The boarding of dogs during the day without overnight boarding is a regulated activity by virtue of the Animal Boarding Establishments Act 1963 (the 'Act'). The Council is responsible for issuing licences to the proprietors of businesses falling within the definition of an animal boarding establishment and ensuring compliance with the Act.
- 3.2 The Act permits the Council to adopt conditions it deems necessary, or expedient in the particular case, as specified in section (3)(a) to (e) of the Act, namely:
- (a) that animals will at all times be kept in accommodation suitable as respects construction, size of quarters, number of occupants, exercising facilities, temperature, lighting, ventilation and cleanliness;
  - (b) that animals will be adequately supplied with suitable food, drink and bedding material, adequately exercised, and (so far as necessary) visited at suitable intervals;

- (c) that all reasonable precautions will be taken to prevent and control the spread among animals of infectious or contagious diseases, including the provision of adequate isolation facilities;
- (d) that appropriate steps will be taken for the protection of the animals in case of fire or other emergency;
- (e) that a register be kept containing a description of any animals received into the establishment, date of arrival and departure, and the name and address of the owner, such register to be available for inspection at all times by an officer of the local authority, veterinary surgeon or veterinary practitioner authorised under section 2(1) of this Act.

3.3 The Council has not previously licensed dog day care boarding establishments however there are several dog day care establishments operating within the District. The premises offer day supervision of a specified number of dogs from different households and the dogs interact in a communal area. No overnight accommodation is offered.

3.4 The existing establishments have applied for an animal boarding establishment licence. Whilst the existing conditions for kennels and home boarders ensure satisfactory animal health and welfare at a premises, they do not fully take into account the specific needs and ways of operating day boarding of dogs. It is therefore proposed to introduce a new set of conditions for dog day care boarding establishments.

### **Proposed Conditions**

3.5 There are no model conditions for dog day care conditions. The proposed conditions are an amalgamation of the existing kennel conditions and home boarding conditions. The conditions are the basic minimum standards considered necessary to ensure animal health and welfare is maintained in boarding establishments.

### **Consultation**

3.6 Officers conducted a consultation exercise on these proposals with all existing licence holders and members of the public via the Council's website.

3.7 Three responses were received during the consultation period. A summary of the points raised in the responses can be found at **Appendix 1**. The amended draft conditions are attached as **Appendix 2**.

## **4. Financial Implications**

4.1 There are no financial implications to the Council.

4.2 Recommendation 1.1 will have no financial implications on existing licence holders.

## **6. Corporate Implications**

6.1 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.

- 6.2 These proposals will also demonstrate to members of the public that South Derbyshire District Council takes the safety and welfare of animals seriously, which contributes to the theme of safety and security.

### Consultation Responses Log

Response	Summary of points raised	Amendment to draft Conditions
Response 1	<ul style="list-style-type: none"> <li>Condition 30 conflicts with the condition in the home boarding conditions. The details should be of the dog day care rather than the owner. It should be the telephone number rather than the address. The details should be on the collar so that the premises don't have to buy too many tags.</li> <li>Condition 5 should allow puppies under 6 months to be on a premises if the owner has the experience and procedures in place to deal with a puppy</li> </ul>	<ul style="list-style-type: none"> <li>Condition amended so that the details are on the collar of the dog day care establishment and that the details include the 'name and address or telephone number of the premises'.</li> <li>Condition from the home boarding establishment conditions added in to allow puppies under 6 months on the premises if the puppy has had its vaccinations and a socialisation programme is in place.</li> </ul>
Response 2	<ul style="list-style-type: none"> <li>Question to see if two licences will be required for home boarders who also offer day care.</li> </ul>	<ul style="list-style-type: none"> <li>No amendments to the conditions</li> </ul>
Response 3	<ul style="list-style-type: none"> <li>Concerns over several proposals not being financially viable for a small home boarding establishment i.e. wood in home, coved junctions and kennel sizes.</li> </ul>	<ul style="list-style-type: none"> <li>The proposals mentioned were not intended to relate to home boarding establishments so the conditions have been amended to reflect this.</li> </ul>



## **SOUTH DERBYSHIRE DISTRICT COUNCIL**

### **ANIMAL BOARDING ESTABLISHMENTS ACT 1963**

### **DOG DAY CARE BOARDING ESTABLISHMENT CONDITIONS**

**Issue 1: #**



## **GENERAL**

1. Unless otherwise stated, these conditions shall apply to all buildings and areas to which dogs have access and/or are used in association with the boarding of dogs for dog day care purposes.
2. Dogs are not permitted to be boarded overnight.
3. No dog registered under the Dangerous Dogs Act 1991 must be accepted for dog day care.
4. Dog hybrids registered under the Dangerous Wild Animal Act 1976 (e.g. Wolf Hybrids) are not to be accepted for dog day care.
5. Entire males and bitches in season, or bitches due to be in season, must not be boarded together or with other dogs.
6. Puppies under 6 months of age must not be boarded with other dogs including resident dogs unless they have been suitably vaccinated and they have completed a successful trial socialisation period.
7. Written consent must be received from any dog owner before any dog is placed into the establishment for the first time, confirming that they agree that their dog(s) may socialise with other dogs.
8. The licensee must ensure that the establishment is covered by adequate and suitable public liability insurance and, where necessary, adequate and suitable employers liability insurance.
9. Dogs must not be kept solely inside kennelling compartments within the premises or outside the premises, except with the written consent of the dog owner.

## **LICENCE DISPLAY**

10. A copy of the licence and its conditions must be suitably displayed to the public in a prominent position in, on or about the boarding establishment.

## **CONSTRUCTION**

11. The establishment must, at all times, be laid out and operated in accordance with an approved plan of the premises, to be attached to the licence. Before carrying out any alterations, plans must be submitted to and approved by an authorised officer of the Council.
12. If kennels are in place at the establishment, dogs must be in kennelling compartments appropriate to their size and weight as specified by the manufacturer.
13. Where possible, wood should not be used in exposed construction of walls, floors, partitions, door frames or doors in the premises. There must be no projections or rough edges liable to cause injury.

14. The construction of the premises must be such that the security of the dog is ensured and it is safe.
15. All internal surfaces such as walls, floors, partitions, doors and door frames are to be durable, smooth, impervious and capable of being easily cleaned. There must be no projections or rough edges liable to cause injury.
16. Junctions between wall and floor sections should be coved. If impractical in existing premises, all joints must be sealed.
17. A double gate system must be provided at all entrances and exits to the premises to prevent the escape of dogs.
18. Doors must be strong enough to resist impact and scratching and must be capable of being effectively secured.
19. All windows that pose a security risk must be escape-proof at all times.
20. Where necessary, windows must be suitably protected against contact and breakage by dogs.
21. There must be sufficient space available to be able to keep the dogs separately if required.
22. If a collection and delivery service is provided, a suitable vehicle with a dog guard or cage in the rear must be provided. The vehicle used must be designed and maintained so that it is easily cleaned and not cause injury to the dogs transported.
23. Fencing materials must be secure and safe.

#### **DRAINAGE**

24. The premises must be connected to mains drainage or an approved, localised sewage disposal system.
25. Floors must have effective means of drainage, where necessary.

#### **LIGHTING**

26. Adequate lighting must be provided in all areas which are, or may be, used in connection with the premises so that all parts are clearly visible at all times that the business is in operation. Where practicable, this must be natural light.

#### **VENTILATION**

27. Adequate ventilation must be provided to all interior areas without the creation of excessive, localised draughts.

#### **MAINTENANCE**

28. Maintenance and repair of the whole premises must be carried out regularly so as to maintain it in a suitable condition.

#### **NUMBER OF ANIMALS**

29. The maximum number of dogs to be kept at any one time is #
30. No animals other than dogs are to be boarded within the premises without the written approval of an authorised officer of the Council.
31. All dogs entering the premises must wear a collar and identity tag during their time in boarding. The collar must display the name and address or telephone number of the dog day care premises.

## **EXERCISE**

32. Dogs must be exercised according to their needs.
33. The number of dogs being exercised at any one time shall not exceed the maximum specified by public liability insurance and shall be reduced accordingly to ensure full control, care and custody of dog by handlers.
34. Exercise areas must not be used as bedding areas.

## **SCREENING OF DOGS**

35. Pre-screening of dogs must be undertaken prior to them being accepted into the day care centre to ensure they will be comfortable in the presence of other dogs and will not be a danger to dogs, staff or visitors.

## **TRAINING**

36. Staff must receive the necessary training and instruction in their duties relating to dog care. All records of training must be kept for inspection by an authorised officer of the Council.

## **HEATING**

37. Suitable and safe means shall be provided for heating, to an appropriate temperature, of all common indoor areas.
38. Whilst upon the licensed premises, boarding dogs should not be exposed to temperatures lower than 10°C (50°F) or higher than 26°C (78.8°F), unless notice is given to the contrary by a veterinary surgeon.
39. A 'minimum – maximum' thermometer must be provided in each area of the premises.

## **CLEANLINESS**

40. All parts of the licensed premises must be kept clean and free from accumulations of dirt and dust and must be kept in such a manner to ensure maintenance of disease control and dog comfort.
41. All bedding must be kept clean and dry.
42. All excreta and soiled material must be removed from all areas used by dogs at least daily and more often if necessary. Disposal facilities for animal waste must be agreed with the Licensing Authority.



- 43. Facilities must be provided for the proper reception, storage and disposal of all waste. Particular care should be taken to segregate clinical waste arising from the treatment and handling of dogs with infectious diseases and the final disposal route for all such waste must be incineration.
- 44. Measures must be taken to minimise the risk of rodent, insects and other pests within the premises.
- 45. Each kennel must be thoroughly cleansed, disinfected and dried upon vacation. All fittings and bedding must also be thoroughly cleansed and disinfected at that time.

## **FOOD AND WATER SUPPLIES**

- 46. Fresh drinking water must be available for all dogs at all times and the drinking vessel cleaned daily. The water must be changed at least twice a day.
- 47. Eating and drinking vessels must be capable of being easily cleaned and disinfected to prevent cross-contamination. They must be maintained in a clean condition or, if disposable containers are used, disposed of after each use.

## **KITCHEN FACILITIES**

- 48. If food is provided, exclusive facilities, hygienically constructed and maintained, must be provided for the storage and preparation of food for the dogs.
- 49. Where fresh and cooked meats are stored, refrigeration facilities must be provided, and potential food contamination must be avoided.
- 50. A sink with hot and cold running water must be provided for the washing of food equipment and eating and drinking vessels. A separate wash-hand basin with hot and cold (or appropriately mixed warm) running water must be provided for staff with soap and hygienic hand drying facilities.
- 51. Suitable containers for storing foods must be provided and must be constructed and maintained to guard against insects and other pests. All food must be kept in these containers unless it is otherwise protected (e.g. individual tinned food). These containers must be capable of being easily cleaned and disinfected and must be kept in a clean condition.

## **DISEASE CONTROL AND VACCINATION**

- 52. Adequate precautions must be taken to prevent and control the spread of infectious and contagious disease and parasites amongst the dogs, staff and visitors.
- 53. Proof must be provided that boarded have current vaccinations against Canine Distemper, Infectious Canine Hepatitis (Canine adenovirus), Leptospirosis (*L. canicola* and *L. icterohaemorrhagiae*) and Canine Parvovirus and other relevant diseases. The course of vaccination must have been completed at least four weeks before the first date of boarding or in accordance with manufacturer instructions. A record that this proof has been supplied must be kept on-site throughout the period that the dog is boarded.
- 54. A written procedure on how to deal with any animal showing signs of illness or disease should be in place. All relevant staff should be aware of this procedure.

55. Advice from a veterinary surgeon must be sought in case of signs of disease, injury or illness. Where any dog is sick or injured, any instructions for its treatment, which have been given by a veterinary surgeon, must be strictly followed.
56. A well-stocked first-aid kit suitable for use on dogs must be available and accessible on site.
57. The licensee must be registered with a veterinary practice. The clients own veterinary practice must be known and consulted if necessary.
58. Precautions must be taken to prevent the spread of fleas, ticks, intestinal parasites and other parasites in boarded dogs. Proof must be maintained of all routine and emergency treatment for parasites.
59. The premises shall be regularly treated for fleas and parasites with a veterinary recommended product.
60. Veterinary advice must be sought in relation to cleaning substances so that they or their fumes cannot be harmful to an animal.

#### **ISOLATION AND CONTAGIOUS DISEASE OUTBREAK**

61. Dogs showing signs of any disease or illness shall be isolated from any other dogs until veterinary advice is obtained. There must be sufficient facilities within the premises to ensure effective separation of any sick animal. The isolation facilities must be a minimum of 5m (15ft) away from other dogs.
62. In the isolation facilities, there should be a means of maintaining the temperature at a level suitable for the conditions of the dog and dependant on veterinary advice.
63. Hands must be washed after leaving the isolation facilities and before handling other dogs.

#### **REGISTER**

64. A register must be kept of all dogs boarded. The information kept must include the following:
  - Date of arrival;
  - Name of dog, any identification system such as microchip number, tattoo;
  - Description, breed, age and gender of dog;
  - Name, address and telephone number of owner or keeper;
  - Name, address and telephone number of contact person whilst boarded;
  - Name, address and telephone number of dog's veterinary surgeon;
  - Proof of current vaccinations, medical history and requirements;
  - Health, welfare nutrition and exercise requirements.
65. Such a register is to be available for inspection at all times by an authorised officer of the Council or veterinary surgeon.
66. The register must be kept readily available for a minimum of 2 years and kept in such a manner as to allow an authorised officer easy access to such information.
67. If medication is to be administered, this must be recorded.

68. Where records are computerised, a back-up copy must be kept. The register must also be available to key members of staff of the establishment at all times.

## **SUPERVISION**

69. A fit and proper person (over the age of 18) with relevant experience must always be present to exercise supervision and deal with emergencies whenever dogs are boarded at the premises.
70. Adequate staffing must be provided to ensure continual supervision and safety of all dogs.
71. The Licensing Authority must be informed on the next working day if a dog is lost.

## **FIRE / EMERGENCY PRECAUTIONS**

72. Appropriate steps must be taken for the protection of the dogs in case of fire or other emergencies.
73. The occupier of the property must be aware of the location of the dogs in the property at all times.
74. A fire warning procedure and emergency evacuation plan – including details of where dogs are to be evacuated to in the event of a fire or other emergency - must be drawn up, brought to the attention of all staff and/or displayed in a prominent place on the premises.
75. Fire detection equipment must be provided and maintained in accordance with general advice given by the Fire Safety Officer. An all-purpose fire extinguisher must be provided.
76. All electrical installations and appliances must be maintained in a safe condition. No dog must be left in a room with loose or trailing cables or wires.
77. Heating appliances must not be sited in a location or manner where they may present a risk of fire or risk to dogs.
78. Precautions must be taken to prevent any accumulation which may present a risk of fire.
79. There must be adequate means of raising an alarm in the event of fire or other emergency.

## **COMPLAINTS AND INCIDENT LOGS**

80. The licence holder must maintain a log of any incidents occurring at the premises involving a boarding animal, and this log must be kept for a period of one year.
81. The Licensing Authority must be advised within 72 hours of any complaint received, and the steps being taken to resolve the situation.



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<b>REPORT TO:</b>	<b>ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE</b>	<b>AGENDA ITEM: 11</b>
<b>DATE OF MEETING:</b>	<b>19<sup>th</sup> NOVEMBER 2015</b>	<b>CATEGORY: RECOMMENDED</b>
<b>REPORT FROM:</b>	<b>MIKE HAYNES – DIRECTOR OF HOUSING AND ENVIRONMENTAL SERVICES</b>	<b>OPEN</b>
<b>MEMBERS’ CONTACT POINT:</b>	<b>MATT HOLFORD (ext. 5856) ENVIRONMENTAL HEALTH MANAGER</b>	<b>DOC:</b>
<b>SUBJECT:</b>	<b>PROPOSED CHANGES TO THE OFF-STREET PARKING ORDER</b>	<b>REF:</b>
<b>WARD(S) AFFECTED:</b>	<b>ALL</b>	<b>TERMS OF REFERENCE: EDS14, HCS10</b>

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## **1. Recommendations**

- 1.1 That Members approve the proposed alterations to the parking rules in the East End Car Park, Civic Way, Swadlincote and Station Road car park, Hatton.

## **2. Purpose of Report**

- 2.1 To seek approval from Members on proposed changes to the existing parking provision in two of the free car parks owned by the District Council.

## **3. Background**

- 3.1 South Derbyshire District Council owns nineteen car parks, all of which offer free parking to residents and visitors to South Derbyshire.
- 3.2 Because of the high levels of demand for some of these car parks we have needed to introduce rules to control the behaviour of vehicle owners who use them. The general rules for all car parks were introduced in the form of the South Derbyshire District Council (Off-Street parking)(Civil Enforcement and Consolidation) Order 2008. A number of the car parks in the Swadlincote urban core and the car park on High Street Melbourne have also been designated with local rules relating to disabled parking, limited waiting, etc.
- 3.3 The Order was introduced at the same time that off-street car parking enforcement transferred from the Police to Councils. The consequence of this change was that Traffic Wardens were no longer employed to enforce parking rules. Since 2008 enforcement in the District Councils car parks has been managed by Derbyshire County Council. The County Council contract out the work to a provider who employs Civil Enforcement Officers (CEOs).

- 3.4 Following recent complaints about two of the Councils car parks, we have taken the opportunity to review the current controls in these two car parks and have been through a consultation process to determine what changes to make.
- 3.5 The consultation process was undertaken in accordance with the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996. In summary, it consisted of seeking consultation responses from all of the statutory consultees stated in the Regulations (including the Police, County Council, Fire Authority, Road Haulage Association, local bus operators, etc.). We also consulted with the Swadlincote Chamber of Commerce, Members and Alpha Cabs (High Street, Swadlincote). A public consultation notice went into the Burton Mail, we issued a notification via Facebook and published a page on our website. We also put up consultation notices in the two car parks affected.

#### **4. The Proposals**

- 4.1 In the **East End car park, Civic Way, Swadlincote** we propose to vary the existing Order to allocate 5 of the parking bays specifically for the use of private hire vehicle occupancy. We propose to prohibit occupancy of any of the other bays by private hire vehicles.
- 4.2 The car park has a relatively high churn of vehicles. Over the past eight months we have received 10 complaints from members of the public that this car park is full and that drivers employed by a local private hire firm are filling up significant numbers of bays. We have been given anecdotal evidence that this is restricting shopper access into the High Street and therefore may be inhibiting the economic welfare of businesses on the High Street. We have been informed that there have been altercations between shoppers and private hire drivers, and between Civil Enforcement Officers and private hire drivers when the car park is full. However, we are also aware that the car park is used by private hire vehicles in order to pick up elderly and disabled shoppers who want to shop on High Street.
- 4.3 A private hire company has right of access over the car park land and the company has previously been requested to limit the number of private hire vehicles occupying bays in the car park to no more than five at any given time.
- 4.4 The purpose of the variation is therefore to provide a reasonable balance in the use of the car park between shoppers, local business operators and private hire vehicles.
- 4.5 The proposed variation will also provide clarity about the permitted uses of the bays in order to prevent disputes, and will enable Civil Enforcement Officers to regulate private hire occupancy to those previously agreed.
- 4.6 In the **Station Road car park, Hatton** we propose to retain 16 bays for long stay use and impose limited (2 hour) waiting for the remaining 5 bays.
- 4.7 From our observations, commuters using the Hatton railway station are the predominant users of this car park. The churn of vehicles in the car park appears to be very low.
- 4.8 We have received complaints that the low churn is limiting customer numbers at retail establishments in Hatton. There are no other public car parks in Hatton. However, there are short stay car parks serving the Co-op, the local butchers shop and the Nisa within 120m, 160m and 190m of the Station Road car park respectively.

- 4.9 There is an SDDC private car park (7 bays) serving housing on the opposite side of Station Road. There are no existing parking restrictions along Station Road or any of the surrounding residential streets. There is no commuter parking at the railway station.
- 4.10 The purpose of the variation is to provide a reasonable balance between the needs of rail commuters and the needs of the local retail establishments.

## **5. Consultation Responses**

- 5.1 The responses to the consultation were exceptionally low. There was one response to the proposed changes to the East End car park. This was from Derbyshire County Council who considered that there may be a case for increasing the proposed provision of five dedicated spaces for private hire vehicles. There were two responses in favour of the proposed change to the Station Road car park and one against. The response opposing the change stated that this car park is also used by staff who work at Nestle and the nursery opposite, as well as by local residents who don't have their own off-road parking. It also stated that the existing retail outlets in the town have plenty of short-term parking of their own.

## **6. Financial Implications**

- 6.1 Minor. The main costs associated with the proposed changes will be the need to introduce new or altered signage within the two car parks and the need to apply new markings to distinguish between bays. The estimated total cost is £1,200.
- 6.2 The District Council currently pays for a total of 12 hours CEO enforcement time per week. CEOs currently focus their time on the Swadlincote urban core car parks and the Melbourne car park. The addition of the Station Road, Hatton car park will slightly reduce the amount of time that the CEOs will spend in Swadlincote and Melbourne.
- 6.3 We do not require the CEOs to issue a target number of Penalty Charge Notices (PCNs). We do not anticipate that the proposals will make any significant difference to the number of PCNs issued in the Councils car parks.

## **7. Corporate Implications**

- 7.1 The proposals align with the "safe and secure" Corporate Plan Theme.

## **8. Community Implications**

- 8.1 None

## **9. Conclusion**

- 9.1 The proposals set out changes to the parking rules in two of the Councils car parks. The proposals have been brought forward following complaints from members of the public. Given that there was a very small response to a public consultation on the proposals we are satisfied that the proposals are appropriate to the needs of these communities.



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<b>REPORT TO:</b>	<b>ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE</b>	<b>AGENDA ITEM: 12</b>
<b>DATE OF MEETING:</b>	<b>19<sup>th</sup> NOVEMBER 2015</b>	<b>CATEGORY: RECOMMENDED</b>
<b>REPORT FROM:</b>	<b>MIKE HAYNES – DIRECTOR OF HOUSING AND ENVIRONMENTAL SERVICES</b>	<b>OPEN</b>
<b>MEMBERS' CONTACT POINT:</b>	<b>MATT HOLFORD – (ext. 5856) ENVIRONMENTAL HEALTH MANAGER</b>	<b>DOC:</b>
<b>SUBJECT:</b>	<b>BODY WORN VIDEO CAMERAS</b>	<b>REF:</b>
<b>WARD(S) AFFECTED:</b>	<b>ALL</b>	<b>TERMS OF REFERENCE: EDS13, EDS14, HCS10</b>

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## **1. Recommendations**

- 1.1 That Members approve the proposed use of Body Worn Video Cameras by the Councils' Safer Neighbourhood Wardens.
- 1.2 That Members approve the Policy for the use of Body Worn Video Cameras.

## **2. Purpose of Report**

- 2.1 To seek approval from Members for the use of Body Worn Video Cameras by Council officers involved in anti-social behaviour and environmental crime investigations.
- 2.2 To seek approval from Members on the policy containing the control measures associated with the use of Body Worn Video Cameras in order to ensure that the Council comply with data protection and civil rights law and to protect the reputation of the Council and its officers.

## **3. Background**

- 3.1 Body Worn Video Cameras (BMVs) are small, portable devices worn by a person and are usually attached to their clothing or uniform. These devices can record both visual and audio information.
- 3.2 The use of BMVs has become commonplace in those aspects of the public service where officers face conflict situations and where their evidence is regularly challenged. In particular, they are used by Police services and by Civil Enforcement Officers (formerly known as Traffic Wardens). Locally Derbyshire Constabulary are currently in the process of implementing their use and the Civil Enforcement Officers employed through Derbyshire County Council have been using them since spring 2015.

- 3.3 Safer Neighbourhood Wardens are employed by South Derbyshire District Council to enforce dog control laws, anti-social behaviour, littering and waste management; to investigate flytipping incidents and abandoned vehicles and to assist with stewarding of the Councils main community events. They are a high profile uniformed presence on the streets of the District who aim to provide a re-assuring visual reminder of the work of the Council for the benefit of our law-abiding residents. They also provide a high visibility deterrent for those who seek to break the law, as well as a community based regulatory presence to catch and deal with law breakers.

#### **4. Benefits of BMVs**

- 4.1 The key benefits of BMVs are considered to be as follows;

- 4.1.1 Improved effectiveness in influencing behaviour and improved evidence gathering capability;
- 4.1.2 Improved transparency of officer conduct;
- 4.1.3 Enhanced staff protection.

- 4.2 Wardens trialled the use of the same BMV product currently being implemented by Derbyshire Constabulary over two weeks during the summer of 2015. During the trial the equipment was used during a number of investigations relating to fly tipping, dogs off the lead in Dog Control Areas, litter prevention patrols, dealing with groups of nuisance youths and service of Direction Notices on illegal encampments.
- 4.3 In terms of influencing behaviour and improving evidence gathering; the officers reported that it delivered tangible improvements in virtually all of their activities.
- 4.4 Wardens reported that the presence of the camera directly resulted in improvements in compliant behaviour from offenders in parks and open spaces. In some instances Wardens reported that simply the visible presence of the camera improved the behaviour of park users. In other instances, the Wardens were able to use the evidence recorded on the camera to immediately show to offenders the nature of their offence.
- 4.5 The hands-free camera enabled a real-time recording of the investigation of accumulations of fly tipped material, whereas currently officers are required to continually photograph evidence as they progress through the fly tipped material. The real-time footage enables any claim by suspected offenders that evidence has been 'planted' to be rebutted and reduces the possibility of evidence being lost.
- 4.6 In terms of assisting with complaints about the conduct of officers, the evidence from the camera was available for managers to review (and as a result, rebut) a complaint from a local resident about the conduct of a Warden.
- 4.7 Officers also reported that the cameras offered significant benefits in terms of personal safety. When the cameras were turned on during two incidents which were becoming heated, the officers reported that the levels of aggression being exhibited by members of the public quickly and significantly de-escalated. We have received anecdotal information from colleagues at both Derbyshire Constabulary and NSL (the current providers of Civil Enforcement Officers) that there have been significant reductions in both physical and verbal assaults on their staff since introducing BMV.

## **5. Drawbacks of BMV**

### **5.1 The key potential drawbacks of BMV are;**

5.1.1 Increased risk of breaching data protection, human rights and regulation of investigatory powers controls;

5.1.2 Potential perception of greater intrusion on privacy and civil rights;

5.1.3 Poorly specified equipment may not be fit for purpose.

5.2 In accordance with the Code of Practice issued by the Information Commissioner, we have carried out a Privacy Impact Assessment of the implementation of the use of BMV. The Privacy Impact Assessment is attached as Appendix A to this Committee report. The mitigation measures proposed in the Assessment (section 4) show that the data protection and human rights risks can be managed to ensure that all risks are reduced to an acceptable level. Similarly, the proposed controls should offer satisfactory mitigation measures to control the risks of adverse perception about the actions of the Council.

5.3 The cameras are designed to be highly visible and therefore the surveillance provided is 'overt' under the definition of the Regulation of Investigatory Powers Act. This is fully compliant with the Councils' RIPA Policy.

5.4 A Policy and Procedure on the use of BMVs has been produced which will direct staff in the day to day use of BMVs. The draft Policy is attached as Appendix B to this report. Compliance with the Policy and Procedure is considered to be the main safeguard against breaches of data protection and human rights provisions by Council officers.

5.5 If approved, the equipment will be ordered through the corporate IT procurement process. In addition to this process, the Home Office has issued Technical Guidance on BMV which has been used to produce a specification to support the IT procurement process. We are confident that equipment which meets these specifications will be fit for purpose.

## **6. Financial Implications**

6.1 Minor. The costs of the purchase of BMVs will be in the region of £2,000 which we would propose to meet from existing revenue budgets.

## **7. Corporate Implications**

7.1 The proposals align with the "safe and secure" Corporate Plan Theme.

## **8. Community Implications**

8.1 None

## **9. Conclusion**

9.1 The proposals set out the perceived benefits of the Councils Safer Neighbourhood Wardens use of Body Worn Video Cameras along with the potential drawbacks and risks of their use. Based on a short trial of a BMV product we are confident that they will significantly benefit the Warden service and lead to improvements in the



effectiveness and safety of our Wardens. We have identified the risks associated with the use of BMV and we consider that the mitigation measures proposed, including the adoption and compliance with the Policy and Procedure in relation to the use of Body Worn Video, will address these risks.

## **10. References**

- 10.1 “In the Picture: A Data Protection Code of Practice for Surveillance Cameras and Personal Information”. Information Commissioners Office, Version 1.1, 21/5/2015.
- 10.2 “Body-Worn Video Technical Evidence”, Home Office, Publication 14/14, May 2014;
- 10.3 “Conducting Privacy Impact Assessments: Code of Practice”. Information Commissioners Office, 20140225, Version 1.0.



**South  
Derbyshire**  
District Council

# Environmental & Development Services Committee 19<sup>th</sup> November 2015 APPENDIX A

## Privacy Impact Assessment for Body- Worn Video Cameras



INVESTOR IN PEOPLE

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This Privacy Impact Assessment (PIA) for Body Worn Video Cameras has been produced to support the use of Body Worn Video Cameras by Safer Neighbourhood Wardens. It has been produced as a supplementary document to a report to the 19<sup>th</sup> November 2015 report to the Environment and Development Services Committee of South Derbyshire District Council. Thereafter, it will be used as a supporting document to assist with the future review of Body Worn Video Cameras.

## **Section 1      Need for a PIA**

Guidance<sup>1</sup> issued by the Information Commissioners Office (section 7.2) recommends that a PIA is completed prior to approving the use of Body Worn Video Cameras (BMVs).

## **Section 2      Description of the Information Flow**

### **1. Data Collection.**

BMVs will be worn by the Safer Neighbourhood Wardens during their day to day activities. Wardens will manually initiate audio and video recordings whenever the need arises. In relation to their general duties, the proposed uses will be as follows;

Flytipping investigations	Camera recordings will be initiated when officers are inspecting accumulations of fly-tipped material. The purpose of the recording will be to obtain video evidence of the material in situ and to allow the officer to provide a narrative of his inspection of the flytip.
Dog Control / Litter / Public Space Protection Order enforcement patrols	Recordings will be initiated where officers are reasonably satisfied that a relevant offence is either about to be or is likely to have been committed. The purpose of the recording will be to collect audio and video evidence of the potential offence and to provide a recording of the incident in the event of the issuing of verbal warnings, PACE interview or fixed penalty notices.
Waste regulation investigations	Recordings will be initiated where officers are satisfied that a relevant offence is likely to have been committed. The purpose of the recording will be to collect audio and video evidence of the potential offence and to provide a recording of the incident in the event of the issuing of verbal warnings, PACE interview or fixed penalty notices.
Illegal encampments	Recordings will be initiated where officers are satisfied that there has been an illegal incursion onto Council owned land. The purpose of the recording will be to collect audio and video evidence of damage to Council owned land and evidence of offences.
Abandoned vehicles	Recordings will be initiated where officers are satisfied that a relevant offence is likely to have been committed. The purpose of the recording will be to collect audio and video evidence of the potential offence and to provide a recording of the incident in the event of the issuing of verbal warnings, PACE interview or fixed penalty notices.

<sup>1</sup> "In the Picture: A Data Protection Code of Practice for Surveillance Cameras and Personal Information". Information Commissioners Office, Version 1.1, 21/5/2015



Anti-Social behaviour patrols	Recordings will be initiated where officers are reasonably satisfied that a relevant offence is about to be committed or is likely to have been committed. The purpose of the recording will be to collect audio and video evidence of the potential offence and to provide a recording of the incident in the event of the issuing of verbal warnings, PACE interviews or fixed penalty notices.
Client conflicts	Recordings will be initiated where officers are concerned that clients are becoming threatening or aggressive. The purpose of the recording will be to obtain evidence of the threatening or aggressive behaviour and to use the camera to help de-escalate the situation.

This list is not intended to be exhaustive, however in general terms officers are only authorised to instigate a recording where they are reasonably satisfied that an offence under relevant legislation has been or is about to be committed.

Recorded data will be retained on the device until the officer returns to their office base. This is usually later in the working day or the following working day.

## 2. Data Storage

Immediately on return to the office base the officer will download the data files into a single dedicated PC. The file will immediately be designated as 'evidential' or 'non-evidential'.

## 3. Data Handling and Deletion

The Master copy will be retained on the dedicated PC. Copies for internal use will not be taken although still shots from the Master copy may be used to support prosecution case files. 'Non-evidential' data will be deleted 30 days after collection. 'Evidential' data will be retained in accordance with the Data Retention Policy.

## **Section 4 Privacy Issues and Proposed Mitigation**

Issue	Notes and Mitigation
BWV introduces new and additional information technologies that have a substantial potential for privacy intrusion	<p>BWV is an expanding technology being utilised by many public and private agencies. SDDC recognises the concerns from the public regarding privacy issues.</p> <p>Accordingly, this technology will only be deployed in an overt manner, using trained uniformed staff and in the defined operational circumstances stated in Section 2. All captured data will be processed, retained and disposed of to ensure total compliance with the Data Protection Act and Human Rights Act 1998.</p>
Data sharing with other agencies	When information is captured and subsequently downloaded from the device, it will firstly be assessed as to whether it constitutes 'evidential' or 'non-evidential' material. Any material, which is deemed as evidential, could need to be shared with the Police,

	<p>Crown Prosecution Service, Defence professionals and the Courts to support a prosecution. There are occasions when BWV material could be shared with other agencies to assist in training and to support a multi-agency approach to any legitimate, justified working arrangement. On rare occasions, BWV material could be released to the media if there is a genuine need to do so. For example the identification of an unknown suspect for a serious offence. Any captured information deemed to be evidential, will in the first instance be 'protected' by means of a Master copy being created. If data needs to be shared a Working copy(s) is created and it is this which will be passed to other Criminal Justice partners and Defence and ultimately the Court. In instances of any dispute, the Court can require the production of the Master copy.</p>
BMV could significantly increase the data captured and processed in respect of any one individual or group	<p>BWV is a relatively new technology and is seen to have major benefits of capturing evidence in an indisputable fashion. Accordingly, there will be more data potentially being captured. However, the appropriate safeguards, by adherence to legislation and guidance, will ensure that only information that passes a strict test, of being required for a safer communities purpose, can be retained.</p>
Data may be held for extended periods of time	<p>Any information captured on a device, which is deemed to be 'non-evidential' will be automatically deleted after a set period of time (30 days). The rationale for any retention beyond an immediate disposal might include circumstances where there is a desire to review any allegations as part of a complaint procedure, the reporting of these more often occurring the aftermath of any incident and often this material may not have been marked as 'evidential'.</p> <p>Other data within the 'evidential' category will be retained in order to satisfy the requirements of legislation, the court process if applicable and depending on the type of offence retained, reviewed and disposed of, in accordance with the Councils Data Retention Policy. Currently SDDC retains all evidential material for a minimum of six years.</p>
Risks associated with the loss of a BMV device	<p>It is unlikely that devices will be pulled off an officers uniform during an incident, however this or any other sort of accidental loss is possible. Each of the three Safer Neighbourhood Officers will be allocated a device for which they will take personal responsibility in order to maximise accountability. The memory of devices will be wiped daily to minimise the amount of sensitive data stored. If a device is lost, all possible attempts will be made to identify and notify persons who are subject of information on the device. SDDC will also notify the Information Commissioner's Office at the earliest opportunity. In addition,</p>

	<p>the captured information is 'stored' on the device's internal memory which encrypts the recorded data and to access this requires a bespoke 'docking' facility, and associated software which is not widely available.</p>
<p>Audio recordings are a greater intrusion on privacy than video recordings alone</p>	<p>BWV is a relatively new technology and is seen to have major benefits of capturing evidence in an indisputable fashion. In order to ensure that all aspects of an incident are captured, this requires the essential inclusion of audio information in order for this to be complementary to the video data. The other important aspect of the addition of audio information is that in some instances, the camera itself may not be pointing in the direction of the main incident but that the audio will still be captured. This has a significant advantage of protecting all parties to ensure that the actions of the officers were totally in accordance with the law and addresses issues of transparency. Equally, in some instances, the presence of only video evidence without the added context that audio, can fail to adequately provide the full context, for all parties, of an incident or interaction.</p>
<p>Collateral intrusion</p>	<p>Collateral intrusion in this context extends to the capturing of the movements and actions of other persons when this equipment is being used. It is inevitable that in some circumstances this will occur, albeit officers are trained to ensure that wherever possible, the focus of their activity is on the person subject of the officer's attention.</p> <p>In circumstances where citizens are captured in any video or audio information and they are unrelated to any offence under investigation, their identities will be protected and anonymised especially should the matter be presented to a court.</p>
<p>Individual consents</p>	<p>There is no requirement to obtain the express consent of the person or persons being filmed since the actions of the Wardens are deemed to be lawful. In the event that someone requests that the BWV be switched off, the officer should advise the person that:</p> <ul style="list-style-type: none"> <li>• Any non-evidential material is only retained for a maximum of 30 days</li> <li>• This material is restricted and cannot be disclosed to third parties without the express authority of the subject of the recording unless prescribed by law; and</li> <li>• Recorded material is Council information and that it can be accessed on request in writing in accordance with the Data Protection Act 1998, unless an exemption applies in the circumstances.</li> </ul>



	The BWV operator will consider on a case-by-case basis whether or not to switch the BWV off. There should always be a presumption to record if the 'need to address a pressing social need' has been achieved unless the circumstances dictate otherwise. An officer failing to record an incident may be required to justify the actions as vigorously as any officer who chooses to record a like encounter. In all cases, recording can only be justified when it is relevant to the incident and necessary in order to gather evidence.
Recording in high sensitivity locations such as private dwellings, schools and care homes	The functions and duties of the Safer Neighbourhood Wardens largely demand their activities to take place on streets and open public spaces. We do not foresee many circumstances where recording in high sensitivity locations will be necessary. If officers deem it necessary to initiate recordings in high sensitivity locations they will do so in a manner which limits to all practical extents any collateral intrusion.
Access to the data by non-approved staff	Data will be stored in a single, non-networked PC. The PC is login protected and is contained within a restricted, access-coded area of the Council building.

## **Section 5      Review of Privacy Impact Assessment**

We anticipate that working experience of the BMV devices over time will enable us to review the local impacts of the devices. We also anticipate that as the technology becomes more widespread there may be changes in case law or statutory guidance. We therefore propose to review the contents of this Assessment in 2 years from the date of issue stated below.

Latest version

<b>Version Number</b>	<b>Date of Issue</b>	<b>Author(s)</b>	<b>Brief Description of Change(s)</b>
1	09/09/2015	MHO	First version

Storage Location(s) S:\Health\SNW\Body Worn Cameras

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ਜੇ ਤੁਹਾਨੂੰ ਇਹ ਦਸਤਾਵੇਜ਼ ਕਿਸੇ ਦੂਸਰੀ ਭਾਸ਼ਾ ਵਿਚ ਚਾਹੀਦਾ ਹੈ, ਜਾਂ ਕਿਸੇ ਦੁਭਾਸ਼ੀਏ ਦੀਆਂ ਸੇਵਾਵਾਂ ਦੀ ਲੋੜ ਹੈ ਤਾਂ ਸਾਡੇ ਨਾਲ ਸੰਪਰਕ ਕਰਨ ਦੀ ਕ੍ਰਿਪਾ ਕਰੋ ਜੀ ਇਹ ਜਾਣਕਾਰੀ ਮੰਗ ਕਰਨ ਤੇ ਵੱਡੇ ਅੱਖਰਾਂ, ਬ੍ਰੇਅਲ ਜਾਂ ਆਡਿਉ ਦੇ ਰੂਪ ਵਿਚ ਵੀ ਉਪਲੱਬਧ ਕਰਵਾਈ ਜਾ ਸਕਦੀ ਹੈ।

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**South  
Derbyshire**  
District Council

# **Environmental & Development Services Committee 19<sup>th</sup> November 2015 APPENDIX B**

## **Policy and Procedure in relation to Body Worn Video Cameras**

**Ref 32 (SNW)**



INVESTOR IN PEOPLE

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# Introduction

This policy details how and when Body Worn Video (BWV) should be utilised for overt video recording of evidence and how the evidence captured should be secured to protect the integrity of the images for potential use in criminal proceedings.

This policy is required to ensure Wardens and other nominated persons using Body Worn Video (BWV) equipment as part of their operational duties are aware of their responsibilities in relation to its use to secure 'best evidence' and to safeguard the integrity of the digital images captured should they need to be produced for evidential purposes.

## Application

This policy is effective immediately and applies to all staff that use BWV or come into contact with the material recorded by BWV.

## Purpose

The purpose of this policy is to ensure BWV is used correctly so that South Derbyshire District Council gains maximum benefit from the operational use of BWV, and that all staff coming into contact with either the equipment or the images are able to comply with legislation and the Authority's requirements.

## Scope

This policy covers all aspects of the use of BWV equipment by members of staff and the subsequent management of any images obtained.

## Policy Statement

South Derbyshire District Council is committed to making the best use of its resources to capture best evidence by taking full advantage of new technology and the use of Body Worn Video in all appropriate circumstances.

## Benefits

This policy will facilitate the use of BWV to;

- Enhance opportunities for evidence capture;
- Increase early guilty pleas, reducing officer case preparation and court time;
- Assist Wardens to control anti-social behaviour;
- Reduce protracted complaint investigations by providing impartial, accurate evidence;
- Give greater insight into service delivery and identifying good practice.

## Responsibilities

This policy will be monitored and reviewed by the Environment Health Manager. The practical implementation of this policy at local level will be monitored by the Senior Neighbourhood Warden, nominated and trained Single Point of Contacts (SPOCS) and supervisors of the BWV users.

# Procedure

## **1 Introduction**

The use of BWV devices must complement the use of other video and digital evidence gathering devices within the Authority. These Procedures should be considered a minimum standard for the use of BWV devices.

These procedures have been designed with regard to the current legislation and guidance for the use of overt video recording of evidence.

All images recorded are the property of the South Derbyshire District Council (SDDC) and must be retained in accordance with the Authority's procedures. They are recorded and retained for evidential and intelligence gathering purposes and must not be shown or given to unauthorised persons.

## **2 Objectives**

BWV is an overt method by which authorised users can obtain and secure evidence at the scene of incidents and crimes. These procedures are intended to ensure users comply with legislation and guidance in order to create evidence for use in court proceedings.

When used effectively BWV can promote public reassurance, capture best evidence, modify behaviour, prevent harm and deter people from committing crime and anti-social behaviour. Recordings will provide independent evidence that will improve the quality of prosecution cases and may reduce the reliance on victim evidence particularly those who may be vulnerable or reluctant to attend court.

Using recordings can also impact on the professionalism of the service and in the professional development users. Officers, trainers and supervisors can utilise the equipment to review and improve how incidents are dealt with.

## **3 Equipment**

The BWV equipment used by SDDC is a body mounted camera with built in microphone. The camera stores digital files which, once recorded, cannot be deleted or amended by the operator. Each file carries a unique identifier and is time and date stamped throughout.

To support the camera systems, 'stand-alone' computers and appropriate software is used for the downloading and storage of digital video files. These provide a full audit trail ensuring evidential continuity is maintained. The software will be referred to in this procedure as Digital Evidence Management Software (DEMS).

## **4 Upkeep of Equipment**

It is the responsibility of the Senior Warden and/or the Environmental Health Manager to keep records of the serial numbers and location of the cameras in use within their service.

Individual Safer Neighbourhood Wardens will be issued with their own BMV. Any malfunction of the equipment must be reported immediately by the Warden to either the Senior Safer Neighbourhood Warden or the Environmental Health Manager.

The Environmental Health service will be responsible for the upkeep of the cameras, including the cost of any repairs or damage to equipment.

It will be the responsibility of Senior Neighbourhood Warden to ensure that there are sufficient recordable DVDs available for use. If staff notice that resources are running low they should notify the Senior Neighbourhood Warden accordingly.

## **5 Training**

All Safer Neighbourhood Wardens will be trained and have access to BWV.

Training in the use of the BWV device and DEMS will be available via the Environmental Health Manager or Senior Safer Neighbourhood Warden.

In order to use BWV equipment officers should receive training in all necessary technical aspects of the specific equipment being used and its use. A training package for the equipment will include:

- Legal implications
- Practical use issues
- Evidential continuity
- Health and safety
- Diversity issues
- Professional standards

## **6 Equipment Issue**

When not in use all equipment will be securely stored in the evidence cupboard maintained by the Environmental Health service.

Individual BWVs will be allocated to specified Safer Neighbourhood Wardens. A record will be kept of the date when the device is issued and a signed receipt record will be retained.

The user must ensure it is working correctly prior to leaving the station, check that the battery is fully charged and the date and time stamp is accurate.

## **7 Recording an Incident**

The following is guidance on the use of BWV when recording incidents.

### **1. Decide**

The guiding principles for BWV uses are;

- Safer Neighbourhood Wardens will wear BWV when on operational duty.
- The camera should be switched on when footage might support 'professional observation' or would corroborate what would be written in a pocket book.
- The decision to record or not to record any incident remains with the user.



- The user should be mindful that failing to record incidents that are of evidential value may require explanation in court.

## **2. Start recording early**

It is evidentially important to record as much of an incident as possible; therefore recording should begin at the earliest opportunity from the start of an incident.

## **3. Recordings to be Incident Specific**

Recording must be incident specific. Users should not indiscriminately record entire duties or patrols and must only use recording to capture video and audio at incidents that would normally be the subject of pocket notebook (PNB) entries or as 'professional observation', whether or not these are ultimately required for use in evidence. There are a few instances where recording should not be undertaken and further guidance on when not to record is included later in this section.

## **4. Talk**

At the commencement of any recording the user should, where practicable, make a verbal announcement to indicate why the recording has been activated. If possible this should include:

- Date, time and location
- Confirmation, where practicable, to those present that the incident is now being recorded using both video and audio

## **5. Inform**

If the recording has commenced prior to arrival at the scene of an incident the user should, as soon as is practicable, announce to those persons present at the incident that recording is taking place and that actions and sounds are being recorded. Specific words for this announcement have not been prescribed in this guidance, but users should use straightforward speech that can be easily understood by those present, such as, "I am wearing and using body worn video".

## **6. Collateral intrusion**

In so far as is practicable, users should restrict recording to areas and persons necessary in order to obtain evidence and intelligence relevant to the incident and should attempt to minimise collateral intrusion to those not involved.

## **7. Private dwellings**

In private dwellings, users may find that one party objects to the recording taking place. In such circumstances users should make a judgement about whether to continue based on the specific circumstances. Considerations in reaching this decision will include;

- That an incident has occurred requiring Wardens or other Authorised Officers to attend;
- The requirement to secure best evidence of any offences that have occurred, whether this is in writing or on video and the video evidence will be more accurate and of higher quality and therefore in the interests of all parties;

- Continuing to record would safeguard both parties with true and accurate recording of any significant statement made by either party;
- An incident having previously taken place may reoccur in the immediate future;
- Continuing to record will safeguard the user against any potential allegations from either party.

### **8. Sensitivities connected with faith.**

The filming in domestic circumstances could be an issue with some faiths. An example may be where the female may not have a face covering within the home. Users should be aware of this fact and be sensitive to the wishes of those involved in these cases.

### **9. Do not interrupt filming.**

Unless specific circumstances dictate otherwise (see below) recording must continue uninterrupted from commencement of recording until the conclusion of the incident or resumption of general patrolling.

### **10. Concluding filming.**

It is considered advisable that the user continues to record for a short period after the incident to clearly demonstrate to any subsequent viewer that the incident has concluded and the user has resumed other duties or activities.

Recording may also be concluded when the user attends another area where other recording devices are able to take over the recording.

Prior to concluding recording the user should make a verbal announcement to indicate the reason for ending the recording this should state:

- Date, time and location
- Reason for concluding recording

### **11. Don't delete!**

Any recorded image must not be deleted by the recording user and must be retained as required by the procedures. Any breach of the procedures may render the user liable to disciplinary action or adverse comment in criminal proceedings.

## **8 Selective Capture and Bookmarking**

Selective capture does not involve deletion of any images, merely the user making a choice of when to record and when not to record. It also describes the process of temporarily stopping and restarting recording in order to 'bookmark' the recorded footage.

There are no circumstances in which the deletion by the user of any images already recorded can be justified and any such action may result in legal or disciplinary proceedings.

### **Selective Capture**

In general the BWV user should record entire encounters from beginning to end without the recording being interrupted. However the nature of some incidents may make it necessary for the user to consider the rationale for continuing to record throughout entire incidents.

For example the recording may be stopped in cases of a sensitive nature or if the incident has concluded prior to the arrival of the user. In all cases the user should exercise their professional judgement in deciding whether or not to record all or part of an incident.

In cases where the user does interrupt or cease recording at an ongoing incident they should record their decision in a PNB or similar log including the grounds for making such a decision.

### **Bookmarking**

In recording an incident it is likely that BWV users will encounter victims, offenders and witnesses as well as recording the visual evidence at the scene itself. Bookmarking is a means by which users may separate encounters with each of these types of person or occurrence in order to allow for easier disclosure at a later time. For example if a user has recorded an encounter with a witness including disclosure of their name and address this section should not be shown to the suspect or their legal representative.

It is recognised that bookmarking is not always practicable due to the nature of incidents and therefore this should only be attempted if the situation is calm and the operator is easily able to undertake this procedure.

Prior to any temporary suspension for the purpose of bookmarking the user should make a verbal announcement for the purpose of the recording to clearly state the reason for suspending recording. The user should also announce that they have recommenced recording at the same incident as before.

The bookmarking process will be demonstrated on the final whole recording by a missing section of a few seconds. In creating the master disk exhibit for court the user must include all bookmarked sections for the incident as one complete master recording of the incident.

## **9 Witness First Accounts**

If the BWV user is approached by victims or witnesses who are giving their first account of the incident the user may record the encounter using BWV but this should be considered against the needs of the individual with due sensitivity to the nature of the offence being reported. Any initial disclosure from victims and witnesses recorded by BWV should be treated as an evidential recording and submitted to the investigating officer.

Such recordings do not replace the need for formal written statements from victims or witnesses but they can be used as supporting evidence for the statements and can also be considered as hearsay evidence and used in accordance with the provisions of the Criminal Justice Act 2003.

If this recording amounts to the victim's first notes or initial description of suspects they may refer to the relevant section of the video when making their written statement. Care must be taken to ensure that only the witnesses account is reviewed by the witness and they must not be allowed access to other sections of the recording. The extent of any review by the witness to assist with making their statement must also be recorded in their statement.



Care should be taken to ensure that should a victim or witness provide a 'first description' of the offender on video, that this fact should be recorded and submitted to the investigating officer.

If the victim does not consent to being video recorded the user may consider the option to divert the camera away from the victim, or obscuring the lens and then record the encounter using the audio only facility. Again, in these circumstances the explicit consent of the victim must be obtained prior to audio only recording.

Initial accounts from the victim should be limited to asking about:

- Nature of the incident
- Identity of the suspect (if known)
- Location of the suspect (if known)
- First description of the suspect
- Time of the offence in order to prioritise action
- Location of the incident scene(s)
- Activities since the offence took place
- Identity of any other person(s) informed of the incident by the victim
- Identity or existence of any witness(es) to the incident or to events immediately prior to or after the offence

## **10 Recording of Interviews**

BWV should not be used to record interviews of suspects under caution which occur at the Councils premises. It may be used to record interviews which take place other than at Authority premises. However, recording of interviews under such circumstances does not negate the need for them to be recorded contemporaneously. There is no provision within the Police and Criminal Evidence Act 1984 for this.

BWV can and should be used to capture hearsay evidence. An example of this is where a witness give his/her account of a suspected fly tippers actions to an investigating officer, in the presence and hearing of the suspect.

## **11 Scene Review**

An additional use of BWV is to record the location of objects and evidence at the scene of a crime or incident.

If reviewing a scene this should be treated as an evidential recording and where possible the officer should provide a running commentary of factual information to assist later viewers.

## **12 Limitations on Use**

BWV is an overt recording medium and can be used across a wide range of incidents. There are a few examples of situations where the use of BWV is not appropriate. In all cases users and supervisors must use their professional judgement with regard to recording.

The following examples of where the use of BWV is not appropriate are for guidance only and this list is not exhaustive.

**Legal privilege** - users must be careful to respect legal privilege and must not record material that is or is likely to be subject of such protections.

**Private dwellings** - users must consider the right to private and family life, in accordance with Article 8 of the Human Rights Act, and must not record beyond what is necessary for the evidential requirements of the case.

**Explosive devices** - like many electrical items, BWV cameras could cause electrostatic interference which may trigger explosive devices. Therefore, BWV equipment **MUST NOT** be used in an area where it is believed that explosive devices may be present.

## **13 Audit Trail**

An audit trail is covered by use of the DEMS.

## **14 Production of Exhibits**

All footage recorded to the BWV unit will be downloaded at the end of the officer's shift. Officers should return the units to their home station.

Evidential footage downloaded will be saved on the relevant stand-alone BWV computer as per the approved procedure. It will be identified by exhibit number, incident type, name(s) of any accused person(s) and the Civica case reference, if appropriate.

Evidential footage will be considered any data that is:

- Evidence of an offence
- Supporting evidence for any process - i.e. criminal charge, Fixed Penalty Notice, etc.
- Footage that is required for a relevant and proportionate enforcement purpose - i.e. Footage of youths involved in Anti-Social Behaviour to be passed on to Policing partners.

Data will not be downloaded from the BWV to any device other than the dedicated stand-alone BWV computer provided.

DEMS will be used to book out BWV units.

Data downloaded as non-evidential will be stored on DEMS for 30 days. During that time it is searchable and can be retrieved and marked as evidential. After this period it will be automatically deleted.

As soon as reasonably practical, the user will make two DVD copies. The first will be a 'master copy' which will be sealed, labelled and entered into the secure evidence store. The second will be a 'working copy' for investigation and file preparation purposes. DVDs should be retained in line with Authority policy.

If the 'working' copy contains any sensitive information, i.e. witness details, and has not been sanitised, it will be clearly marked it 'Do not disclose'.

BWV is supporting evidence and users will be required to provide written statements which must include the audit trail for the capture of the footage and the subsequent production of the master disc/DVD. This can be complied with through DEMS. A separate statement detailing evidence not captured on BWV should be supplied to the investigation.

For details of what to include in a statement users should consult with the Senior Neighbourhood Warden or Environmental Health Manager or Legal Services.

In order that the recorded evidence can be presented in court the master copy must be preserved as an exhibit. It is recommended for reasons of security that this takes place as soon as practicable after the footage is recorded. Users should wipe the BWV memory at the end of a working shift or prior to starting the next working shift.

Where more than one BWV device is present at the scene of an incident or the area of the incident is also covered by a CCTV system the officer in the case (OIC) must ensure that all available footage of the incident is secured as exhibits in consideration of any defence arguments that may be present.

Latest version

Version Number	Date of Issue	Author(s)	Brief Description of Change(s)
1	10/09/2015	MHO	First version

Storage Location(s) S:\Health\SNW\Body Worn Cameras



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REPORT TO:	ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE	AGENDA ITEM: 13
DATE OF MEETING:	19 NOVEMBER 2015 <b>FIRST DRAFT</b>	CATEGORY: DELEGATED
REPORT FROM:	FRANK McARDLE CHIEF EXECUTIVE	OPEN
MEMBERS' CONTACT POINT:	MIKE ROYLANCE (ext. 5725) <a href="mailto:mike.roylance@south-derbys.gov.uk">mike.roylance@south-derbys.gov.uk</a>	DOC:
SUBJECT:	SOUTH DERBYSHIRE ECONOMIC DEVELOPMENT STRATEGY	REF:
WARD(S) AFFECTED:	ALL	TERMS OF REFERENCE: EDS03, EDS10 & EDS11

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## **1.0 Recommendations**

- 1.1 It is recommended that the Committee supports the development of a new South Derbyshire Economic Development Strategy and that Members contribute their views.

## **2.0 Purpose of Report**

- 2.1 To seek Member's support for a new Economic Development Strategy for the District.

## **3.0 Detail**

### **Background**

- 3.1 In 2013 Members approved the South Derbyshire Economic Development Statement which carried forward the vision and objectives set out in the earlier South Derbyshire Economic Development Strategy (2008-2012). It is now proposed to refresh the Strategy in the light of recent changes in local economic conditions and economic development structures and policies.
- 3.2 The context for the new Strategy will be guided by a number of existing strategy documents, including the following.

### **D2N2 Local Economic Partnership**

- 3.3 D2N2's vision is to become a more prosperous, better connected, and increasingly competitive and resilient economy, at the heart of the UK economy, making a leading contribution to the UK's advanced manufacturing and life sciences sectors and generating significant export earnings for UK plc. It will create a D2N2 which provides

a great place to live, work and invest.

- 3.4 D2N2's Growth Strategy 2013-2023 set out one single target – to support the creation of an additional 55,000 private sector employee jobs in D2N2 by 2023, shifting the balance to more private sector jobs. Every action proposed in the Strategic Economic Plan will help it to move towards this target, by inspiring economic growth and supporting firms to innovate, invest, export, grow and create sustainable jobs.
- 3.5 The Strategic Economic Plan (2014) states that D2N2 will invest in five strategic priorities:
- Business support and access to finance
  - Innovation
  - Employment and skills
  - Infrastructure for economic growth
  - Housing and regeneration

### **Derbyshire Economic Partnership**

- 3.6 The Derbyshire Economic Strategy Statement (2014) sets out an economic vision for Derbyshire, 'Supporting economic growth in tomorrow's Derbyshire: preserving what makes the County special and promoting activity that is inclusive to all regardless of geography or economic disadvantage'.
- 3.7 The Statement sets out an analysis of Derbyshire's key strengths, assets, challenges and opportunities together with a framework for growth based upon three Strategic Themes:
- Boosting investment and place-making - particularly in relation to digital connectivity and infrastructure investment, unlocking development potential, attracting inward investment and increasing the vitality of towns.
  - Fostering enterprise and business growth - particularly in relation to entrepreneurship, productivity and both the visitor and rural economy.
  - Creating the workforce to support growth - particularly in relation to skills, increasing the range and connectivity of opportunities and tackling disadvantage.

### **National Forest Company**

- 3.8 The National Forest Strategy 2014-2024 states that by 2024, the Forest will be a transformed landscape across 200 square miles of the heart of England: Enjoyed by everyone; Economically vibrant; Celebrated for its quality; and, Sustainable into the future. Key objectives for the Forest (2014-2019) are as follows:
- Forest cover is increasing and, at the same time, forest sites are well-managed for tree health, climate change, people, beauty and biodiversity.
  - The woodland economy grows in line with the maturing forest and sustains good management.
  - An emerging visitor destination is promoted and nationally recognised.
  - The National Forest brand is adopted widely.
  - People from all backgrounds enjoy the forest more readily and experience it as a place for their health and well-being.
  - It matures as a national exemplar of excellence, a test bed for research.

## **Consultation**

3.9 Alongside the review of the policy context and analysis of available socio-economic data, a programme of consultation will capture the views of businesses, individuals and organisations, including the following:

- business survey and workshop
- partner organisations, including Sustainable Development Group workshop
- public consultation

### **4.0 Financial Implications**

4.1 There are no specific financial implications arising from this report.

### **5.0 Corporate Implications**

5.1 The Economic Development Strategy will contribute directly to the Corporate Plan's vision to 'make South Derbyshire a better place to live, work and visit' and to the theme of 'Sustainable Growth & Opportunity – strengthening South Derbyshire's economic position within a 'clean' and sustainable environment'.

### **6.0 Community Implications**

6.1 The Economic Development Strategy will contribute directly to the South Derbyshire Partnership's Sustainable Community Strategy vision of 'a dynamic South Derbyshire, able to seize opportunities to develop successful communities, whilst respecting and enhancing the varied character of our fast growing district'. 'Sustainable Development' is highlighted as a key theme, with the aim of achieving 'sustainable existing and new communities that meet the population's needs and aspirations.

### **7.0 Conclusions**

7.1 The previous Economic Development Strategy and Statement set the vision and direction for a successful period in which the number of jobs and businesses has grown and unemployment has fallen in South Derbyshire. With recent changes in economic development structures and policies and local economic conditions, it is now timely to refresh the District's Economic Development Strategy.

### **8.0 Background Papers**

8.1 South Derbyshire Economic Development Statement 2013  
South Derbyshire Economic Development Strategy 2008-2012



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<b>REPORT TO:</b>	<b>ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE</b>	<b>AGENDA ITEM: 14</b>
<b>DATE OF MEETING:</b>	<b>19 NOVEMBER 2015</b>	<b>CATEGORY: DELEGATED</b>
<b>REPORT FROM:</b>	<b>DIRECTOR OF COMMUNITY &amp; PLANNING SERVICES / DIRECTOR OF HOUSING &amp; ENVIRONMENTAL SERVICES / CHIEF EXECUTIVE</b>	<b>OPEN</b>
<b>MEMBERS' CONTACT POINT:</b>	<b>STUART BATCHELOR (ext. 5820) MIKE HAYNES (ext. 5775) FRANK MCARDLE (ext. 5700)</b>	<b>DOC:</b>
<b>SUBJECT:</b>	<b>CORPORATE PLAN 2009-15: PERFORMANCE MANAGEMENT REPORT (1 July – 30 SEPTEMBER 2015)</b>	
<b>WARD (S) AFFECTED:</b>	<b>ALL</b>	<b>TERMS OF REFERENCE: G</b>

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## **1.0 Recommendations**

- 1.1 That progress against performance targets is considered and approved.

## **2.0 Purpose of Report**

- 2.1 To report details of progress during the period 1 July to 30 September 2015, in relation to the Council's Corporate Plan 2009 –2015, which are relevant to this Committee under the 'Sustainable Growth & Opportunity' theme. Please note that until the new Corporate Plan is agreed, the progress for Quarter 2 is measured against performance targets set in the Council's Corporate Plan for period 2009 –2015.

## **3.0 Detail**

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

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

- 3.2 Details are provided in the following appendices:

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

- 3.3 During the second quarter (1 July to 30 September) all targets for relevant projects and performance measures were achieved or were on track, apart from GP07 – progress the South Derbyshire Local Plan. More details can be found in Appendix A.

#### **4.0 Financial Implications**

- 4.1 None directly.

#### **5.0 Corporate Implications**

- 5.1 None directly.

#### **6.0 Community Implications**

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

## Appendix A: Sustainable Growth & Opportunity: Projects 2015/16 Q2

GP 01 - Enhance the vitality of the district's town centres			
Quarter	Task	Progress	Status
1	3 x Events supported	Three Farmers' Markets held, together with a Market at South Derbyshire Festival of Leisure. Expanded Festival of Transport supported attracting several thousand visitors. 'Love Your Local Market' event held to coincide with the National Association of British Market Authorities initiative.	Achieved
2	3 x Events supported	Three Farmers' Markets held, together with a pilot Antique, Collectables & Vintage Fair. Swadlincote town centre Scarecrow Hunt supported, with more than 40 businesses and organisations taking part.	Achieved
3	3 x Events supported		
4	3 x Events supported		

GP 02 – Deliver the National Forest Partnership Action Plan			
Quarter	Task	Progress	Status
1	1 x Edition of 'What's On'	Summer & Autumn edition of 'What's On in South Derbyshire' published. The National Forest Walking Festival 2015 supported, with visitor numbers up on last year. 13,683 enquiries handled by Swadlincote Tourist Information Centre.	Achieved
2	1 x Event representation	South Derbyshire was promoted at visitor events over the summer including Derbyshire Day and The National Forest Wood Fair. 9,581 enquiries were supported by Swadlincote Tourist Information Centre.	Achieved
3	1 x Edition of 'What's On' and 1 x Guide published		
4	1 x Edition of 'What's On'		



## Appendix A: Sustainable Growth & Opportunity: Projects 2015/16 Q2

GP 03 – Promote inward investment and business development			
Quarter	Task	Progress	Status
<b>1</b>	1x Event Supported, 1x Publication prepared	Jobs and Careers Fair staged in larger venue, offering over 1,000 jobs and involving local primary and secondary schools for the first time. New edition of South Derbyshire Investment Gazette prepared.	<b>Achieved</b>
<b>2</b>	1x Publication prepared	Business Breakfast held at Mercia Marina, with more than 60 attendees. Rural Business Event supported at Hilton with D2N2 (Local Enterprise Partnership) to promote the new grant scheme for rural businesses. "Thinking of Starting a Business?" workshop held at Sharpe's. New edition of South Derbyshire Vacant Commercial Property Bulletin published.	<b>Achieved</b>
<b>3</b>	1x Event Supported, 1 x Publication prepared		
<b>4</b>	1 x Publication prepared		

GP 06 – Deliver the key actions contained within the Contaminated Land Inspection Strategy			
Quarter	Task	Progress	Status
<b>1</b>	Publish the Q1 contaminated land inspection report. Complete 1 phase 1 study of a high priority site.	Contaminated Land Inspection Strategy quarterly progress report submitted to E&DS Committee. SDDC directed Phase I study undertaken.	<b>Achieved</b>
<b>2</b>	Publish the Q2 contaminated land inspection report. Complete 2 Phase I studies of high priority sites.	Contaminated Land Inspection Strategy quarterly progress report submitted to E&DS Committee. SDDC directed Phase I study undertaken at Travis Perkins, based at the George Holmes Business Park in Swadlincote.	<b>Achieved</b>

## Appendix A: Sustainable Growth & Opportunity: Projects 2015/16 Q2

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

GP 07 – Progress the South Derbyshire Local Plan			
Quarter	Task	Progress	Status
1	Start the additional work requested by the Local Plan Inspector Continue work on drafting the Local Plan Part 2	Work has continued on the production of the viability and infrastructure as requested. Joint working with the other Housing Market Area authorities has continued and additional sustainability Appraisal work has been progressed. Research and drafting of Part 2 policies has continued.	Achieved
2	Complete and submit the additional work requested by the Local Plan Inspector Amended SA for Part 2 Plan sent to key stakeholders	The additional work has been completed and submitted. A joint hearing date has been agreed and an additional housing site included in the Plan for consultation. Work on Part 2 Plan continues but not ready for consultation.	Not Achieved
3	Undertake Local Plan reconvened hearings Start to finalise Local Plan Part 2		

## Appendix A: Sustainable Growth & Opportunity: Projects 2015/16 Q2

GP 07 – Progress the South Derbyshire Local Plan			
Quarter	Task	Progress	Status
4	Undertake modifications consultation and receive Inspectors report regarding soundness of the Plan Plan the consultation for the Local Plan Part 2		

GP 08 – Supporting our local communities in neighbourhood planning			
Quarter	Task	Progress	Status
1	Support interested communities	Designation of Repton Parish as a Neighbourhood Development Plan area approved at Committee. Meeting held with Melbourne regarding the information available for them to use in the production of its Neighbourhood Plan.	Achieved
2		A Neighbourhood Development Grant has been secured from the DCLG to support the Development Plan process for Melbourne. Funding is also being sought for Repton. Approaches have been made to other parishes to commence the neighbourhood planning process. None have been taken up so far.	Achieved
3			
4			

## Appendix B Sustainable Growth & Opportunity Performance Measures 2015/16 Q2 (1 July – 30 September 2015)

Outcome	Measure	Actual / Out turn 2014/15	Target Quarter 2 2015/16	Actual Quarter 2 2015/16	Quarter Status	Annual Target 2015/16	Status	Comments/ Remedial Action
GO 1 - Developing economic and employment opportunities	GM 01 -Total Rateable Value of business premises <b>(Proxy measure)</b>	£1,635,963	N/a	£56,483,203	Proxy	N/a	Proxy	
	GM 02 - Unemployment Rate <b>(Proxy measure)</b>	0.9%	N/a	0.6%	Proxy	N/a	Proxy	August 2015 data
GO 2 - Increasing recycling resulting in less waste being landfilled	GM 03 -Household waste collected per head of population (in Kgs). Cumulative.	508.75	<510 (annual target)	129.85%	Green	<510	Green	
	GM 04 - Percentage of all household waste recycled and composted	49.89%	>50%	51.62%	Green	>50%	Green	
	GM 05 - Percentage of kerbside collected household waste recycled and composted	N/a	N/a	N/a	N/a	N/a	N/a	Indicator is too similar to GM04 and does not add any value. Proposal is to delete this indicator.



## Appendix B Sustainable Growth & Opportunity Performance Measures 2015/16 Q2 (1 July – 30 September 2015)

Outcome	Measure	Actual / Out turn 2014/15	Target Quarter 2 2015/16	Actual Quarter 2 2015/16	Quarter Status	Annual Target 2015/16	Status	Comments/ Remedial Action
GO 3 - Sustainable Planning	GM 06- Net additional commercial / employment floor space created (hectares) <b>(Proxy measure)</b>	15.81 hectares	N/a	N/a	Proxy	3.1 hectares (excluding the Derby Urban Area)	Proxy	Monitoring will be undertaken during 2015/16, with a figure to be reported at the end of the financial year.
	GM 07 - Net additional homes provided <b>(Proxy measure)</b>	420	N/a	N/a	Proxy	726	Proxy	Monitoring will be undertaken during 2015/16, with a figure to be reported at the end of the financial year.
	GM 08 - Speed of Planning applications	N/a	85%	86%	Green	85%	Green	
	GM 09 - Number of quality development schemes delivered	100%	N/a	N/a	Amber	90%	Amber	Monitoring will be undertaken during 2015/16, with a figure to be reported at the end of the financial year.
	GM 10- Satisfaction with the Planning application process	N/a	N/a	N/a	N/a	N/a	N/a	Limited response to electronic survey. Other formats being considered.

## Appendix C: Sustainable Growth & Opportunity - Managing Risks– As at 30 June 2015

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

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<b>REPORT TO:</b>	<b>ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE</b>	<b>AGENDA ITEM: 15</b>
<b>DATE OF MEETING:</b>	<b>19<sup>TH</sup> NOVEMBER 2015</b>	<b>CATEGORY: DELEGATED</b>
<b>REPORT FROM:</b>	<b>DIRECTOR OF COMMUNITY AND PLANNING SERVICES DIRECTOR OF HOUSING AND ENVIRONMENTAL SERVICES</b>	<b>OPEN</b>
<b>MEMBERS' CONTACT POINT:</b>	<b>STUART BATCHELOR (Ext. 5820) MIKE HAYNES (Ext. 5775)</b>	<b>DOC:</b>
<b>SUBJECT:</b>	<b>WORK PROGRAMME 2015/16</b>	<b>REF:</b>
<b>WARD(S) AFFECTED:</b>	<b>ALL</b>	<b>TERMS OF REFERENCE: N/A</b>

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## **1.0 Recommendations**

1.1 That the Committee considers and approves the updated work programme.

## **2.0 Purpose of Report**

2.1 The Committee is asked to consider the updated work programme.

## **3.0 Detail**

3.1 Attached at Annexe 'A' is an updated work programme document. The Committee is asked to consider and review the content of this document.

## **4.0 Financial Implications**

4.1 None arising directly from this report.

## **5.0 Background Papers**

5.1 Work Programme.

**Environmental & Development Services Committee – 19th November 2015**  
**Work Programme 2015/16**

<b>Work Programme Area</b>	<b>Date of Committee meetings</b>	<b>Anticipated completion date</b>	<b>Submitted to Council target date</b>	<b>Contact Officer (Contact details)</b>
Proposed Revisions to the South Derbyshire Off Street Parking Order	19th November 2015			Matt Holford Environmental Health Manager (01283 595856)
Body Work Video Cameras	19 <sup>th</sup> November 2015			Matt Holford Environmental Health Manager (01283 595856)
Adoption of Dog Day Care Boarding Establishment conditions	19 <sup>th</sup> November 2015			Emma McHugh Senior Licensing Officer (01283 595716)
Adoption of CCTV in Private Hire Vehicles Policy	19 <sup>th</sup> November 2015			Emma McHugh Senior Licensing Officer (01283 595716)
South Derbyshire Economic Development Strategy	19 <sup>th</sup> November 2015			Mike Roylance Economic Development Manager (01283 595 725)
Local Plan Part 2	19th November 2015			Nicola Sworowski Planning Policy Manager 01283 595983
Heritage Lottery Fund-Swadlincote Townscape	19 <sup>th</sup> November 2015			Nicola Sworowski Planning Policy Manager 01283 595983
Corporate Plan 2009 – 15 Performance Management Report – (1 July – 30 September 2015)	19 <sup>th</sup> November 2015			Keith Bull Head of Communications (01283 228705)
Restructuring The Direct Services Operation	19 <sup>th</sup> November 2015			Mike Haynes Director of Housing & Environmental Services (01283 595775)



Economic Development Strategy	7th January 2016			Mike Roylance Economic Development Manager (01283 595 725)
Public Spaces Protection Order – Consultation Feedback and Decision	7 <sup>th</sup> April 2016			Matt Holford Environmental Health Manager (01283 595856)