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Our Ref
Your Ref

Date: 19 May 2023

Dear Councillor,

Environmental and Development Services Committee

A Meeting of the **Environmental and Development Services Committee** will be held at **Council Chamber**, Civic Offices, Civic Way, Swadlincote on **Tuesday, 30 May 2023** at **18:00**. You are requested to attend.

Yours faithfully,

Chief Executive

To:- **Labour Group**

Councillor Taylor (Chair), Councillor Storey (Vice-Chair) and
Councillors Archer, Hudson, Jackson, Redfern, Stuart and A Tilley.

Conservative Group

Councillors Fitzpatrick, Haines and Watson.

Non-Grouped

Councillor Wheelton.



AGENDA

Open to Public and Press

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

11 August 2022 **4 - 10**

22 September 2022 **11 - 15**

10 November 2022 **16 - 20**

03 January 2023 **21 - 23**

26 January 2023 **24 - 28**
- 3** To note any declarations of interest arising from any items on the Agenda
- 4** To receive any questions by members of the public pursuant to Council Procedure Rule No.10.
- 5** To receive any questions by Members of the Council pursuant to Council procedure Rule No. 11.
- 6** CORPORATE PLAN 2020-24 PERFORMANCE REPORT (2022-2023 QUARTER 4 - 1 APRIL TO 31 MARCH) **29 - 78**
- 7** THE DEPARTMENT FOR LEVELLING UP, HOUSING AND COMMUNITIES CONSULTATION ON THE PROPOSED INFRASTRUCTURE LEVY **79 - 116**
- 8** EAST MIDLANDS AIRPORT DRAFT NOISE ACTION PLAN **117 - 119**
- 9** THE DEPARTMENT FOR LEVELLING UP, HOUSING AND COMMUNITIES CONSULTATION ON ENVIRONMENTAL OUTCOMES REPORT **120 - 147**

Exclusion of the Public and Press:

- 11 The Chairman may therefore move:-
That in accordance with Section 100 (A)(4) of the Local Government Act 1972 (as amended) the press and public be excluded from the remainder of the Meeting as it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that there would be disclosed exempt information as defined in the paragraph of Part I of the Schedule 12A of the Act indicated in the header to each report on the Agenda.
- 12 To receive the Exempt Minutes of the following Meetings:
22 September 2022
10 November 2022
26 January 2023
- 13 To receive any Exempt questions by Members of the Council pursuant to Council procedure Rule No. 11.

ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE

11 August 2022

OPEN

Labour Group

Councillor Taylor (Chair), Councillor Pegg (Vice Chair) and Councillors, Heath, Singh, Southerd and Tilley

Conservative Group

Councillors Ackroyd (Substitute for Cllr Redfern), Brown, Dawson, Fitzpatrick, Haines and Lemmon

Non-Grouped

Councillor Wheelton

EDS/10

APOLOGIES

The Committee was informed that apologies have been received from Councillor Redfern (Conservative Group) and Councillor Singh (Labour Group).

EDS/11

DECLARATIONS OF INTEREST

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

EDS/12

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/13

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.

MATTERS DELEGATED TO COMMITTEE**EDS/14 CORPORATE PLAN 2020-24: PERFORMANCE REPORT (2022-2023 QUARTER 1 – 1 APRIL TO 30 JUNE)**

The report was introduced to the Committee by the Chief Executive who highlighted the impact of the Covid Pandemic.

The Head of Environmental Services addressed the Committee and gave an update of the service area noting that the e log reading had helped with the regulatory action.

The Head of Planning and Strategic Housing informed the Committee how targets had been impacted by recruitment and retention issues. The Committee was updated regarding planning applications being dealt with by the Planning Team and was advised that regular updates would be reported to the Committee.

Members requested an update on the appointment of the Tree officer.

The Chief Executive advised that an exit strategy had been looked into for the existing Tree Officer and the recruitment for a replacement and timeframes were to be confirmed.

RESOLVED:

1.1 The Committee approved progress against performance targets set out in the Corporate Plan 2020 - 2024.

1.2 The Committee reviewed the Risk Register for the Committee's services.

EDS/15 ANNUAL REVIEW OF THE COUNCIL'S CLIMATE AND ENVIRONMENT ACTION PLAN (2021-30)

The Climate and Environment Officer presented the report to the Committee giving updates on Carbon Emissions and the review of Audit recommendations. It was noted that the in house carbon emissions had reduced from 2018/19 to 2021/22 which was in part due to the replacement of refrigerants, the increase in a low carbon fleet that included the use of Hydrogen and the installation of Electric Vehicle charging points. The Committee was informed that carbon emissions had increased in 2022 due to staff returning to the office.

Members commended the report and raised queries regarding Green Bank Leisure Centre and suggested a quarterly update report on the Climate Change Policy.

The Chief Executive confirmed that the new Head of Cultural and Community Services would be responsible for the Climate Change Policy update report.

The Climate and Environment Officer informed the Committee that following an audit there was a 25 point plan drawn up to make improvements at Green Bank Leisure Centre.

RESOLVED:

- 1.1 The Committee noted the current progress made in reducing carbon emissions as described in the 2021/22 Annual Carbon Reduction Progress Report, attached as Appendix 1 to the report.***
- 1.2 The Committee approved the recommendations set out in the Annual Review of the Climate and Environment Action Plan 2021-30 attached as Appendix 2 to the report.***
- 1.3 The Committee approved the proposed amendments to the Climate and Environment Action Plan attached as Appendix 3 to the report.***
- 1.4 The Committee welcomed the innovative approach that the Council was taking in reviewing its Climate and Environment Action Plan 2021-30 (hereafter referred to as 'C&E Action Plan'). To ensure continuous improvements are made, new priorities are to be set and achievements to be recognised in the Council's journey to reach its carbon neutral commitments.***
- 1.5 The Committee acknowledged that there were co-benefits of reducing carbon emissions, the most significant being the reduction in energy consumption. This co-benefit was recognised at the current time of high energy costs for supporting energy efficiency and the reduction in energy costs.***
- 1.6 The Committee recognised that the carbon reductions achieved to date were encouraging, but that the reductions necessary to achieve the net zero commitment in the Climate Emergency will require difficult future decisions and significant investment and expenditure.***

EDS/16 ANNUAL ENFORCEMENT AND COMPLIANCE REPORT 2021-22

The Head of Environmental Services presented the report to the Committee highlighting key points within the report that included Covid Compliance, the increase of fly tipping during the pandemic, the backlog of food inspections and illegal dog breeding.

Members raised concerns regarding the foster carers for dogs, the cost to the Council and the management of non-traditional food businesses.

The Head of Environmental Services informed the Committee that independent checks were carried out by a fostering charity which reduced the Council's costs by 90%. It was explained that new food businesses would need to register and that officers gave advice and guidance on compliance and food hygiene.

Councillor Smith raised a query regarding littering.

The Head of Environmental Services confirmed that the standard fine was £75 but was reduced if payment was made within 30 days of the fine being issued.

RESOLVED:

1.1 The Committee noted the contents of the report and approved that the Council used its regulatory powers in a way proportionate to the demands for all regulatory services it provided.

EDS/17 ARCHAEOLOGICAL CONSULTANCY SERVICES

The Head of Planning and Strategic Housing presented the report summarising the key points and sought approval of the recommendations within the report noting an amendment to the date that should have read 31 March 2025.

RESOLVED:

1.1 The Committee agreed to the Council entering into a revised Service Level Agreement with Derbyshire County Council attached as per Appendix 1 to the report for the next three years to 31 March 2025 for the provision of archaeological services to assist in the determination of planning and other applications.

EDS/18 BIODIVERSITY CONSULTANCY SERVICES

The Head of Planning and Strategic Housing presented the report and noted that the Wildlife Trust had requested an extension to the end of July 2023. It was confirmed that the financial implications would be minor with a 3% uplift. It was explained that the Service Level Agreement gave a full year to see how well it worked and could be extended if necessary.

RESOLVED:

1.1 The Committee agreed to the Council entering into a revised Service Level Agreement with Derbyshire Wildlife Trust to 31 July 2023 attached as Appendix 1 to the report for the provision of biodiversity advice to assist in the determination of planning and other applications.

EDS/19 AMENDMENTS TO THE PLANNING APPLICATION VALIDATION PROCESS

The Head of Planning and Strategic Housing presented the report to the Committee outlining the proposal that would reduce the length of the process and have a list of approved planning agents, which would remove the need for checks prior to allocation to an office. It was noted that it would reduce the process time by two to three weeks and would put the onus on the planning agent to ensure the application was completed correctly.

Members raised concerns regarding the potential to cut corners and sought clarity regarding advice to agents.

The Head of Planning and Strategic Housing confirmed that there would be no risk of cutting corners and advised that the process should free up time for technicians. It was further confirmed that the website would be updated to reflect the new requirements

RESOLVED:

1.1 The Committee agreed the amendments to the planning application validation process as outlined in the main report

EDS/20 CENTRAL BUILDING CONTROL PARTNERSHIP PERFORMANCE REPORT

The Head of Planning and Strategic Housing presented the report and sought approval of the recommendations within the report.

RESOLVED:

1.1 The Committee endorsed the Partnership Board Report which provided a review of the performance for years 2 and 3 of the Central Building Control Partnership; and

1.2 The Committee delegated authority to the Strategic Director (Service Delivery) to confirm a continuation of the partnership arrangements with an annual update to the Committee to assess arrangements on an ongoing basis.

EDS/21 COMMITTEE WORK PROGRAMME

The Chief Executive presented the report to the Committee.

RESOLVED:

The Committee considered and approved the updated work programme

EDS/22 The Chairman may therefore move:

That in accordance with Section 100 (A)(4) of the Local Government Act 1972 (as amended) the press and public be excluded from the remainder of the Meeting as it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that there would be disclosed exempt information as defined in the paragraph of Part I of the Schedule 12A of the Act indicated in the header to each report on the Agenda.

EDS/23 EXEMPT QUESTIONS BY MEMBERS OF THE COUNCIL UNDER COUNCIL PROCEDURE RULE NO 11

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

The meeting terminated at 19:40 hours

COUNCILLOR TAYLOR

CHAIR

ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE

22 September 2022

OPEN

PRESENT:

Labour Group

Councillor Taylor (Chair), Councillor Pegg (Vice Chair) and Councillors, L Mulgrew, Rhind (substitute for Councillor Heath), Singh and Shepherd (substitute for Councillor Southerd)

Conservative Group

Councillors Brown, Fitzpatrick, Haines, Lemmon, Patten (substitute for Councillor Dawson) and Redfern

Non-Grouped

Councillor Wheelton

In attendance

Councillor Corbin and Councillor Gee

EDS/24 APOLOGIES

The Committee was informed that apologies had been received from Councillor Heath (Labour Group), Councillor Southerd (Labour Group) and Councillor Dawson (Conservative Group).

EDS/25 MINUTES

The Open Minutes of the Meetings held on 4 January 2022, 25 January 2022, 3 March 2022, 20 April 2022 and 26 May 2022 were noted and approved as a true record and signed by the Chair.

EDS/26 DECLARATIONS OF INTEREST

The Committee was informed that Councillor Patten declared a personal interest in the item EDS/31 by virtue of being a County Councillor.

The Committee was informed that Councillor Redfern declared personal interest in item EDS/31 by virtue of being a County Councillor.

EDS/27 **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/28 **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.

MATTERS DELEGATED TO COMMITTEE

EDS/29 **LOCAL PLAN ISSUES AND OPTIONS CONSULTATION AND DRAFT SCOPING REPORT**

The Report was presented to the Committee by the Head of Planning and Strategic Housing. It was noted that the working group which included Members and officers was to ensure that Members were informed and had time to look at the issues and options prior to the formal recommendations before the Committee.

It was noted that all parish councils would receive the documentation and some information had been sent in advance of the public consultation, it was further noted that all parishes would have sufficient time to provide information prior to any decisions.

The Head of Planning and Strategic Housing explained that the Scoping report was procedurally different and would be a technical assessment used as evidence to support to the Local Plan and prepare a sustainability appraisal. The Committee was informed of the consultation timeframes and that the consultation events would be spread geographically across the District.

Members commended the report and thanked the working group for the significant amount of work undertaken.

Councillor Wheelton raised queries regarding the working group, the timeframe for completion and the key issues within table G of the report.

The Head of Planning and Strategic Housing informed the Committee that the key issues within the report followed on from the previous local

plans, outlined the involvement of the working group and confirmed that consultation would be underway prior to the Christmas period.

Councillor Haines addressed the Committee and noted how well the working group had worked together and further to suggested amendments it was happy with the draft and thanked officers for their input.

Members expressed concern regarding the Scoping document as it had not been subject to scrutiny and noted the importance of Members having the opportunity to view the document.

The Head of Planning proposed that authority be delegated to the Chair of the Committee along with the Head of Planning and Strategic Housing in relation to the Issues and Options document and that final changes to the Scoping document followed any recommendations from the working group and noted that consultation would take place following the working group meeting.

Members sought clarity regarding the consultation with residents.

The Head of Planning and Strategic Housing informed the Committee that the Council had a database of residents who had expressed an interest in the local plans who would be contacted and that all parishes would be emailed to notify them of when consultation events would take place in their area. It was noted that documents would also be available online and hard copies available at the events. In addition, hard copies would be available in libraries and at the Civic Offices and officers would also be available at the Civic Offices during office hours on a Tuesdays and Wednesdays during the consultation period.

Members raised concerns regarding consultation in rural areas and hard to reach residents and noted that a variety of communication routes should be used.

The Chair noted the comments regarding communication with residents.

RESOLVED:

- 1.1 *The Committee authorised the Local Plan Issues and Options document attached as Appendix 1 to the report for public consultation in accordance with Regulation 18 of The Town and Country Planning (Local Planning) (England) Regulations 2012.***

1.2 The Committee authorised the publication of the associated draft Scoping Report document attached as Appendix 2 to the report, for a statutory five-week consultation with the ‘Consultation Bodies’ and other appropriate stakeholders.

1.3 The Committee granted delegated authority to the Chair of the Committee and the Head of Planning and Strategic Housing to agree any final changes required to the Issues and Options document, and to agree any final changes required to the draft Scoping Report document following a meeting of the Local Plan Working Group taking on board any recommendations therefrom.

EDS/27 **COMMITTEE WORK PROGRAMME**

The report was presented to the Committee.

RESOLVED:

The Committee considered and approved the updated work programme.

EDS/28 **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.

TO RECEIVE THE EXEMPT MINUTES OF THE FOLLOWING MEETINGS

The exempt minutes of the meetings held on 25 January, 3 March and 20 April 2022 were received by the Committee.

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

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

SOUTH DERBY GROWTH ZONE

The Committee approved the recommendations within the report.

The meeting terminated at 19:05 hours

COUNCILLOR TAYLOR

CHAIR

ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE

10 November 2022

OPEN

PRESENT:

Labour Group

Councillor Taylor (Chair) and Councillors, M Mulgrew, Rhind, Shepherd, Singh and Southerd

Conservative Group

Councillors Brown, Dawson, Fitzpatrick, Lemmon. Patten, and Watson

Non-Grouped

Councillor Wheelton

EDS/32 **APOLOGIES**

The Committee was informed that apologies have been received from Councillor Pegg and Councillor Heath (Labour Group) and Councillor Haines (Conservative Group)

EDS/33 **DECLARATIONS OF INTEREST**

The Committee was informed that Councillor Wheelton declared a personal interest regarding Item EDS/44.

EDS/34 **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/35 **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.

MATTERS DELEGATED TO COMMITTEE

EDS/36 **CORPORATE PLAN 2020-24: PERFORMANCE REPORT (2022-2023 QUARTER 2 – 1 APRIL TO 30 SEPTEMBER)**

The Chief Executive presented the report to the Committee and sought approval of the recommendations within the report.

Councillor Wheelton raised a query regarding biodiversity net gain in relation to planning applications.

The Head of Planning and Strategic Housing informed the Committee that Biodiversity Net Gain was requested on all major applications and whatever was considered to reasonable for smaller applications and that the Local Plan would also have to be taken into account.

Councillor Brown raised concern regarding the adoption of Sustainable Drainage Systems.

The Planning Policy Assistant advised the Committee that in the future Sustainable Drainage Schemes would only be adopted in the future following completion of works that agreed with Severn Trent. The Chief Executive addressed the Committee and confirmed that only those Sustainable Drainage Systems that were of an adoptable standard and previously agreed would be adopted by the Council.

RESOLVED:

1.1 The Committee approved progress against performance targets set out in the Corporate Plan 2020 - 2024.

1.2 The Risk Register for the Committee's services were reviewed.

EDS/37 **PUBLIC SPACES PROTECTION ORDERS**

The Head of Environmental Services presented the report to the Committee and outlined the key points within the report and sought approval of the recommendations.

Members raised queries regarding prosecutions for littering

The Head of Environmental Services informed the Committee that the Police and Crime Commission was considering the County wide littering issues but noted that they would have to be mindful of legalities.

RESOLVED:

1.1 The Committee approved the proposed three-year extension of seven Public Spaces Protection Orders for South Derbyshire as detailed in the report.

EDS/38 **APPROVAL OF THE INFRASTRUCTURE FUNDING STATEMENT 2021-22**

The Planning Policy Assistant presented the Report to the Committee noting the requirement to publish the statement annually that set out what Section 106 Agreement funding had been allocated and what was to be allocated. The Committee was informed that during the previous year the Council had entered into £3.4million worth of Section 106 Agreement funding and that it was estimated that in 2022/23 the Council would receive £6 million worth of Section 106 Agreement funding.

Members commended the report and thanked the Planning Policy Assistant for the work undertaken.

Members raised queries regarding updates on unspent funding and requested that Local Ward Members be copied in to communication with Parish Councils.

The Planning Policy Assistance advised the Committee that quarterly reports were shared with the Finance and Management Committee and regular updates could be shared with the Environmental and Development Services Committee.

RESOLVED:

1.1 The Committee approved the Infrastructure Funding Statement (IFS) for the 2021-22 financial year.

EDS/39 **PROPOSED BAN ON RELEASE OF BALLOONS ON SDDC LAND**

The Report was presented the Committee by the Head of Cultural and Community Services, who explained that the report was a follow up a ban on lanterns. The damage that could be caused and the injury inflicted to live stock and wildlife due to the balloons was highlighted. The Head of Cultural and Community Services sought approval of the recommendations within the report and explained how a national approach was required and that South Derbyshire District Council would be the first in Derbyshire to issue a statement that would hopefully encourage other councils to do the same.

Members commended the report and the work undertaken.

RESOLVED:

- 1.1 The Committee noted the environmental damage caused by balloon plastic, wire and string litter to livestock and wildlife. Also, Sky lanterns and balloons released posed a danger to aircraft.***
- 1.2 The Committee agreed to issue a statement that the deliberate or accidental release of balloons of any kind was not permitted on South Derbyshire District Council owned or managed land, to suggest alternative ways of fundraising or commemoration and insist that any balloons used at events should always be tied securely and disposed of appropriately. This was to be supported by educational messages on the unintended associated environmental impact of balloon releases.***
- 1.3 The Committee agreed that the report and recommendations be shared with Derbyshire County Council and Parish Councils who were significant landowners in the District to encourage similar statements.***

EDS/40 **COMMITTEE WORK PROGRAMME**

The Chief Executive presented the report and sought approval of the updated Committee Work Programme.

RESOLVED:

The Committee considered and approved the updated work programme.

EDS/41 **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 BY MEMBERS OF THE COUNCIL UNDER COUNCIL PROCEDURE RULE NO 11

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

COMMERCIALISATION RESTRUCTURE OF ENVIRONMENTAL SERVICES

RESOLVED

The Committee approved the recommendation within the report.

SHARED PROSPERITY FUND

RESOLVED

The Committee approved the recommendation within the report.

REVIEW OF PLANNING SERVICES STRUCTURE

RESOLVED:

The Committee approved the recommendation within the report.

The meeting terminated at 19:45 hours

COUNCILLOR TAYLOR

CHAIR

ENVIRONMENTAL AND DEVELOPMENT SERVICES
COMMITTEE – (Special Budget)

3 January 2023

OPEN

PRESENT:

Labour Group

Councillor Taylor (Chair)
and Councillors M Mulgrew, Shepherd (substituting for Councillor Heath),
Singh, Southerd and Tilley (substituting for Councillor Pegg).

Conservative Group

Councillors Brown, Dawson, Fitzpatrick, Haines, Patten (substituting for
Councillor Lemmon) and Watson.

Non-Grouped

Councillor Wheelton

In attendance

Councillor Smith

EDS/46 **APOLOGIES**

The Committee was informed that apologies had been received from
Councillors Heath and Pegg (Labour Group) and Councillor Lemmon
(Conservative Group).

EDS/47 **DECLARATIONS OF INTEREST**

The Committee was informed that no declarations had been made.

EDS/48 **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/49 **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.

MATTERS DELEGATED TO COMMITTEE

EDS/50 **SERVICE BASE BUDGETS 2023-24**

The report was presented to the Committee by the Head of Finance highlighting the larger spend areas of waste collection and other environmental services together with income from the provision of services. The Committee noted increased costs in fuel, waste disposal and vehicles.

The Chair noted the report and that a separate report on the Environmental Education Service would be welcome given the risks to funding in that area. Members raised questions regarding any approved new planning validation, savings or noticeable updates to the budget and that the Medium Term Financial Plan should be closely inspected. The Chair confirmed that the new Planning structure was at the implementation stage and that there were no figures available at this point in the process.

Members questioned the introduction of commercialisation to gain more income from Developers. The Chair confirmed that last year a good service was provided by Planning and that pre-application services fees needed to be reviewed.

Members queried the cost and performance of the Building Control Service as a concern and would any data be available to analyse the services delivered. The Strategic Director (Corporate Resources) confirmed that the Annual Report due in July would provide the trends and income from the consortium.

Members queried if there was a plan to look at Land Charges costs and the budget that had already been spent. The Strategic Director informed the Committee that this was still under review.

RESOLVED:

1.1 The Committee approved that the proposed income and expenditure revenue budget for the Committee's services for 2023/24 as detailed in Appendix 1 to the report, was considered and recommended to the Finance and Management Committee for approval.

1.2 The Committee considered and approved the proposed fees and charges as detailed in Appendix 2 to the report for 2023/24.

EDS/51 **COMMITTEE WORK PROGRAMME**

The Strategic Director (Corporate Resources) presented the report to the Committee.

Members requested that Committee dates be added to the items in the Work Programme.

RESOLVED:

The Committee considered and approved the updated work programme.

EDS/52

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.

EDS/53

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

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

The meeting terminated at 18:30 hours

COUNCILLOR TAYLOR

CHAIR

ENVIRONMENTAL AND DEVELOPMENT SERVICES
COMMITTEE

26 January 2023

OPEN

PRESENT:

Labour Group

Councillor Taylor (Chair) and Councillor Pegg (Vice-Chair) and
Councillors Heath, M Mulgrew, Singh and Southerd

Conservative Group

Councillors Brown, Dawson, Fitzpatrick, Haines, Lemmon and Watson.

Non-Grouped

Councillor Wheelton

In attendance

Councillor Gee
Councillor Smith

EDS/54 **APOLOGIES**

The Committee was informed that no apologies had been received.

EDS/55 **DECLARATIONS OF INTEREST**

The Committee was informed that no declarations had been made.

EDS/56 **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/57 **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.

MATTERS DELEGATED TO COMMITTEEEDS/58 **CORPORATE ENVIRONMENTAL SUSTAINABILITY GROUP**

The Head of Environmental Services presented the report to the Committee which gave an update of work carried out during the previous 12 months. The Committee was informed that the proposed amended terms of reference was the result of an audit request.

Members raised queries regarding training, staff travel and the use of electric bikes.

The Head of Environmental Services informed the Committee that internal training was to be considered and that staff travel figures would be updated following the 2022 Staff Travel Survey.

The Strategic Director (Service Delivery) addressed the Committee and confirmed that progress was being made regarding the use of electric bikes and that a report would be presented to the Committee in the future when necessary.

Members commended the report and the work that had been undertaken.

RESOLVED:

- 1.1. The Committee noted the progress made in improving the environmental performance of the Council further to the Committee establishing a Corporate Environmental Sustainability Group in August 2018.***
- 1.2. The Committee approved the amended terms of reference for the Corporate Environmental Sustainability Group.***
- 1.3. The Committee noted the content of the report and approved that the Corporate Environmental Sustainability Group was making good progress in delivering the environmental improvements contained within its terms of reference.***

EDS/59 **AUTHORITY MONITORING REPORT**

The report was presented to the Committee by the Head of Planning and Strategic Housing regarding progress the Council had made in relation to policies and the Local Plan. It was noted that the 5 year land supply and housing completions were good. The Head of Planning and Strategic Housing outlined the key points that included employment land take up, allocated housing sites requirements and a review being undertaken noting that housing figures and distribution would be included.

Members commended the report and congratulated the Council on the success of the 5 year plus housing plan and the delivery of 919 homes per year. Concern was raised by Members regarding the quality of builds, the infrastructure, the use of brownfield sites and affordable housing.

The Head of Planning and Strategic Housing confirmed that the quality of the housing was ensured and covered by policies. It was noted that dialogue had taken place with healthcare providers and that where necessary, commuted sums were paid to assist with the delivery of healthcare provision. It was noted that brownfield sites had been used predominantly for employment land but consideration would be given to the use for housing provision.

It was noted that where affordable housing was not possible then a commuted sum would be paid. The Head of Planning and Strategic Housing explained that it was the Council's intention to increase the amount of affordable housing and that new policies for housing would be considered.

RESOLVED:

1.1 The Committee noted the content of the Authority Monitoring Report (AMR) and authorised the publication of the document on the Council's website.

EDS/60 **DESIGNATION OF NEIGHBOURHOOD AREA**

The report was presented to the Committee by the Planning Policy Assistant regarding the request from Etwall Parish Council to enable them to create a Local Neighbourhood Plan. It was noted that there was no known reason why Etwall should not be designated as a neighbourhood area.

As a Local Ward Member Councillor Brown addressed the Committee in support of the application.

RESOLVED:

1.1. The Committee formally designated the Etwall Neighbourhood Area in accordance with the application from Etwall Parish Council.

EDS/61 **REVISION TO ACTION PLAN FOR NATURE WORK PROGRAMME**

The Head of Cultural and Community Services presented the report to the Committee and gave an overview of the Action Plan and the 5 key objectives and targets. Nature works and main schemes and projects were highlighted along with consideration of biodiversity net gain.

Members raised queries regarding the National Forest, grass verges and the role of the new biodiversity officer.

The Head of Cultural and Community Services addressed the Committee and confirmed that the Council worked closely with the National Forest, and that the planting of wild flowers in grass verges was to be expanded.

The Head of Planning and Strategic Housing informed the Committee it was the intention to expand the role of biodiversity with a parks and greens spaces officer.

RESOLVED:

1.1 The Committee acknowledged the work completed under the Action Plan for Nature (APN) Work Programme, during 2022.

1.2 The Committee approved the revised Work Programme for 2023 as per Appendix 1 of the report.

EDS/62 **TOYOTA CITY**

The Head of Economic Development and Growth addressed the Committee and summarised the report noting the importance of Toyota manufacturing in the area and how 90% of production was exported overseas. The Head of Economic Development and Growth outlined the history, friendships and benefits that Toyota brought to the area. The Committee was requested to consider and approve the recommendations within the report.

Members commended the report and the excellent partnership that the Council had with Toyota.

RESOLVED:

1.1 The Committee recognised the importance of the relationship with Toyota City to South Derbyshire, particularly in terms of inward investment and employment.

1.2 The Committee approved that the activities of the Toyota City Partnership Board continued to be supported.

1.3 The Committee approved that a one-off budget of £20,000 be allocated from General Fund Reserves to support the further development of the successful relationship for the benefit of the local economy.

EDS/63 **COMMITTEE WORK PROGRAMME**

The Strategic Director (Corporate Resources) presented the report to the Committee and confirmed that other reports would be added to the Work Programme once dates had been confirmed.

RESOLVED:

1.1 The Committee considered and approved the updated work programme.

EDS/64 **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 BY MEMBERS OF THE COUNCIL UNDER COUNCIL PROCEDURE RULE NO 11

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

ENVIRONMENTAL EDUCATION PROGRAMME (EEP) CONTRACTS AND FUNDING

The Committee approved the recommendations within the report.

The meeting terminated at 19:05 hours

COUNCILLOR TAYLOR

CHAIR

REPORT TO:	ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE	AGENDA ITEM: 6
DATE OF MEETING:	30 MAY 2023	CATEGORY: DELEGATED
REPORT FROM:	LEADERSHIP TEAM	OPEN DOC:
MEMBERS' CONTACT POINT:	HEIDI MCDUGALL (EXT. 5775)	
SUBJECT:	CORPORATE PLAN 2020-24: PERFORMANCE REPORT (2022-2023 QUARTER 4 – 1 APRIL TO 31 MARCH)	
WARD (S) AFFECTED:	ALL	TERMS OF REFERENCE: G

1.0 Recommendations

- 1.1 That the Committee approves progress against performance targets set out in the Corporate Plan 2020 - 2024.
- 1.2 That the Risk Register(s) for the Committee's services are reviewed.

2.0 Purpose of the Report

- 2.1 To report progress against the Corporate Plan under the priorities of Our Environment, Our People and Our Future.

3.0 Executive summary

- 3.1 The Corporate Plan 2020 – 2024 was approved following extensive consultation into South Derbyshire's needs, categorising them under three key priorities: Our Environment, Our People and Our Future. The Corporate Plan is central to the Council's work – it sets out its values and vision for South Derbyshire and defines its priorities for delivering high-quality services.
- 3.2 This Committee is responsible for overseeing the delivery of the key priorities and the following key aims:

Our Environment

- *Improve the environment of the District*
- *Tackle climate change*
- *Enhance the attractiveness of South Derbyshire*



Our People

- *Supporting and safeguarding the most vulnerable*

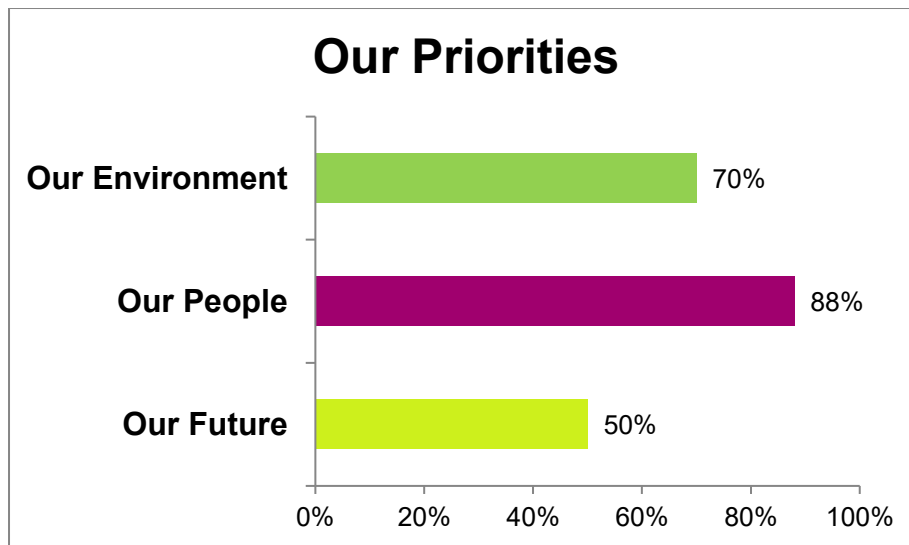
Our Future

- *Develop skills and careers*
- *Support economic growth and infrastructure*

4.0 Performance Detail

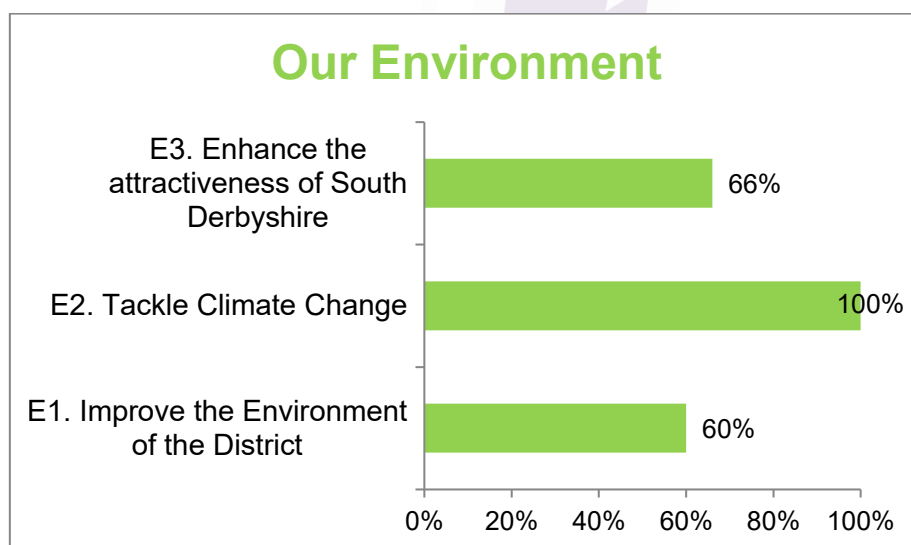
4.1 Overall Council performance against the priorities – Quarter four 2022-2023.

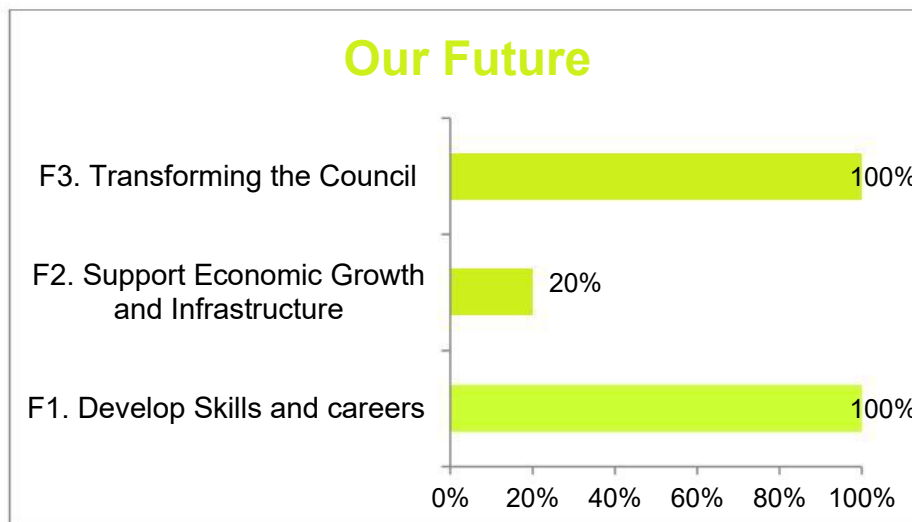
The below chart provides an overview for the percentage of measures that are on track to achieve the overall annual target.



4.2 Overall Council performance against key aims – Quarter four 2022-2023.

The below charts provide an overview for the percentage of measures that are on track to achieve the annual target within each key aim of the Corporate Plan.





4.3 Of the 35 measures which support the progress of the Corporate Plan 20-24, 23 are green, zero are amber, nine are red and three are grey.

Overall, 74% of the key aims within the Corporate Plan are on track to achieve the four-year target. As at quarter four, 70% of indicators are on track for Our Environment, 88% are on track for Our People and 50% are on track for Our Future.

4.4 This Committee is responsible for overseeing the delivery of 17 Corporate measures.

Below outlines the ten (59%) measures for this Committee that are on track (green, amber or grey) for the quarter:

- Household waste collected per head of population.
- Number of fly tipping incidents.



- Improve the quality of the District through the Local Environmental Quality Survey.
- Reduce South Derbyshire District Council carbon emissions.
- % of new homes to meet water efficiency targets as set out in the Part G optional standard of 110 litres of potable water usage per person per day.
- Increase Swadlincote Town Centre visitor satisfaction.
- Continue to undertake interventions per year to keep families out of fuel poverty.
- Deliver the objectives identified in the Supporting Aspirations Plan.
- Increase the number of Employee jobs in South Derbyshire.
- Secure new facilities and contributions through Section106 to mitigate impacts of development. Achieve all necessary highway, education, healthcare, and recreation contributions.

4.5 Below outlines the seven (41%) measures for this Committee that is not on track (red) for the quarter:

- % of collected waste recycled and composted.
- % of eligible new homes and commercial developments to achieve net gain in Biodiversity by a minimum of 10% compared to the site's predevelopment baseline.
- Proportion of good quality housing development schemes.
- Annual net growth in new commercial floorspace (sqm).
- Total Rateable Value of businesses in the District.
- Speed of decision on discharging conditions on housing applications.
- % of planning applications determined within the statutory period.

For more detailed information please refer to **Appendix B**, Performance Measure Report Index.

There have been a lot of successes over the past year, and these should be recognised. Below outlines key successes linked to the priorities and key aims this Committee is responsible for overseeing:

Our Environment

E2.1A Reduce South Derbyshire District Council carbon emissions.

- ✓ Since declaring a Climate Emergency, the Council has submitted bids totalling **£9,800,000** to seek to fund 18 different carbon reduction projects in the District.
- ✓ To date, these bids have succeeded in directing a total investment of **£7,123,000** into carbon reduction projects. These projects included:
 - Installing 42 publicly accessible EV charge points across six different Council car parks.
 - The Council completed two projects aimed at reducing carbon emissions and improving insulation in private sector housing. LAD1b and LAD2 Green Homes



Grants led to improvements being made to 66 properties occupied by low-income families living in energy inefficient houses. This equated to a total inward investment of £735,315 into reducing carbon emissions from privately owned homes in the District.

- D2N2 awarded innovation funding to the Council to run a pilot project to use two diesel / hydrogen hybrid refuse collection vehicles for household waste. The project development is complete, the vehicles have been delivered and are being operated as diesel vehicles for 3 months to obtain baseline data, the hydrogen hybrid kit will be fitted in late May 23. The final procurement exercise is for the hydrogen fuel supply and this is planned for the start of the trial in July 23.
- ✓ The Council published its first Carbon Reduction Progress Report which set out in some detail the story to date of the Councils journey to net zero.

E1.2A Number of fly tipping incidents.

- ✓ As a result of concerted efforts to deal with repeat fly tippers and to prevent access to fly tipping hot spots, incidents of fly tipping throughout the whole of 2022/23 was consistently lower than it has been for the previous four years.
- ✓ In September 2022 we were finally able to bring a prolific offender to court where he was given two consecutive 12-week prison sentences suspended for 12 months, ordered to undertake 180 hours of unpaid work, and ordered to pay costs and fines of £8,827.
- ✓ Two Public Spaces Protection Orders to limit access to fly tip hotspots were renewed in January 2023. These Orders have both reduced fly tipping at these hot spots by 90% since they were introduced.

E1.1A - Household waste collected per head of population.

- ✓ The lower rate of waste collected per household this year is a positive measure as this reduces overall costs from disposal.

E1.2B Improve the quality of the District through the Local Environmental Quality Survey

- ✓ Overall the District's cleanliness rating improved by 3%
- ✓ Improvements in the grades of litter, detritus, fly-posting and weeds.

E3.1A Enhance the appeal of Swadlincote town centre as a place to visit

- ✓ Public satisfaction with Swadlincote town centre has continued to rise.
- ✓ A major programme of town centre works got underway during the year and is ongoing, including: First floor frontage improvements to No's 5-15 West Street facing The Delph market square; The refurbishment of 1 High Street to create a Visitor Information Centre; The refurbishment of The Delph including restriction of unwanted vehicle access; and, The regeneration of the derelict Bank House/Sabine's Yard site to create addition free public car parking and a pocket park.



- ✓ Alongside this, a programme of marketing and events was undertaken to attract shoppers and visitors including festive activities in the run up to Christmas to support the town centre businesses, encompassing: The Lights before Christmas (switch on); a Festive Fun Day on Small Business Saturday; and a Festive Market. In addition, a Santa's Passport Trail encouraged participants to explore the town centre and its independent businesses.

Our People

P2.1B Fuel Poverty Reduction

- ✓ Over £250,000 of funding has been used to help some of the most vulnerable people living in private sector housing to deal with the fuel poverty crisis. This has resulted in direct help to 127 households found to be living with a significant risk of harm from housing hazards.
- ✓ LAD1b and LAD2 Green Homes Grants led to improvements being made to 66 properties occupied by low-income families living in energy inefficient houses, meaning that they are now living in warmer, safer homes which are cheaper to heat and emit less carbon.
- ✓ We estimate that there are 5,800 private rented properties in South Derbyshire. Every single private rented property in South Derbyshire which is known to the Council now meets new minimum legal standards for energy efficiency as a result of direct action by the Environmental Health Team.

Our Future

F2.2 Enable the delivery of housing across all tenures to meet Local Plan targets.

- ✓ 424 total applications have been determined between January and March 2023 (quarter four) with the majority of applications submitted in 2023 determined within timescales with no extension of time needed.
- ✓ Successfully recruited to the majority of vacant posts and introduced changes to area teams and application validation requirements both of which have assisted with the overall number of applications being progressed to a decision, and since January 2023 the majority being determined within 8 weeks.
- ✓ Undertook a major consultation into Local Plan issues and options in the Autumn 2022. Several well attended public drop-in sessions included with a substantial number of responses to the consultation.

F2.1 Encourage and support business development and new investment in the District

- ✓ The Council have paid out over £6.4 million worth of funding to residents and local businesses by successfully administering grant funding schemes such as the Household Support Fund, Energy Rebate Schemes and Covid Recovery Grants

F2. Support economic growth and infrastructure



- ✓ The Council Tax Collection rate for 22/23 was 97.96% (98%) this is the highest since 2019/20.
- ✓ The NNDR (National non-domestic rates) Collection rate for 22/23 was 99.03% (99%) this is the highest since 2009/2010. Both of which are huge achievements given the current economic climate.

4.6 An overview of performance can be found in the Performance Dashboard in **Appendix A**. A detailed update on the quarterly outturn of each performance measure including actions to sustain or improve performance is included in the detailed Performance Measure Report Index in **Appendix B**.

4.7 Questions regarding performance are welcomed from the Committee in relation to the Corporate performance measures that fall under its responsibility and are referenced in the detailed Performance Measure Report Index in **Appendix B**

5.0 **Financial and Implications**

None directly.

6.0 **Corporate Implications**

6.1 **Employment Implications**

None directly.

6.2 **Legal Implications**

None directly.

6.3 **Corporate Plan Implications**

This report updates the Committee on the progress against the key measures agreed in the Corporate Plan and demonstrates how the Council's key aims under the priorities, Our Environment, Our People and Our Future contribute to that aspiration.

6.4 **Risk Impact**

The Risk Registers for the Committee's services are detailed in **Appendix C - Service Delivery Risk Register** and **Appendix D - Chief Executive Risk Register**. In relation to the Chief Executive Risk Register this Committee is responsible for overseeing the risks relating to licensing, land charges and economic development. This includes the registers, risk mitigation plans and any further actions required for the relevant departmental risks. Each risk has been identified and assessed against the Corporate Plan aims which are considered to be the most significant risks to the Council in achieving its main objectives. The Risk Registers detail a risk matrix to summarise how each identified risk has been rated.



The following risks have been updated for quarter four in the Service Delivery Risk Register:

- *SD7 – Failure to meet housing delivery targets set out in the five-year supply.* The mitigating actions have been updated to confirm the latest report submitted to E&DS Committee on the 26th January, confirmed a 5-year housing land supply of 6.29 years.
- *SD19 - Animal welfare costs.* Mitigating actions have been updated to include the development of an 'Animal in Distress' Policy. The number of animals in the possession of the Council have increased from 16 to 30, however this is considerably lower than the peak of 190 animals in September 2022.
- *SD20 – Green Homes Grant.* The mitigating actions have been updated to confirm a new contractors have been procured to increase the contractor capacity to deliver the target number of Green Homes Grants. The risk rating after mitigating action has therefore been reduced from 8 to 4.

There have been no changes to the Chief Executive Risk Register for quarter four.

7.0 Community Impact

7.1 Consultation

None required.

7.2 Equality and Diversity Impact

Not applicable in the context of the report.

7.3 Social Value Impact

Not applicable in the context of the report.

7.4 Environmental Sustainability

Not applicable in the context of the report.

8.0 Appendices

Appendix A – Performance Dashboard 2020-2024
Appendix B – Performance Measure Report Index
Appendix C – Service Delivery Risk Register
Appendix D – Chief Executive Risk Register



Priority	Key Aim	Outcome	Ref	How success will be measured	Q4 2020-2021: Apr - Mar	Q4 2021-2022: Apr - Mar	Q1 2022-2023: Apr - Jun	Q2 2022-2023: Apr - Sept	Q3 2022-2023: Apr - Dec	Q4 2022-2023: Apr - Mar	Annual Target 22-23	Plan Target 2020-2024	Head of Service	Strategic Lead	Committee		
Our Environment	Keeping a clean, green District for future generations	E1. Improve the environment of the District	E1.1 Reduce waste and increase composting and recycling	E1.1A	Household waste collected per head of population	460kgs	416kgs	110kgs	208kgs	302kgs	395kgs	Downward Trend	Sustain during Y1 and Y2. See a downward trend in Yrs. 3 and 4	Gary Charlton, Head of Operational Services	Heidi McDougall, Strategic Director, Service Delivery	E&DS	
			E1.1B	% of collected waste recycled and composted	47%	46%	49%	47%	45%	43%	Upward Trend	Sustain during Y1 and Y2. See an upward trend in Y3 and Y4	Gary Charlton, Head of Operational Services	Heidi McDougall, Strategic Director, Service Delivery	E&DS		
			E1.2 Reduce fly tipping and litter through education, engagement and zero tolerance enforcement action where appropriate	E1.2A	Number of fly tipping incidents	1003	604	139	286	442	590	Downward trend as a four 4-year mean <764	Downward trend over four years	Matt Holford, Head of Environmental Services	Heidi McDougall, Strategic Director, Service Delivery	E&DS	
			E1.2B	Improve the quality of the District through the Local Environmental Quality Survey	Report in Q1 21/22	93.79% of streets meet grade B or higher	93.79% of streets meet grade B or higher	93.79% of streets meet grade B or higher	93.79% of streets meet grade B or higher	96.65% of streets Grade B or higher	96.65% Grade B or above	>95% (Grade B or above)	>95% (Grade B or above)	Gary Charlton, Head of Operational Services	Heidi McDougall, Strategic Director, Service Delivery	E&DS	
		E1.3 Enhance biodiversity across the District	E1.3A	% of eligible new homes and commercial developments to achieve net gain in Biodiversity by a minimum of 10% compared to the sites pre development baseline.	66.7%	66.7%	0	0	0	0	85%	85%	Steffan Saunders, Head of Planning and Strategic Housing	Heidi McDougall, Strategic Director, Service Delivery	E&DS		
		E2. Tackle climate change	E2.1 Strive to make South Derbyshire District Council carbon neutral by 2030	E2.1A	Reduce South Derbyshire District Council carbon emissions	Achieved	Achieved	Achieved	Achieved	Achieved	Achieved	Downward Trend in Carbon Emissions	Reduce CO2 emissions through the achievement of actions in the South Derbyshire Climate and Environment Action Plan 2020-24 (C&EAP)	Matt Holford, Head of Environmental Services	Heidi McDougall, Strategic Director, Service Delivery	E&DS	
			E2.2 Work with residents, businesses and partners to reduce their carbon footprint	E2.2A	% of new homes to meet water efficiency targets as set out in the Part G optional standard of 110 litres of potable water usage per person per day	100%	75.6%	64%	75%	80%	86%	85%	85%	Steffan Saunders, Head of Planning and Strategic Housing	Heidi McDougall, Strategic Director, Service Delivery	E&DS	
		E3. Enhance the attractiveness of South Derbyshire	E3. Enhance the attractiveness of South Derbyshire	E3.1 Enhance the appeal of Swadlincote town centre as a place to visit	E3.1A	Increase Swadlincote Town Centre visitor satisfaction	55%	60% (new report in Q3)	60% (new report in Q3)	60% (new report in Q3)	66%	66%	Upward Trend (Close the gap to National small towns average - 72%)	National small towns average 72%. Target to be above the National average by 2023/24	Mike Roylance, Head of Economic Development and Growth	Dr Justin Ives, Chief Executive	E&DS
				E3.2 Improve public spaces to create an environment for people to enjoy	E3.2A	The number of Green Flag Awards for South Derbyshire parks	Achieved	3	3	3	3	3	Four Green Flags	Increase from two green flag park awards to four by 2024	Sean McBurney, Head of Cultural and Community Services	Heidi McDougall, Strategic Director, Service Delivery	H&CS
				E3.2B	Proportion of good quality housing development schemes	Out turn unavailable	Out turn unavailable	Out turn unavailable	Out turn unavailable	Out turn unavailable	Out turn unavailable	90%	% of schemes which score high	Steffan Saunders, Head of Planning and Strategic Housing	Heidi McDougall, Strategic Director, Service Delivery	E&DS	
		Future needs of the District	P1. Engage with our communities	P1.1 Support and celebrate volunteering, community groups and the voluntary sector	P1.1A	Number of new and existing Community Groups supported	153 groups	160 groups	33 groups	87 groups	151	216	Upward trend on the average over two years >157	Year 1-2(Proxy)- collate baseline data. Year 3-4 we will show an increase on the average over two years	Sean McBurney, Head of Cultural and Community Services	Heidi McDougall, Strategic Director, Service Delivery	H&CS
				P1.2 Help tackle anti-social behaviour & crime through strong and proportionate action	P1.2A	Number of ASB interventions by type	Minimal	Moderate	Moderate	Moderate	Moderate	Moderate	'Moderate' or 'High'	Performance to be rated as 'High' or 'Moderate'	Matt Holford, Head of Environmental Services	Heidi McDougall, Strategic Director, Service Delivery	H&CS
			P2. Supporting and safeguarding the most vulnerable	P2.1 With partners encourage independent living and keep residents healthy and happy in their homes.	P2.1A	Number of households prevented from Homelessness	265 cases	261 cases	52 cases	79 cases	137 cases	182 cases	Proxy	Proxy Measure to show service activity	Paul Whittingham, Head of Housing	Heidi McDougall, Strategic Director, Service Delivery	H&CS
					P2.1B	Continue to undertake interventions per year to keep families out of fuel poverty	276	210	48	104	161	198	> 160 interventions	300 interventions (2020-21) Target to be reviewed thereafter.	Matt Holford, Head of Environmental Services	Heidi McDougall, Strategic Director, Service Delivery	E&DS
				P2.2 Promote health and wellbeing across the District	P2.2A	Deliver the objectives identified in the South Derbyshire Health & Wellbeing Group	Ongoing delivery of plan	Delivery of Health and Wellbeing Action Plan over 2021-22	Action plan developed and adopted	Achieved	Ongoing delivery of the action plan by partners	Delivery of Health and Wellbeing Action Plan over 2022-23	100% of actions delivered	100% of actions identified delivered	Sean McBurney, Head of Cultural and Community Services	Heidi McDougall, Strategic Director, Service Delivery	H&CS
P2.3 Improve the condition of housing stock and public buildings.	P2.3A			Deliver the Planned Maintenance Housing programme over four years	114.10% (£ 2,377,625 against total budget for 2022-2023.	89.1% (£2,116,365.65)	18.38% (£1,927,550)	34.25% - £660,135.65	50.54% - £974,241 against total budget for 2022-2023.	89.29% - £1,721,162.36 against total budget for 2022-2023.	100% against the annual budget 2022-23	100% spend against the planned maintenance budget	Paul Whittingham, Head of Housing	Heidi McDougall, Strategic Director, Service Delivery	H&CS		
	P2.3B			Develop and deliver the Public Buildings programme over four years	12 surveys	44 surveys	10 surveys	20 surveys	20 surveys	38 surveys	25% (38 surveys undertaken)	100% of surveys undertaken	Steve Baker, Head of Corporate Property	Tracy Bingham, Strategic Director, Corporate Resources	F&M		
P2.3C	Average time taken to re-let Council homes			200 days average	156 days	183 days	183 days	189 days	169 days	Median Quartile Performance (Benchmark via Housemark)	Median Quartile Performance (Benchmark via Housemark)	Paul Whittingham, Head of Housing	Heidi McDougall, Strategic Director, Service Delivery	H&CS			
P2.4 Support social mobility to ensure people have the opportunity to access skilled jobs, higher and further education	P2.4A		Deliver the objectives identified in the Supporting Aspirations Plan	Research and data analysis	Supporting Aspirations Action Plan adopted.	Achieved	Reported in Q4	Reported in Q4	Achieved	Deliver the year one objectives identified in the Supporting Aspirations Plan	Deliver the objectives identified in the Supporting Aspirations Plan	Mike Roylance, Head of Economic Development and Growth	Dr Justin Ives, Chief Executive	E&DS			

People	Working with communities and meeting the																	
	P3. Deliver Excellent Services																	
Our Future	Growing our District and our skills base	P3.1 Ensuring consistency in the way the Council deal with service users	P3.1A	Increase the number of customers who interact digitally as a first choice	Total: 22,242	Total: 24,405	Total: 6,021	Total: 16,334	Total: 21,245	25,856	Upward trend	Upward Trend	Catherine Grimley, Head of Customer Services	Tracy Bingham, Strategic Director, Corporate Resources	F&M			
			P3.2A	Reduce face-to-face contact to allow more time to support those customers who need additional support	0	744 self serve and 115 face to face	2,470	4,496	6,359	8,253	Downward Trend	Downward trend in Face to Face interactions	Catherine Grimley, Head of Customer Services	Tracy Bingham, Strategic Director, Corporate Resources	F&M			
			P3.3 Ensuring technology enables us to effectively connect with our communities.	P3.3A	Number of customer telephone calls answered by Customer Service	Total: 98,099	Total: 99,165	Total: 22,872	Total: 45,412	Total: 66,188	85,197	Downward Trend	Downward Trend	Catherine Grimley, Head of Customer Services	Tracy Bingham, Strategic Director, Corporate Resources	F&M		
				P3.3B	Increase digital engagement (Twitter, Instagram, Facebook)	43,850	49,181	51,990	51,762	52,232	52,682	Upward Trend	Upward Trend	Fiona Pittam, Head of Organisational Development & Performance	Tracy Bingham, Strategic Director, Corporate Resources	F&M		
			P3.4 Investing in our workforce	P3.4A	Increase the level of staff engagement	Survey postponed until 21-22	Target not achieved	Achieved	246 staff attended staff briefing sessions on Flexible Working Policy in July 2022	182 people responded to staff Flexible Working consultation			proxy - establish baseline data	Collate baseline data – proxy measure	Fiona Pittam, Head of Organisational Development & Performance	Tracy Bingham, Strategic Director, Corporate Resources	F&M	
				P3.4B	Number of apprenticeships	5 (1.5% of head count)	6 (1.84% of head count)	6 (1.84% of head count)	6 (1.82% of head count)	7 (1.92% of head count)	9 (2.47% of workforce)	>2.3% of head count	>2.3% of head count	Fiona Pittam, Head of Organisational Development & Performance	Tracy Bingham, Strategic Director, Corporate Resources	F&M		
				P3.4C	Average number of staff days lost due to sickness	12.93	10.28	2.47	4.41	7.10	9.64	Downward Trend	Downward Trend	Fiona Pittam, Head of Organisational Development & Performance	Tracy Bingham, Strategic Director, Corporate Resources	F&M		
				P3.4D	The Council has a positive health and safety culture	Postponed until early 22/23	Postponed until early 22-23				Postponed 23-24	proxy - establish baseline data	Upward Trend in Health and Safety mandatory training and up to date health and safety policy	Fiona Pittam, Head of Organisational Development & Performance	Tracy Bingham, Strategic Director, Corporate Resources	F&M		
			F1. Develop skills and careers	F1.1	Attract and retain skilled jobs in the District	F1.1A	Increase the number of employee jobs in South Derbyshire	32,000 Impacted by Covid-19	31,000 Impacted by Covid-19	31,000 Impacted by Covid-19. (Reported annually in Q4 22/23)	31,000 Impacted by Covid-19. (Reported annually in Q4 22/23)	34,000	34,000	Upward Trend	Upward Trend	Mike Roylance, Head of Economic Development and Growth	Dr Justin Ives, Chief Executive	E&DS
				F1.2	Support unemployed residents back into work	F1.2A												
			F2. Support economic growth and infrastructure	F2.1	Encourage and support business development and new investment in the District	F2.1A	Annual net growth in new commercial floorspace (sqm)	4,140 sqm	1,665 sqm	1,665 sqm (Reported annually in Q4 22/23)	1,665 sqm (Reported annually in Q4 22/23)	1,665 sqm (Reported annually in Q4 22/23)	28,174 sqm net growth	36,808.5 sqm net growth	Net annual growth in commercial floorspace of 12,269.5 sqm. Over the four year plan - 49,078 sqm net growth	Mike Roylance, Head of Economic Development and Growth	Dr Justin Ives, Chief Executive	E&DS
						F2.1B	Total Rateable Value of businesses in the District	£67,341,926	£67,234,722	£67,279,062	£67,207,674	£67,072,729	£67,120,292	Upward trend (on 21/22 Q4 as baseline)	Upward trend (on 21/22 Q4 as baseline)	Mike Roylance, Head of Economic Development and Growth	Dr Justin Ives, Chief Executive	E&DS
				F2.2	Enable the delivery of housing across all tenures to meet Local Plan targets	F2.2A	Speed of decision on discharging conditions on housing applications	100%	60.9%	50%	60%	79%	78%	90% within 8-13 weeks or as agreed with the applicant	90% within 8-13 weeks or as agreed with the applicant	Steffan Saunders, Head of Planning and Strategic Housing	Heidi McDougall, Strategic Director, Service Delivery	E&DS
						F2.2B	% of planning applications determined within the statutory period	98%	90.50%	88%	86%	81%	83%	>90%	>90%	Steffan Saunders, Head of Planning and Strategic Housing	Heidi McDougall, Strategic Director, Service Delivery	E&DS
F2.3	Influence the improvement of infrastructure to meet the demands of growth.	F2.3A	Secure new facilities and contributions through Section 106 to mitigate impacts of development. Achieve all necessary highway, education, healthcare, and recreation contributions	94%	100%	100% (annual return in Q4 22/23)	100% (annual return in Q4 22/23)	100% (annual return in Q4 22/23)	90%	90%	90%	Steffan Saunders, Head of Planning and Strategic Housing	Heidi McDougall, Strategic Director, Service Delivery	E&DS				
F3. Transforming the Council	F3.1	Provide modern ways of working that support the Council to deliver services to meet changing needs.	F3.1A	Deliver against the Transformation Action Plan	On target	85%	On target	On target	On target	On target	Deliver 100% against action plan	Deliver 100% against action plan	Anthony Baxter, Head of Business Change and ICT	Tracy Bingham, Strategic Director, Corporate Resources	F&M			
			F3.2	Develop our approach towards the commercialisation of services which include grants, sponsorship, fees and charges and operating models and increase the income generated from these activities	On target	No change from last quarter	No change from last quarter	No change from last quarter	No change from last quarter	No change from last quarter	A corporate action plan collating Council departments strands of commercialisation is to be drafted in Quarter four.	Y1 – Form a working group & Action Plan Y2 – deliver against action plan and sustain an upward trend in revenue	Gary Charlton, Head of Operational Services	Heidi McDougall, Strategic Director, Service Delivery	F&M			

Corporate Plan 2020-2024 Performance Measure Report

Environmental and Development Services Committee

Team: Organisational Development and Performance

Date: May 2023

Quarter 4 - 2022-23



Performance Measure Report Index

Corporate Plan 2020-2024

Summary

The Corporate Plan 2020-2024 has 35 Corporate Measures which underpin the Council's three priorities Our Environment, Our People, Our Future.

The following Committees are responsible for overseeing the delivery of the following key aims and outcomes:

Environmental and Development Services Committee (E&DS) are responsible for 17 Corporate measures under the key aims:

- E1. Improve the environment of the District
- E2. Tackle climate change
- E3. Enhance the attractiveness of South Derbyshire
- P2. Supporting and safeguarding the most vulnerable
- F1. Develop skills and careers
- F2. Support economic growth and infrastructure

Housing and Community Services Committee (H&CS) are responsible for seven Corporate measures under the key aims:

- E3. Enhance the attractiveness of South Derbyshire
- P1. Engage with our communities
- P2. Supporting and safeguarding the most vulnerable

Finance and Management Committee (F&M) are responsible for 11 corporate measures under the key aims:

- P2. Supporting and safeguarding the most vulnerable
- P3. Deliver Excellent Services
- F3. Transforming the Council



Environmental and Development Services Committee (E&DS) is responsible for the following 17 Corporate measures

Our Environment

Measure

- Household waste collected per head of population
- % of collected waste recycled and composted
- Number of fly tipping incidents
- Improve the quality of the District through the Local Environmental Quality Survey
- % of eligible new homes and commercial developments to achieve net gain in Biodiversity by a minimum of 10% compared to the site's predevelopment baseline.
- Reduce South Derbyshire District Council carbon emissions
- % of new homes to meet water efficiency targets as set out in the Part G optional standard of 110 litres of potable water usage per person per day
- Proportion of good quality housing development schemes
- Increase Swadlincote Town Centre visitor satisfaction

Our People

Measure

- Continue to undertake interventions per year to keep families out of fuel poverty
- Deliver the objectives identified in the Supporting Aspirations Action Plan

Our Future

Measure

- Speed of decision on discharging conditions on housing applications
- % of planning applications determined within the statutory period
- Secure new facilities and contributions through Section 106 to mitigate impacts of development. Achieve all necessary highway, education, healthcare, and recreation contributions
- Increase the number of employee jobs in South Derbyshire
- Annual net growth in new commercial floorspace (sqm)
- Total Rateable Value of businesses in the District



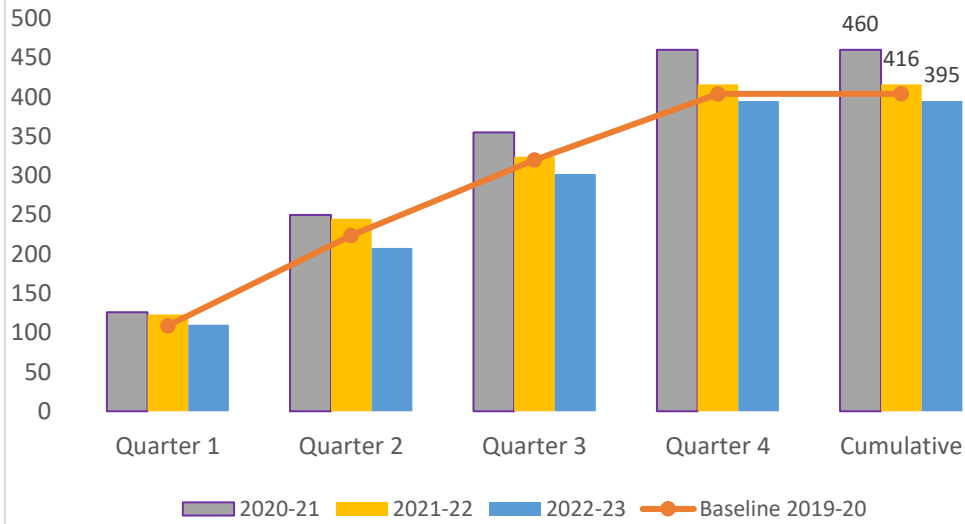
Priority: Our Environment

E1.1 Reduce waste and increase composting and recycling

Measure and Reference	E1.1A Household waste collected per head of population	Committee	E&DS		
Definition	This indicator is the number of kilograms of household waste collected per head of population. 'Household waste' means those types of waste which are to be treated as household waste as defined by the Environmental Protection Act 1990.	Why this is Important	To measure the change in household waste disposal levels as a result of householders' waste reduction and recycling activities		
What Good Looks Like	Top performing authorities outturn <400kgs per year				
History of this Indicator	The Council employs 40 staff and utilises 15 vehicles and a number of external contractors to deliver waste collection services.				
2019/20 Baseline Data	The estimated figure reported in Q4 was 407 kgs. This figure has now been validated and the confirmed out turn for Q4 is 404 kgs.				
Reporting Year	Annual Target	Quarter 1	Quarter 2	Quarter 3	Quarter 4
2020/21	Sustain during Yr1 (404kgs)	126kgs	250kgs	355kgs	460kgs
2021/22	Sustain Current levels	123kgs	245kgs	324kgs	416kgs
2022/23	Downward trend	110kgs	208kgs	302kgs	395kgs
Performance Overview - Quarterly Update					Actions to sustain or improve performance
<p>The provisional cumulative figure reported in quarter three (302kgs) has been confirmed by DEFRA as the actual out turn figure.</p> <p>The cumulative figure reported in 2021/2022 outturn was 416kgs. The cumulative figure for this year is 395kgs - down by 21kgs. This is a result of the overall household waste (general waste – back bin) collected reducing by over 2,000 tonnes measured against 21/22 collection totals.</p> <p>A lower rate of waste collected per household is a positive measure as this reduces overall costs of disposal.</p>					Performance is currently on target.



E1.1A Household waste collected per head of population (kgs) target - to see a downward trend



Priority: Our Environment

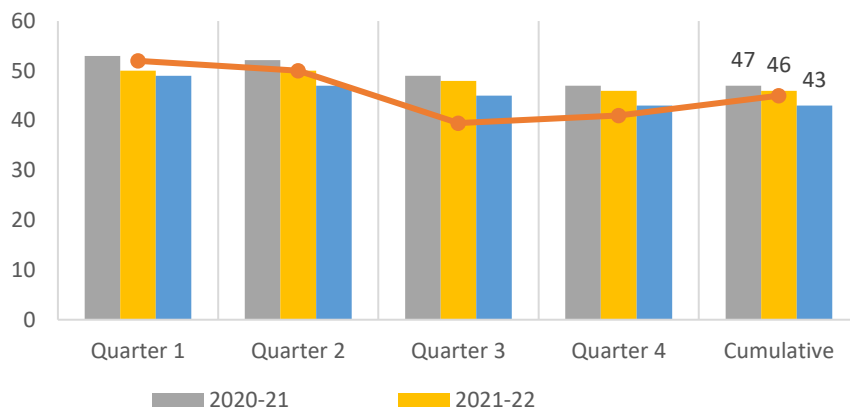
E1.1 Reduce waste and increase composting and recycling

Measure and Reference	E1.1B % of collected waste recycled and composted	Committee	E&DS		
Definition	Kerbside collected household waste is waste presented for collection by households in the black, green and brown bins and the normal alternate week collections. Recycled or composted is waste presented in the green and brown bins.	Why this is Important	To establish the success of the Council's recycling scheme and to ensure the compost scheme continues to perform		
What Good Looks Like	The top performing authorities achieve >60%, the top 25% achieve >50%				
History of this Indicator	Currently on a downward trend, the tonnages collected have remained stable, however increasing residual waste is pushing the percentage down.				
2019/20 Baseline Data	The estimated figure reported in Q4 was 46%. This figure has now been validated and the confirmed out turn for Q4 is 45%.				
Reporting Year	Annual Target	Quarter 1	Quarter 2	Quarter 3	Quarter 4
2020/21	Sustain during Yr1 (45% or>)	53%	52%	49%	47%
2021/22	Sustain during Yr2 (45% or>)	50%	50%	48%	46%
2022/23	Upward trend	49%	47%	45%	43%
Performance Overview - Quarterly Update				Actions to sustain or improve performance	
<p>The provisional cumulative figure reported in quarter three (45%) has been confirmed by DEFRA as the actual out turn figure.</p> <p>Overall collected general refuse and combined recycling tonnages have decreased by 4,500 tonnes compared against last year's totals. Whilst a general reduction in all waste tonnage is good news, the reduction in general refuse is likely to be that of households returning to the workplace, however this is purely anecdotal without a detailed survey. The loss of 1,300 tonnes of garden waste during the very dry summer substantially impacted on the overall recycling rate. A further tonnage reduction in Quarter 4, has resulted in the total garden waste tonnage for this year decreasing by 2,300 tonnes measured against 21/22 figures. This substantial reduction in garden</p>				Introduction of staff resource to promote recycling activities across the District in 23/24.	



waste was not anticipated and is the contributing factor for the overall reduction to recycling out-turn figure.

E1.1B % of collected waste recycled and composted - target - upward trend



Priority: Our Environment

E1.2 Reduce fly tipping and litter through education, engagement and zero tolerance enforcement action where appropriate

Measure and Reference	E1.2A Number of fly tipping incidents	Committee	E&DS		
Definition	A reduction in fly-tipping incidents is defined as a numerical reduction in the sum of the number of fly tipping incidents reported to the Council, plus the number of fly tips proactively collected by Council staff while performing their duties, compared to the reference period.	Why this is Important	Prevent an increase in fly-tipping incidents through education, engagement and enforcement action where appropriate		
What Good Looks Like	The purpose of this Indicator is to see a downward trend in fly tipping incidents as a rolling average over the four-year period of the Corporate Plan.				
History of this Indicator	There have been long term reductions in fly tipping incidents both nationally and locally since 2000, however this trend has reversed in very recent years. Between 2016 and 2019 fly tipping incidents nationally have increased.				
2019/20 Baseline Data	714 (total figure for 2019/20)				
Reporting Year	Annual Target	Quarter 1	Quarter 2	Quarter 3	Quarter 4
2020/21	Downward trend	260	528	732	1003
2021/22	Downward trend as a 4-year mean <764	211	366	484	604
2022/23	Downward trend as a four-year mean <764	139	286	442	590
Performance Overview - Quarterly Update			Actions to sustain or improve performance		
Fly tipping incidents for the entire 2022/23 reporting year have been below the average for the previous four years			Data over the last couple of years shows that fly tipping incidents on Arleston Lane have been approximately three times higher than anywhere else in South Derbyshire. A new surveillance camera has been installed in April 2023, to enable vehicles entering the lane to be recorded. It is hoped that this surveillance footage will enable material which is found fly tipped in the Lane to be traced back to vehicles linked to possible offenders		



Priority: Our Environment

E1.2 Reduce fly tipping and litter through education, engagement and zero tolerance enforcement action where appropriate

Measure and Reference	E1.2B Improve the quality of the District through the Local Environmental Quality Survey	Committee	E&DS		
Definition	Percentage of inspected grade B or above for cleanliness as defined in the government code of Practice for Litter and refuse.	Why this is Important	Gives assurance that the cleansing regimes and resources deployed are delivering the Council's service standards.		
What Good Looks Like	<p>>95% Grade B or above</p> <p>This information below provides an overview of the grading:</p> <p>Grade A No issues present Grade B+ No formal description Grade B Predominantly free with some minor instances of the issue Grade B- No formal description Grade C Widespread with some accumulations of the issue Grade C- No formal description Grade D Heavily affected by the issue</p> <p>In order to present a fair picture plus and minus grades are used where a location is better than the lower grade but not sufficiently to attain the higher grade.</p>				
History of this Indicator	New indicator				
2019/20 Baseline Data	89.67% above grade C				
Reporting Year	Annual Target	Quarter 1	Quarter 2	Quarter 3	Quarter 4
2020/21	95% at grade C or above	Report in Q4	Report in Q4	Report in Q1 21/22	Reported in Q1 21/22
2021/22	>95% (Grade C or above)	94.74% (Grade C or above)	94.74% (Grade C or above)	94.74% above grade C+	93.69% (Grade B or above)
2022/23	>95% (Grade B or above)	93.69% Grade B or above	93.69% Grade B or above	96.65% Grade B or higher	96.65% Grade B or above
Performance Overview - Quarterly Update			Actions to sustain or improve performance		
The last Keep Britain Tidy survey was undertaken in November 2022. Funding allows for two independent surveys a year. The next survey will take place in Quarter one 2023/24.			Not applicable.		



Priority: Our Environment

E1.3 Enhance biodiversity across the District

Measure and Reference	E1.3A % of eligible new homes and commercial developments to achieve net gain in Biodiversity by a minimum of 10% compared to the sites pre development baseline.	Committee	E&DS		
Definition	Policy BNE3 of the Local Plan and Chapter 15 of the National Planning Policy Framework seeks to ensure that the impacts of development on biodiversity are minimised and preferably provide net gains. This would be negotiated during the application process	Why this is Important	It is likely that soon this will be a statutory requirement. It demonstrates that the Council is being proactive in delivering an aspiration of the Local Plan.		
What Good Looks Like	The purpose of the PI is to see the pursuit of net biodiversity gains on all eligible sites otherwise suffering a net loss.				
History of this Indicator	Notwithstanding the Council's 'encouragement' of biodiversity gains in the Local Plan, this will be a new government initiative that would make it a statutory requirement.				
2019/20 Baseline Data	Insufficient baseline data available				
Reporting Year	Annual Target	Quarter 1	Quarter 2	Quarter 3	Quarter 4
2020/21	85%	First Report due December 2020. No qualifying decisions in Q1.	66.7%	66.7%	66.7%
2021/22	85% (4-year target)	66.7%	66.7%	66.7%	66.7%
2022/23	85%	0	0	0	0
Performance Overview - Quarterly Update			Actions to sustain or improve performance		
The Planning department are unable to measure this indicator at the current time. Whilst officers work to securing net gain in all relevant instances, local plan policy only			The target can only be achieved where it is supported by Policy or legislation. This does not come into effect until November 23 and then officers will be able to ensure that the		



'requests' a net gain, and it isn't law to require 10% net gain until November 23.

measure is achieved with support from the Biodiversity Officer.



Priority: Our Environment

E2.1 Strive to make South Derbyshire District Council carbon neutral by 2030

Measure and Reference	E2.1A Reduce South Derbyshire District Council carbon emissions	Committee	E&DS		
Definition	Achievement of Actions contained in the South Derbyshire Climate and Environment Action Plan 2020-24 (C&EAP)	Why this is Important	To enable emissions from all relevant identified Council sources to be controlled over the Corporate Plan timeframe		
What Good Looks Like	Achievement of Actions contained in the South Derbyshire Climate and Environment Action Plan 2020-24 (C&EAP)				
History of this Indicator	No previous targets to achieve carbon neutrality have been set				
2019/20 Baseline Data	2,500 tonnes of carbon dioxide equivalent in 2018/19				
Reporting Year	Annual Target	Quarter 1	Quarter 2	Quarter 3	Quarter 4
2020/21	Achievement of Actions contained in the South Derbyshire Climate and Environment Action Plan 2020-24.	Achieved	Achieved	Achieved	Achieved
2021/22	Produce and implement a Head of Service Q4 Climate and Environment report that tracks performance against quantified targets and outturns	Achieved	Achieved	Achieved	Achieved
2022/23	Downward Trend in Carbon Emissions	Achieved	Achieved	Achieved	Achieved
Performance Overview - Quarterly Update			Actions to sustain or improve performance		
<p>≥90% of actions in the C&EAP have been RAG rated 'Green.'</p> <p>A full performance report of delivery of climate reduction action progress against the Councils Climate and Environment Action Plan will be sent to Committee members.</p>			<p>Of the three new bids seeking external funding for decarbonisation activity submitted in Q3, one has been approved (for decarbonising social housing stock), one has been declined (for decarbonising Civic Way Offices) and we are still waiting for the outcome of the third (for decarbonising private housing). No new bid opportunities emerged during Q4 and therefore no new bids have been submitted in this period.</p>		



From the latest figures published in 2021-22 we have calculated the direct carbon emissions (carbon emissions resulting from direct Council activities such as heating public buildings, operating fleet vehicles etc) had reduced to 1,958 tonnes.

Indirect Scope 3 carbon emissions (carbon emissions resulting from the Councils supply chain that the Council has no direct control over but can exert an influence on) had increased to 8,576 tonnes.

The Office of National Statistics (ONS) estimate from 2019/20 for carbon emissions across the District resulting from all sectors (buildings, industry, transport, energy production, agriculture, etc across South Derbyshire) had reduced to 655,000 tonnes.

The latest statistics for 2022-2023 will be available in June/July 2023 and will be reported to Committee (approx.) August 2023.



Priority: Our Environment

E2.2 Work with residents, businesses and partners to reduce their carbon footprint

Measure and Reference	E2.2A % of new homes to meet water efficiency targets as set out in the Part G optional standard of 110 litres of potable water usage per person per day	Committee	E&DS		
Definition	Part G of the Building Regulations sets out an optional standard for potable water conservation which is reiterated in Policy SD3 of the Local Plan. A planning condition will be attached to all new permissions to pursue adherence to this standard (where relevant).	Why this is Important	Local infrastructure and environmental constraints require the need for the Council to contribute to the suppression of water demand and hence waste water discharges across the District.		
What Good Looks Like	This is designed to ensure that going forward all new developments comply with the optional Part G standard				
History of this Indicator	No History				
2019/20 Baseline Data	Baseline figure of 50% based on 18 qualifying decisions in Q4.				
Reporting Year	Annual Target	Quarter 1	Quarter 2	Quarter 3	Quarter 4
2020/21		78%	89%	100%	100%
2021/22	85%	70.5%	79.3%	86%	75.6%
2022/23	85%	64%	75%	80%	86%
Performance Overview - Quarterly Update			Actions to sustain or improve performance		
Performance has improved quarter on quarter as vacancies within Planning Services are being filled and officers are reminded to ensure that this condition is placed on qualifying applications as a matter of course.			Keep reminding existing officers and making new officers aware of the conditions and the corporate objections behind the use of such. Decision makers to ensure they check for this condition before issuing decisions.		



Priority: Our Environment

E3.1 Enhance the appeal of Swadlincote town centre as a place to visit

Measure and Reference	E3.1A Increase Swadlincote Town Centre visitor satisfaction	Committee	E&DS		
Definition	Benchmarking for Swadlincote Town Centre includes a Town Centre User Survey (questionnaire) completed at the same time each year by an independent consultant.	Why this is Important	There is a need to limit the impact of national changes in shopping habits on the vitality of the town centre, at a time when High Streets are under extreme pressure.		
What Good Looks Like	The aim is to steadily close the gap to the National Small Towns average over the four-year period of the Corporate Plan.				
History of this Indicator	Comparable Benchmarking data was first collected in 2019. This found that 49% of respondents would recommend a visit to Swadlincote Town Centre, whilst the comparable National Small Towns Average was 72%.				
2019/20 Baseline Data	49% of respondents would recommend Swadlincote Town Centre - May 2019				
Reporting Year	Annual Target	Quarter 1	Quarter 2	Quarter 3	Quarter 4
2020/21	Upward trend	Reported Annually in Q3	Reported Annually in Q3	55%	55%
2021/22	58%	Reported Annually in Q3	Reported Annually in Q3	60%	60%
2022/23	Upward Trend (Close the gap on the National Small Towns average – 72%)	60% (new report in Q3)	60% (Reported Annually in Q3)	66%	66%
Performance Overview - Quarterly Update			Actions to sustain or improve performance		
Works to refurbish The Delph are underway, including repaving the market square and introducing measures to prevent unwanted vehicle access onto the square. Works to regenerate the derelict Bank House/Sabine's Yard site are underway, which will create additional free public car parking plus a pocket park on Belmont Street. Post-Christmas, events restarted with support for Antiques in the Street in March.			Not applicable.		



Priority: Our Environment

E3.2 Improve public spaces to create an environment for people to enjoy

Measure and Reference	E3.2B Proportion of good quality housing development schemes		Committee	E&DS	
Definition	The % of new residential developments that score well against the Council's quality criteria based on latest Building for Life standards and the National Design Guide, which measure several aspects of the quality of a development (including the provision and quality of public spaces).		Why this is Important	This PI directly measures how good the quality of developments are and therefore whether it is more likely to result in an improvement to the quality of open and other spaces.	
What Good Looks Like	The purpose of this PI is to see an upward trend in higher quality developments and their immediate environment.				
History of this Indicator	This PI will differ from the similar PI which only looked at an earlier Building for Life standard. In previous years, the 90% target was often met and where not, only marginally missed.				
2019/20 Baseline Data	Annual score of 92% based on old methodology – to be reported annually in Q4				
Reporting Year	Annual Target	Quarter 1	Quarter 2	Quarter 3	Quarter 4
2020/21	90%	Reported Annually in Q4.	Reported Annually in Q4.	Reported Annually in Q4.	Out turn unavailable.
2021/22	90%	Data unavailable	Reported Annually in Q4.	Reported Annually in Q4.	Out turn unavailable.
2022/23	90%	Out turn unavailable.	Out turn unavailable.	Out turn unavailable.	Out turn unavailable
Performance Overview - Quarterly Update			Actions to sustain or improve performance		
Planning Services is unable to measure the out turn for this performance indicator because the Design Officer was not established in post for any significant length of time, with this post now vacant again following an internal promotion.			Attempt to recruit to the post so that the relevant expertise is available to ensure that officers are in a position to assess applications such that the data required for the indicator can be collected. This will take some time once the new officer is in post as they will need to devise a matrix/method of assessing the application against certain design criteria.		



Priority: Our Future

F1.1 Attract and retain skilled jobs in the District

Measure and Reference	F1.1A Increase the number of employee jobs in South Derbyshire	Committee	E&DS
Definition	Working in partnership, to successfully implement a programme of actions as set out within a new Economic Development Strategy for South Derbyshire.	Why this is Important	The District's economy has performed strongly in recent years - with a rapidly growing population it will be important to sustain this and provide a range of local employment opportunities.
What Good Looks Like	The aim is to increase the number of Employee Jobs in South Derbyshire over the four-year period of the Corporate Plan.		
History of this Indicator	In 2018, there were 32,000 Employee Jobs in South Derbyshire, having grown from 30,000 in 2015. Data for employment is taken from the Office of National Statistics (ONS) Business Register and Employment Survey		
2019/20 Baseline Data	In 2015 there were 30,000 employee jobs which increased to 32,000 in 2018		

Reporting Year	Annual Target	Quarter 1	Quarter 2	Quarter 3	Quarter 4
2020/21	>25% (implementation of the actions contained within the plan)	Reported in Q4	Reported in Q4	Reported in Q4	32,000 Impacted by Covid 19
2021/22	>25% (implementation of the actions contained within the plan)	Reported in Q4	Reported in Q4	Reported in Q4	31,000 Impacted by Covid-19
2022/23	Upward trend	31,000 Impacted by Covid-19. (Reported annually in Q4 22/23)	31,000 Impacted by Covid-19. (Reported annually in Q4 22/23)	34,000	34,000

Performance Overview - Quarterly Update	Actions to sustain or improve performance
Claimant Count Unemployment in South Derbyshire is at 2.2% (Feb 2023) or 1,465 people. This compares with 3.7% nationally, and 2.3% a year ago.	n/a



Priority: Our Future

F2.1 Encourage and support business development and new investment in the District

Measure and Reference	F2.1A Annual net growth in new commercial floorspace (sqm)	Committee	E&DS			
Definition	Data collected for the Council's annual Authority Monitoring Report, includes the monitoring of commercial floorspace within South Derbyshire.	Why this is Important	There is very little vacant commercial floorspace in South Derbyshire, consequently the provision of additional commercial floorspace is closely related to the availability of additional employment opportunities.			
What Good Looks Like	The aim is to increase the total commercial floorspace over the four-year period of the Corporate Plan.					
History of this Indicator	The Local Plan forecasts a net annual growth in commercial floorspace of 12,269.5 sqm per annum between 2008 and 2028. To date (2008-2021), the actual annual net rate of growth has been 6,095 sqm.					
2019/20 Baseline Data	2885 sqm					
Reporting Year	Annual Target	Quarter 1	Quarter 2	Quarter 3	Quarter 4	
2020/21	12,269.5 sqm net growth	Reported in Q4	Reported in Q4	Reported in Q4	4,140 sqm net growth	
2021/22	24,539 sqm net growth	Reported in Q4	Reported in Q4	Reported in Q4	1,665 sqm net growth	
2022/23	36,808.50 sqm net growth	1,665 sqm (Reported annually in Q4 22/23)	1,665 sqm (Reported annually in Q4 22/23)	1,665 sqm (Reported annually in Q4 22/23)	28,174 sqm net growth	
Performance Overview - Quarterly Update			Actions to sustain or improve performance			
<p>Over the course of the four-year Corporate Plan the Council aims to achieve a net growth of 49,078 sqm. To date there has been a net growth of 28,174 sqm against the three-year target of 36,808.5 sqm net growth.</p> <p>Whilst the target has not been met it should be noted that there has been a substantial uplift in floorspace completions in 2022/23 and this seems likely to continue in the proceeding monitoring year. Commercial construction projects are progressing in a number of locations, including the redevelopment of the former Bison works at Tetron Point; medium sized industrial units at Swadlincote Gateway</p>			Not applicable.			



and a bottling plant and other industrial accommodation at Dove Valley Park, Foston.	
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Priority: Our Future

F2.1 Encourage and support business development and new investment in the District

Measure and Reference	F2.1B Total Rateable Value of businesses in the District	Committee	E&DS		
Definition	Total rateable value of businesses in the district.	Why this is Important	The total rateable value of businesses in the District is a good indication of the economic health of the district. An increase in floor space can indicate a growth in business numbers and employment opportunities.		
What Good Looks Like	A growth in rateable value, including a growth in sectors such as commercial (e.g., offices, shops, warehouses, restaurants) where there is a higher intensity of jobs per business.				
History of this Indicator	The total rateable value of businesses across the District has been increasing year on year, particularly in the commercial sector with an overall increase of almost £345k since April 2017.				
2019/20 Baseline Data	Q4 - £67,486,786.				
Reporting Year	Annual Target	Quarter 1	Quarter 2	Quarter 3	Quarter 4
2020/21	>£67,486,786	£67,528,690	£67,316,577	£67,379,221	£67,341,926
2021/22	>£67,486,786	£67,150,426	£67,133,764	£67,199,282.	£67,234,722
2022/23	Upward Trend (on baseline as at Q4 21/22 - >£67,234,722)	£67,279,062	£67,207,674	£67,072,729	£67,120,292
Performance Overview - Quarterly Update			Actions to sustain or improve performance		
Increase on previous quarter due to increases in Rateable Value generally, in the main related to a large increase of 75,000 at Dove Valley and a few new assessments brought into the rating list.			Rateable Values (RV) are determined by the Valuation Office Agency (VOA) and not South Derbyshire District Council. As such we have no control and Rateable Values can go down if a business owner appeals/challenges to the VOA that their RV is too high. Whilst some businesses can increase depending on reviews such as quarries in general the increase will come from our dedicated inspector who checks for any newly built businesses in order to issue a completion notice and bring them into the Rating List quickly or notices changes to existing business properties which could increase their Rateable Value such as an extension to the work premises whilst he is undertaking other types of inspection works. However it is hopeful that the development at the old Bison's site would be completed during 2023/2024 which will help to increase the total Rateable Value again as the removal from the		



	Ratings List whilst it was being developed had a large impact.
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Priority: Our Future

F2.2 Enable the delivery of housing across all tenures to meet Local Plan targets

Measure and Reference	F2.2A Speed of decision on discharging conditions on housing applications	Committee	E&DS		
Definition	The purpose of the performance indicator is to measure the percentage of planning condition applications determined in the statutory period of eight or 13 weeks or as may be otherwise agreed with applicants.	Why this is Important	Unnecessary delays in the determination of applications holds up the delivery of development and therefore a potential disincentive to inward investment		
What Good Looks Like	All applications determined as soon as possible without compromising quality.				
History of this Indicator	New indicator				
2019/20 Baseline Data	80% based on Q4 (up to 85% if including first 27 days of 2020/21 Q1, following new procedure with team)				
Reporting Year	Annual Target	Quarter 1	Quarter 2	Quarter 3	Quarter 4
2020/21	90% within 8-13 weeks or as agreed with the applicant	100%	100%	100%	100%
2021/22	90% within 8-13 weeks or as agreed with the applicant	93.7%	71.8%	47.9%	60.9%
2022/23	90% within 8-13 weeks or as agreed with the applicant	50%	60%	79%	78%
Performance Overview - Quarterly Update			Actions to sustain or improve performance		
There has been an increase in performance quarter on quarter as vacancies are becoming filled and officers are being reminded to ask for an extension of time if possible. In time, with reduction in backlog and new process for dealing with applications it will be easier for officers to deal with all applications within statutory timeframes.			In time, with reduction in backlog and the new process for dealing with applications it will be easier for officers to deal with all applications within statutory timeframes.		



Priority: Our Future

F2.2 Enable the delivery of housing across all tenures to meet Local Plan targets

Measure and Reference	F2.2B % of planning applications determined within the statutory period	Committee	E&DS		
Definition	The purpose of the performance indicator is to measure the percentage of planning applications determined in the statutory period of eight or 13 weeks or as may be otherwise agreed with applicants.	Why this is Important	Unnecessary delays in the determination of planning applications holds up the delivery of development and therefore a potential disincentive to inward investment		
What Good Looks Like	All applications determined as soon as possible without compromising quality.				
History of this Indicator	Generally, the Council has performed well for most recent years against a notional target of 90%				
2019/20 Baseline Data	93%				
Reporting Year	Annual Target	Quarter 1	Quarter 2	Quarter 3	Quarter 4
2020/21	>90%	94%	99%	98%	98%
2021/22	>90%	91%	93.1%	93%	90.5%
2022/23	>90%	88%	86%	81%	83%
Performance Overview - Quarterly Update			Actions to sustain or improve performance		
There has been an increase in performance during quarter four, with more applications determined and more of these in time (or subject to an agreed EOT). There are still a greater number of out of time applications being determined than the target for this indicator, however this is reflective of the push to deal with the substantial backlog of applications. Whilst applicants have been willing to provide an extension of time in some instances this has not been received across the board and the push to reduce the backlog and move towards a new process of dealing with applications will unfortunately result in a short-term decrease in figures.			Ensure officers process where possible applications within the statutory time frames and seek extensions of time, if possible, for those applications determined outside of the timeframe.		



Priority: Our Future

F2.3 Influence the improvement of infrastructure to meet the demands of growth.

Measure and Reference	F2.3A Secure new facilities and contributions through Section106 to mitigate impacts of development. Achieve all necessary highway, education, healthcare, and recreation contributions		Committee	E&DS	
Definition	Statute allows the Council to seek financial and other contributions from developments to mitigate the impact of the development on public infrastructure subject to viability of individual developments.		Why this is Important	Without some contribution towards mitigating the impact of new developments, infrastructure would have to accommodate the extra load without direct funding to bear the burden	
What Good Looks Like	Securing all proven necessary mitigation to accommodate new developments				
History of this Indicator	New indicator				
2019/20 Baseline Data	New indicator, data will be collected from April 2020 onwards as retrospective data is not possible to collect				
Reporting Year	Annual Target	Quarter 1	Quarter 2	Quarter 3	Quarter 4
2020/21	90%	Reported annually in Q4	Reported annually in Q4	Reported annually in Q4	94%
2021/22	90%	Reported annually in Q4	Reported annually in Q4	N/A - reported annually in Quarter 4.	100%
2022/23	90%	100% (annual return in Q4 22/23)	100% (annual return in Q4 22/23)	100% (annual return in Q4 22/23)	90%
Performance Overview - Quarterly Update			Actions to sustain or improve performance		
As in previous years a separate report will be presented to the November 2023 E&DS Committee where the full details of S106 performance will be considered in the Infrastructure Funding Statement. Overall the Council is successfully applying the need for			Continued cross department monitoring of performance and reporting annually in the Infrastructure Funding Statement.		



S106 contributions in line with policy and collecting payments when they are due.	
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Priority: Our People

P2.1 With partners encourage independent living and keep residents healthy and happy in their homes.

Measure and Reference	P2.1B Continue to undertake interventions per year to keep families out of fuel poverty	Committee	E&DS		
Definition	Number of interventions made by the Council (and partners over whom the Council has influence) to improve fuel efficiency in residential properties.	Why this is Important	Fuel poverty is a public health observatory key performance indicator and reflects both the thermal efficiency of housing stock and the affluence of the population		
What Good Looks Like	Increasing the numbers of fuel efficiency interventions to directly contribute to reductions in the numbers of families in fuel poverty.				
History of this Indicator	The Council has never previously collated data on the different measures taken to take families out of fuel poverty.				
2019/20 Baseline Data	7.9% (3,393 households) estimated to be in fuel poverty. In 2019/20 an estimated 90 interventions were made to help residents reduce fuel poverty				
Reporting Year	Annual Target	Quarter 1	Quarter 2	Quarter 3	Quarter 4
2020/21	300 interventions	111	216	247	276
2021/22	210 interventions	30	102	172	241
2022/23	>160 Interventions	48	104	161	198
Performance Overview - Quarterly Update			Actions to sustain or improve performance		
<p>There has been a significant increase in the number of interventions by the Council in Q4 because of the fuel poverty / cost of living crisis. Officers have made extensive use of both the Healthy Homes Assistance Grant and the Hospital Discharge Grant (both funded from the Better Care Fund) to the point that top-ups for both Funds were requested and approved during Q4. The Q4 performance data does not include the number of private sector houses which were improved during March 2023 funded by the governments Sustainable Warmth Programme (LAD3 and HUG1) as the data wasn't available in time for this report.</p>			<p>Cost of living pressures are expected to continue during 2023/24. A request for additional capital for the Healthy Homes Assistance Fund and the Hospital Discharge Fund has been approved by F&M Committee as part of a full report on progress with the Better Care Fund. Delays in the delivery of fuel poverty interventions funded by the governments Sustainable Warmth Programme have now largely been addressed and work is now starting on many of the households who have applied and qualify.</p>		



Priority: Our People

P2.4 Support social mobility to ensure people have the opportunity to access skilled jobs, higher and further education.

Measure and Reference	P2.4A Deliver the objectives identified in the Supporting Aspirations Action Plan, as appropriate to the Council	Committee	E&DS		
Definition	Delivery against the key themes identified in the Supporting Aspirations Action Plan.	Why this is Important	Social Mobility aims to ensure that everyone has the opportunity to build a good life for themselves regardless of geography or family background.		
What Good Looks Like	Deliver against the Supporting Aspirations Action Plan to help improve Social Mobility for disadvantaged young people in South Derbyshire.				
History of this Indicator	South Derbyshire has performed poorly on a number of indicators of Social Mobility for disadvantaged young people in recent years.				
2019/20 Baseline Data	The Social Mobility Commission's Social Mobility Index ranked South Derbyshire 311/324 local authority in 2017				
Reporting Year	Annual Target	Quarter 1	Quarter 2	Quarter 3	Quarter 4
2020/21	Ranked >311 on the Social Mobility Index	Reported in Q4	Reported in Q4	Reported in Q4	Research and data analysis
2021/22	Develop the Social Mobility Action Plan	Reported in Q4	Research and Data analysis	Preparation of Action Plan	Supporting Aspirations Action Plan adopted.
2022/23	Deliver the year one objectives identified in the Supporting Aspirations Action Plan	Reported in Q4	Reported in Q4	Reported in Q4	Achieved
Performance Overview - Quarterly Update			Actions to sustain or improve performance		
Activities contributing to the Supporting Aspirations Action Plan in Quarter 4, included promotion of National Careers Week and National Apprenticeship Week, along with East Midlands Airport Jobs Fair, Wheels to Work, and large recruitments at MEG Derby, Toyota (apprenticeships), Brunel and other local employers. Businesses were encouraged to host careers visits from schools, and the Burton Jobs Fair was supported.			n/a		



Quarter 4, 2022-2023 Service Delivery Risk Register

REF	RISK TITLE & DESCRIPTION	RISK CAUSE	RISK IMPACT	RISK CATEGORY Strategic, Resource Operational Financial Knowledge management Compliance, Partnership	Current Risk Rating (See table below for guidance)			CONTROLS IN PLACE TO MITIGATE THE RISK	Risk Rating after mitigations (See table below for guidance)			FURTHER ACTION REQUIRED	SUMMARY OF CHANGE SINCE LAST QUARTER	RISK OWNER
					LIKELIHOOD	IMPACT	RISK RATING		LIKELIHOOD	IMPACT	RISK RATING			
SD1	Loss of income to the Housing Revenue Account (HRA)	Reduction of income through the Impact of: Universal Credit (UC) (increase rent arrears) Void Properties (rent loss) Right to buy properties (rent loss)	Loss of income into the (HRA)	Financial	4	2	8	<ul style="list-style-type: none"> A revised Income Management Policy has been approved by Housing and Community Services Committee and new operational/ IT procedures implemented. New dwellings mitigate revenue lost through Right to Buy (RTB). New Builds can still be purchased under (RTB) after three years for Secure Tenancies. Daily monitoring of UC, and income management. The Housing Service has made operational changes to deal with this increase which have been subject to a successful audit review. Programme in place to reduce the void rent loss. Council House Development Group is in place. Rent Arrears performance improving – arrears now down to 2.8%. Void Property work plan presented to Overview and Scrutiny Committee 4/1/23 with a further update presented to Housing and Community Services Committee on 25th April 2023 Survey of small HRA development sites completed with options for redevelopment. Surveys of Smallthorn Place underway which will provide redevelopment options. Derbyshire County Council have commenced “Soft Market Testing” of the Careline and independent living services contracts which are currently delivered by the Council. A reduced service will be retendered for commencement in March 2024. This is likely to reduce the funding into the HRA from DCC by up to £300k. 	4	2	8	<ul style="list-style-type: none"> Increased focus on collection of rent and other housing debt. Monitoring and review of arrears, evictions and rent loss due to voids. Council House development group to develop a pipeline of development schemes. Government Rent Increase Cap confirmed at 7%. Council members have agreed a rent increase limited to 3% The Council is undertaking its own review of the Careline and ILS service to enable a new service proposal to be made to DCC and the NHS which may attract funding to mitigate any loss. <p>A draft proposal will be submitted to DCC as part of the soft market testing process in May 2023.</p>	Mitigating actions have been updated to advise void property work plan presented to H&CS Committee, Surveys for Smallthorn Place underway. Rent increase limited to 3% The contract for Careline and independent living services is due to be retendered in 2023-24.	Head of Housing Services
SD3	Safety standards	Failure to comply with basic safety standards in flats/blocks with communal areas.	Risk to property and life	Compliance	2	4	8	<p>Housing Safety policies are now in place for:</p> <ul style="list-style-type: none"> ➤ Fire ➤ Lift ➤ Electrical ➤ Gas ➤ Asbestos ➤ Legionella 	2	4	8	<ul style="list-style-type: none"> Monitoring and carrying out safety checks as per the Housing Safety Policies. Reconfiguring software (lifespan) to manage this. 	Mitigating actions updated to advise new tenant satisfaction measures for property safety are	Head of Housing Services

REF	RISK TITLE & DESCRIPTION	RISK CAUSE	RISK IMPACT	RISK CATEGORY Strategic, Resource Operational Financial Knowledge management Compliance, Partnership	Current Risk Rating (See table below for guidance)			CONTROLS IN PLACE TO MITIGATE THE RISK	Risk Rating after mitigations (See table below for guidance)			FURTHER ACTION REQUIRED	SUMMARY OF CHANGE SINCE LAST QUARTER	RISK OWNER
					LIKELIHOOD	IMPACT	RISK RATING		LIKELIHOOD	IMPACT	RISK RATING			
								<ul style="list-style-type: none"> A recent Internal Audit of Housing Safety has confirmed that the systems in place provide “reasonable assurance” in this area. Contracts are in place to deliver property improvements for all aspects of property safety. <ul style="list-style-type: none"> Recruited an Asset and Compliance post. Agency staff in place to cover Heating, Electrical, Fire safety Project Officer Roles. Posts have been regraded through the JEQ process to assist in permanent recruitment. Fire safety checks in sheltered and communal schemes being completed by Careline Support Coordinators. Successful recruitment to Gas and Building Project Officer roles. <ul style="list-style-type: none"> New Tenant Satisfaction Measures include specific property safety indicators. 				<ul style="list-style-type: none"> Recruitment exercise to be completed after JEQ regrading agreed. No interest in the Electrical Project Officer post. The role will be readvertised. 	due to be launched in 2023-24.	
SD5	Reduction in funding for Cultural and Community Services	Reduction of Council funding into Cultural and Community Services. Unable to source external funding to service.	There is likely to be additional funding needed to replace income lost through Covid-19.	Financial	3	3	9	<ul style="list-style-type: none"> Forward budget planning over several years, to cover the medium-term- up to and including 2023/24. Approvals received for reserve spend to secure staffing initially for Active Communities. The Council receives an annual Community Safety funding allocation from the Police and Crime Commissioner (PCC) of £25,000. In December 2021, the new PCC confirmed that this level of funding will continue for a further three years. The Council receives an annual Basic Command Unit funding allocation of £35,000 from the Chief Superintendent. This annual allocation, currently with no long-term commitment. A new three-year sponsorship of the Environmental Education Project with Rolls Royce has been confirmed. Government Funding via the National Leisure Recovery Fund (NLRF) for the Leisure Centres has been received. No more post covid support for leisure – working with Max associates to look at soft market testing for potential future delivery and/or negotiate potential contract extension. 	3	3	9	<ul style="list-style-type: none"> Maintain current funding contribution that the Council makes towards the Active Communities service. Continue to seek and secure relevant external funding opportunities to continued support service delivery. Monthly assessment of income and expenditure. Review reserves and potentially use to fund projects if needed. 	No change in Q4	Head of Cultural and Community Services

REF	RISK TITLE & DESCRIPTION	RISK CAUSE	RISK IMPACT	RISK CATEGORY Strategic, Resource Operational Financial Knowledge management Compliance, Partnership	Current Risk Rating (See table below for guidance)			CONTROLS IN PLACE TO MITIGATE THE RISK	Risk Rating after mitigations (See table below for guidance)			FURTHER ACTION REQUIRED	SUMMARY OF CHANGE SINCE LAST QUARTER	RISK OWNER
					LIKELIHOOD	IMPACT	RISK RATING		LIKELIHOOD	IMPACT	RISK RATING			
								<ul style="list-style-type: none"> Active Derbyshire Partnership may help to open up other funding potentials related to Physical Activity. 						
SD6	Ageing infrastructure at Rosliston Forestry Centre	Need to upgrade infrastructure at Rosliston Forestry Centre	Unable to deliver services at Rosliston.	Strategic	2	3	6	<ul style="list-style-type: none"> Condition survey updated as part of future procurement exercise for new contractor, informed by a wider strategic review. Focus on implementing infrastructure requirements identified in external consultant's report. Capital Programme bid successful with most projects supported. Engage tenants and keep Senior Leadership Team informed. Covid-19 pandemic has enabled an opportunity to do some minor health and safety works whilst the site was closed to the public. Vision for site to be reviewed considering the pandemic, informed by the wider climate emergency debate. New lease is now signed for 30 years with Forestry England. Consultation work to begin over the next 12 months to develop a new vision for RFC and allocate funding for redevelopment. 	2	3	6	<ul style="list-style-type: none"> Work commenced on the delivery of capital projects. Collaboration with Head of Corporate Property on improvements to the Planned Preventative Maintenance (PPM). Regular meetings held at operational and strategic levels with Forestry England. 	New 30-year lease signed – consultation work begins to revitalise RFC	Head of Cultural and Community Services

REF	RISK TITLE & DESCRIPTION	RISK CAUSE	RISK IMPACT	RISK CATEGORY Strategic, Resource Operational Financial Knowledge management Compliance, Partnership	Current Risk Rating (See table below for guidance)			CONTROLS IN PLACE TO MITIGATE THE RISK	Risk Rating after mitigations (See table below for guidance)			FURTHER ACTION REQUIRED	SUMMARY OF CHANGE SINCE LAST QUARTER	RISK OWNER
					LIKELIHOOD	IMPACT	RISK RATING		LIKELIHOOD	IMPACT	RISK RATING			
SD7	Failure to meet housing delivery targets set out in the five-year supply	Economic slowdown, material or labour shortages, supply chain issues. There has been a small decrease in housing completions during the COVID pandemic.	A loss of control of new developments and reduced likelihood of achieving the necessary section 106 contributions and the potential for developments to the approved in unsustainable locations	Strategic	4	3	12	<ul style="list-style-type: none"> Local Plan is in place which sets out the five-year supply. In August E&DS Committee approved that the local plan should have a review undertaken which will identify sufficient sites to provide an up-to-date five-year housing land supply. Active pursuit of schemes and opportunities. Increased focus on facilitating prompt commencement of development. Current five-year housing land supply rate at 6.29 years- most sites started are building at a rate above that originally anticipated such that 919 were completed in 2021/22. Despite a small reduction on the previous year the council has maintained its five-year housing land supply and a strong bounce back from COVID is already occurring. A consultation has been completed on the Issues and Options for the Local Plan Review with several sites put forward to enable a five-year housing land supply to be maintained, Support government proposals to offer flexibility in supply and delivery requirements in light of COVID-19 effects. The Housing Position Paper reported to January 26 EDS Committee confirmed a 5-year housing land supply to 6.29 years. 	2	3	6	<ul style="list-style-type: none"> Develop action plan(s) where necessary. Monitoring/review of performance ongoing. 	The mitigating actions have been updated to the Housing Position Paper will be kept under review and reported to E&DS Committee. The latest report on the 26 th January confirmed a 5-year housing land supply of 6.29 years (from 6.15)	Head of Planning and Strategic Housing
SD9	Melbourne Sports Park	Failure to deliver against external funder requirements at the Melbourne Sports Park (MSP). Ongoing discussions with external funders.	MSP negatively affected by Covid-19 with no income generation for several months. Some external grants success to support this impact but not all.	Financial	2	3	6	<ul style="list-style-type: none"> Scheme to deliver additional car parking on site completed. Drainage scheme on MSP site and adjacent landowners complete. Improved rugby pitches playability should increase income generation from bar and catering. Work on three new tennis courts completed. Improvements to third rugby pitch and training area underway. These projects will aid future viability. Development sub-committee to be re-established to look at future works/developments at the site. Council representative on the Sub-Committee. 	2	3	6	<ul style="list-style-type: none"> Regular Artificial Grass Pitch (AGP) Steering Group meetings. Matter under regular review at MSP Board meetings. Key funder in attendance at AGP steering group meetings. MSP Board meeting business plan income targets, however close monitoring is required. 	No change in Q4	Head of Cultural and Community Services

REF	RISK TITLE & DESCRIPTION	RISK CAUSE	RISK IMPACT	RISK CATEGORY Strategic, Resource Operational Financial Knowledge management Compliance, Partnership	Current Risk Rating (See table below for guidance)			CONTROLS IN PLACE TO MITIGATE THE RISK	Risk Rating after mitigations (See table below for guidance)			FURTHER ACTION REQUIRED	SUMMARY OF CHANGE SINCE LAST QUARTER	RISK OWNER
					LIKELIHOOD	IMPACT	RISK RATING		LIKELIHOOD	IMPACT	RISK RATING			
SD11	Tree Management	Failure to manage the Council's tree stock in line with adopted Tree Management policy.	Breach of tree policy and/or accident/incident involving trees.	Strategic	4	3	12	<ul style="list-style-type: none"> Review of approved Tree Management Policy completed. Zurich Municipal has provided support to assess the Council's risk on its Tree Policy and Strategy. A new tree policy and management plan has been agreed by committee on 17 March 2022. Unable to recruit an assistant tree officer so have gained approval to revise the structure of the Parks and Green Spaces to facilitate the flexible retirement of the current post holder and the creation of an additional tree officer (at a more senior level) to enable the sharing of knowledge and experience. 	3	3	9	<ul style="list-style-type: none"> The new Policy requires implementing and backlog of work procured and prioritised. A budget has been agreed. External support for tree inspections is being procured. Assistant tree officer appointed and is being mentored by Tree Officer Temporary support from agency to help with volume of tree work related to planning. Due to volume of workload reviewing staffing structure to ensure resourced adequately going forward. 	Further actions updated in Q4 that the Assistant Tree Officer has been appointed and is being mentored by Tree Officer. Ongoing review of the staffing structure is underway to ensure the service is resourced adequately and succession planning is factored in.	Head of Cultural and Community Services
SD12	Ageing Infrastructure at Greenbank Leisure Centre	Infrastructure at Greenbank Leisure Centre including pipework to pool and roof structure needs investment.	Unable to deliver services at Greenbank Leisure Centre	Strategic	3	3	9	<ul style="list-style-type: none"> Building condition survey is being updated and a planned preventative maintenance (PPM) programme put in place by Head of Corporate Property. Complete the necessary works identified in external consultant's report, informed by a wider strategic review (SOPM). Improvements made to pool pipework and roof. Ensure that there is sufficient capital funding to complete the necessary works and revenue funding for on-going PPM. Facility Planning Model (FPM) being undertaken to assess strategic need of leisure stock through to 2038. The FPM work above is now complete and will inform the Local Plan. Further work is being undertaken on the SOPM. 	3	3	9	<ul style="list-style-type: none"> Review of the operational management and deliverability of PPM Options presented by FPM to be assessed and presented to Members in the future. Also Built Facility Strategy to be commissioned to support FPM. 	No change in Q4 – still to commission Built Facility Strategy	Head of Cultural and Community Services

REF	RISK TITLE & DESCRIPTION	RISK CAUSE	RISK IMPACT	RISK CATEGORY Strategic, Resource Operational Financial Knowledge management Compliance, Partnership	Current Risk Rating (See table below for guidance)			CONTROLS IN PLACE TO MITIGATE THE RISK	Risk Rating after mitigations (See table below for guidance)			FURTHER ACTION REQUIRED	SUMMARY OF CHANGE SINCE LAST QUARTER	RISK OWNER
					LIKELIHOOD	IMPACT	RISK RATING		LIKELIHOOD	IMPACT	RISK RATING			
SD15	Leisure Centres	Due to the National Lockdowns and control of coronavirus measures.	The Council's Leisure Contractor can no longer sustain its business	Strategic Financial	2	3	6	<ul style="list-style-type: none"> Application to Government for National Leisure Recovery Fund (NLRF) successful and distribution being arranged. Increase risk to leisure providers viability nationally due to rising utility costs. Pre-planning within the budget setting process and close working relationship with leisure contractor. Monthly contract meetings are taking place to track contractor financial and operational performance. 	2	3	6	<ul style="list-style-type: none"> Monthly assessment of Leisure Contractor finances and assessment of Council support through monthly contract meetings. Contingency plans are also being developed should the contractor not be able to deliver the contract at short notice. Final settlement of financial negotiations during Covid closure is complete. End of year accounts have been received from contractor. It is clear that the trading conditions have been challenging but participation is now increasing. However numbers are below pre pandemic levels. Energy costs have risen dramatically – impact on contractor and SDDC as part of energy benchmarking – awaiting to hear on grants from Sport England to support LA with swimming pools. Continual monitoring is essential. 	Update to further actions in Q4 Monthly contract meetings taking place Energy costs have risen, awaiting update from Sport England on financial support to LA with swimming pools.	Head of Cultural and Community Services

REF	RISK TITLE & DESCRIPTION	RISK CAUSE	RISK IMPACT	RISK CATEGORY Strategic, Resource Operational Financial Knowledge management Compliance, Partnership	Current Risk Rating (See table below for guidance)			CONTROLS IN PLACE TO MITIGATE THE RISK	Risk Rating after mitigations (See table below for guidance)			FURTHER ACTION REQUIRED	SUMMARY OF CHANGE SINCE LAST QUARTER	RISK OWNER
					LIKELIHOOD	IMPACT	RISK RATING		LIKELIHOOD	IMPACT	RISK RATING			
SD16	Voluntary and Community Sector	A reduction in resources for partners who deliver services for or on behalf of the Council.	Evidence that this is occurring with CVS and Citizens Advice having core funding reduced in recent years	Strategic Financial	2	3	6	<ul style="list-style-type: none"> It is considered that the Council is undertaking as much action as is reasonably possible at this stage to mitigate the risk. The Council's current grant funding has been increased in 2022/23. The Council employs a dedicated Community Partnership Officer to support the voluntary sector and local organisations. Capacity in the sector is starting to recover in light of Covid-19 and the Council is working to support the relevant organisations. 	2	3	6	<ul style="list-style-type: none"> The Council continues to work with the Voluntary and Community sector to ensure its funding delivers the Council's Corporate Plan objectives. 	No change in Q4	Head of Community and Cultural Services
SD17	Sustainable Urban Drainage features (Suds)	Failure to manage the Suds in line with national guidance.	Serious accident at a Suds feature, and / or failure of feature to prevent flooding	Operational Strategic Financial	3	4	12	<ul style="list-style-type: none"> A recent report by Alliance Consulting has highlighted risks associated with SUDs features that the Council has adopted / is due to adopt. There are potentially nine sites. The Council has a capital budget to implement the findings of the Alliance report on Council-owned sites. The Council no longer adopts SUDs as part of new developments. These are transferred to Severn Trent Water subject to them meeting appropriate standards. 	2	3	6	<ul style="list-style-type: none"> The Council has reviewed the independent SUDs report and is undertaking all reasonable and practicable actions to mitigate any risks. 	No change in Q4	Head of Community and Cultural Services
SD18	Fluctuations in recycle prices	Failure to monitor and report fluctuations in recycle prices	An escalation in the cost of delivering the recycling service.	Operational Financial	2	3	6	<ul style="list-style-type: none"> At the time of awarding new recycling contracts in July 2021, an assessment of material prices over the last 30 months was undertaken. This showed that prices fluctuate from month to month. In assessing the bids, using the lowest material prices from the last 30 months was considered the most prudent way to budget for the service through the Medium-Term Financial Plan (MTFP), with a reserve established to bank any income over that budgeted to cover any periods where income falls below that budgeted. A quarterly update within the Revenue Monitoring Report is presented by the Head of Finance to Finance and Management Committee to allow Members to keep this under review. This position should be fully reviewed following the initial two-year period. 	2	3	6	<ul style="list-style-type: none"> Continue to report quarterly on recycle income 	No change in Q4.	Head of Operational Services

REF	RISK TITLE & DESCRIPTION	RISK CAUSE	RISK IMPACT	RISK CATEGORY <i>Strategic, Resource Operational Financial Knowledge management Compliance, Partnership</i>	Current Risk Rating <i>(See table below for guidance)</i>			CONTROLS IN PLACE TO MITIGATE THE RISK	Risk Rating after mitigations <i>(See table below for guidance)</i>			FURTHER ACTION REQUIRED	SUMMARY OF CHANGE SINCE LAST QUARTER	RISK OWNER
					LIKELIHOOD	IMPACT	RISK RATING		LIKELIHOOD	IMPACT	RISK RATING			
SD19	Animal welfare costs	Significant increase in dog ownership, illegal dog breeding, stray dogs and poor animal welfare	Substantial costs from animals taken into possession which have been found to be suffering. The Council currently still has possession of approx. 30 animals following recent operations down from a peak of 190 in September 2022	Financial, Compliance, Partnership	4	3	12	<ul style="list-style-type: none"> Powers under s20 of the Animal Welfare Act. Mutual support agreement with RSPCA. Dog fostering scheme agreed with a dog fostering charity. No win no fee agreement with a third-party Financial Investigator to enable the Council to pursue Proceeds of Crime Act action against offenders to recover costs. Additional budget has been proposed for the 2023/24 financial year in the draft budget. 	2	3	6	<ul style="list-style-type: none"> Ongoing monitoring required of the CEH00 R4400 budget to review the effects of the existing mitigations. Prosecution files being prepared in relation to animal welfare and illegal breeding offences. Development of an animal in distress policy, to give guidance to officers 	Continued reduction in number of animals in Council possession	Head of Environmental Services
SD20	Green Homes Grant Project	Failure to deliver the volume of Green Homes Grants agreed with the project sponsors	Repayment of grant allocation to the project sponsors Loss of reputation	Strategic, Financial, Operational, Partnership	4	2	8	<ul style="list-style-type: none"> An existing project management framework is in place in accordance with the agreed Memorandum of Understanding with the project sponsors (BEIS and Midland Net Zero Hub) New contractors have been procured to increase the contractor capacity to deliver the target number of Green Homes Grants. 	2	2	4	<ul style="list-style-type: none"> Review volume and quality of delivery of newly appointed contractors. Communicate with stakeholders. 	Agreement signed with new contractors. Revised Delivery Plan agreed with DESNZ	Head of Environmental Services

Risk Matrix Template

The table below outlines how the impact and likelihood of the risk is scored using the threshold and description as guidance.

1.1

Impact	Very High (4)	4	8	12	16	<div style="background-color: red; color: white; padding: 2px;">12-16</div> <div style="background-color: orange; color: black; padding: 2px;">6-9</div> <div style="background-color: green; color: black; padding: 2px;">1 - 4</div>	Significant Risk Medium Risk Low Risk
	High (3)	3	6	9	12		
	Medium (2)	2	4	6	8		
	Low (1)	1	2	3	4		

	Remote (1)	Possible (2)	Probable (3)	Highly Probable (4)
	Likelihood			

Impact	Thresholds and Description
1 – Low	Limited impact on service objectives if any, section objectives unlikely to be met, financial loss less than £10,000, no media attention.
2 – Medium	Slight delay in achievement of service objectives, minor injuries, financial loss over £50,000k, adverse local media attention, breaches of local procedures
3 – High	Significant threat to Council objectives. Non-statutory duties not achieved, permanent injury, financial loss over £100,000, negative national media attention, litigation expected, serious issues raised through inspection, breakdown of confidence of partners.
4 – Very high	Objectives cannot be delivered. Statutory duties not achieved, death, financial loss over £500,000 adverse national media attention, litigation almost certain, prosecutions, breaches of law, inspection highlights inadequate service, Council unable to work with partner organisation.
Likelihood	Thresholds and Description
1 – Remote	May occur only in exceptional circumstances (e.g. once in 10 years)
2 – Possible	Unlikely to occur but could at some time (e.g. once in three years)
3 – Probable (in two years)	Fairly likely to occur at some time or under certain circumstances (e.g. once in two years)
4 – Highly probable (in 12 months)	Will probably occur at some time or in most circumstances (e.g. once in 12 months)

Service Delivery Risk Matrix

The below table summarises the risk likelihood and impact for risks after controls have been put in place to mitigate the risk.

Impact	Very High (4)		SD3, SD9		
	High (3)		SD6, SD7, SD15, SD16, SD17, SD18, SD19	SD5, SD12	SD11

	Medium (2)		SD20		SD1
	Low (1)				
		Remote (1)	Possible (2)	Probable (3)	Highly Probable (4)
		Likelihood			

SD1	Loss of income to the Housing Revenue Account (HRA)	Reduction of income through the Impact of: Universal Credit (UC) (increase rent arrears) Void Properties (rent loss) and right to buy properties (rent loss).
SD3	Safety standards	Failure to comply with basic safety standards in flats/blocks with communal areas.
SD5	Reduction in funding for Cultural and Community Services	Reduction of Council funding into Cultural and Community Services. Unable to source external funding to service.
SD6	Ageing infrastructure at Rosliston Forestry Centre	Need to upgrade Infrastructure at Rosliston Forestry Centre.
SD7	Failure to meet housing delivery targets set out in the five-year supply	Economic slowdown, material or labour shortages, supply chain issues. There has been a small decrease in housing completions during the COVID pandemic.
SD9	Melbourne Sports Park	Failure to deliver against external funder requirements at the Melbourne Sports Park (MSP). Ongoing discussions with national funders.
SD11	Tree Management	Failure to manage the Council's tree stock in line with adopted Tree Management policy.
SD12	Ageing Infrastructure at Greenbank Leisure Centre	Infrastructure at Greenbank Leisure Centre including pipework to pool and roof structure needs investment.
SD15	Leisure Centres	Due to the National Lockdowns and control of coronavirus measures.
SD16	Voluntary and Community Sector	A reduction in resources for partners who deliver services for or on behalf of the Council.
SD 17	Sustainable Urban Drainage features (Suds)	Failure to manage the Suds in line with national guidance.
SD18	Monitor fluctuations in recycle prices	Failure to monitor and report fluctuations in recycle prices.
SD19	Animal Welfare Costs	Significant increase in dog ownership, illegal dog breeding and poor animal welfare.
SD20	Green Homes Grant	Failure to deliver the volume of Green Homes Grants agreed with the project sponsors.

Quarter 4, 2022-2023 Chief Executive Risk Register

REF	RISK TITLE & DESCRIPTION	RISK CAUSE	RISK IMPACT	RISK CATEGORY Strategic, Resource Operational Financial Knowledge management Compliance, Partnership	Current Risk Rating (See table below for guidance)			CONTROLS IN PLACE TO MITIGATE THE RISK	Risk Rating after mitigations (See table below for guidance)			FURTHER ACTION REQUIRED	SUMMARY OF CHANGE SINCE LAST QUARTER	RISK OWNER
					LIKELIHOOD	IMPACT	RISK RATING		LIKELIHOOD	IMPACT	RISK RATING			
CE1	Economic development partnerships	Failure of economic development partnerships	Leading to an adverse impact on businesses and local economy	Partnership	2	2	4	<ul style="list-style-type: none"> Proactive engagement in partnerships and with individual partners. Commitment of officer time and resources to partnership activities. 	1	2	2	<ul style="list-style-type: none"> Monitoring of projects and performance. 	No change in Q4.	Head of Economic Development and Growth
CE2	South Derbyshire Partnership working	Failure of the South Derbyshire Partnership	Leading to non-delivery of the community's vision and priorities set out in the Community Strategy	Partnership / Strategic	2	3	6	<ul style="list-style-type: none"> Proactive support for partnership. Commitment of officer time and resources to partnership facilitation. Engagement of partners in policy making and project design and delivery. 	1	3	3	<ul style="list-style-type: none"> Monitoring of projects and performance by Strategic Co-ordinating Group. 	No change in Q4.	Head of Economic Development and Growth
CE4	Effectively manage the election process and canvassing.	Failure of joined up Council approach	Leading to a failed election process	Strategic	2	2	4	<ul style="list-style-type: none"> Elections Project Team in place and meets as necessary with representatives from all services involved. Arrangements in place for an Election to be called at short notice. Arrangements in place for Referenda/By-Elections to be called. 	1	2	2	<ul style="list-style-type: none"> Monitoring of service delivery under review consistently 	No change in Q4.	Head of Legal and Democratic Services

Risk Matrix Template

The table below outlines how the impact and likelihood of the risk is scored using the threshold and description as guidance.

Impact	Very High (4)	4	8	12	16	<table border="1" style="display: inline-table; vertical-align: middle;"> <tr><td style="background-color: red; text-align: center;">12-16</td><td>Significant Risk</td></tr> <tr><td style="background-color: yellow; text-align: center;">6-9</td><td>Medium Risk</td></tr> <tr><td style="background-color: green; text-align: center;">1 - 4</td><td>Low Risk</td></tr> </table>	12-16	Significant Risk	6-9	Medium Risk	1 - 4	Low Risk
	12-16	Significant Risk										
	6-9	Medium Risk										
	1 - 4	Low Risk										
High (3)	3	6	9	12								
Medium (2)	2	4	6	8								
Low (1)	1	2	3	4								
		Remote (1)	Possible (2)	Probable (3)	Highly Probable (4)							
		Likelihood										

Impact	Thresholds and Description
1 – Low	Limited impact on service objectives if any, section objectives unlikely to be met, financial loss less than £10,000, no media attention
2 – Medium	Slight delay in achievement of service objectives, minor injuries, financial loss over £50,000, adverse local media attention, breaches of local procedures
3 – High	Significant threat to Council objectives. Non-statutory duties not achieved, permanent injury, financial loss over £100,000, negative national media attention, litigation expected, serious issues raised through inspection, breakdown of confidence of partners.
4 – Very high	Objectives cannot be delivered. Statutory duties not achieved, death, financial loss over £500,000, adverse national media attention, litigation almost certain, prosecutions, breaches of law, inspection highlights inadequate service, Council unable to work with partner organisation
Likelihood	Thresholds and Description
1 – Remote	May occur only in exceptional circumstances (e.g. once in 10 years)
2 – Possible	Unlikely to occur but could at some time (e.g. once in three years)
3 – Probable (in two years)	Fairly likely to occur at some time or under certain circumstances (e.g. once in two years)
4 – Highly probable (in 12 months)	Will probably occur at some time or in most circumstances (e.g. once in 12 months)

Corporate Risk Matrix

The below table summarises the risk likelihood and impact for risks after controls have been put in place to mitigate the risk.

Impact	Very High (4)				
	High (3)	CE2			
	Medium (2)	CE1, CE4			
	Low (1)				
		Remote (1)	Possible (2)	Probable (3)	Highly Probable (4)
		Likelihood			

CE1	Economic development partnerships	Failure of economic development partnerships
CE2	South Derbyshire Partnership working	Failure of the South Derbyshire Partnership
CE3	Transfer of responsibility for visitor information provision from Sharpe's Pottery Heritage and Arts Trust to the Council	Interruption of service delivery whilst transferring services to the Council (Quarter three- risk to be archived)
CE4	Effectively manage the election process and canvassing.	Failure of joined up Council approach

REPORT TO:	ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE	AGENDA ITEM: 7
DATE OF MEETING:	30 MAY 2023	CATEGORY: (See Notes) DELEGATED or RECOMMENDED
REPORT FROM:	HEIDI MCDUGALL, STRATEGIC DIRECTOR	OPEN
MEMBERS' CONTACT POINT:	JESSICA CHEADLE, 07435 829964, <a href="mailto:JESSICA.CHEADLE@SOUTHDERBY
SHIRE.GOV.UK">JESSICA.CHEADLE@SOUTHDERBY SHIRE.GOV.UK	DOC:
SUBJECT:	THE DEPARTMENT FOR LEVELLING UP, HOUSING AND COMMUNITIES CONSULTATION ON THE PROPOSED INFRASTRUCTURE LEVY.	
WARD(S) AFFECTED:	ALL	TERMS OF REFERENCE: (See Notes)

1.0 Recommendations

- 1.1 For Members to approve the submission of a response to the consultation in line with officer recommendations (detailed in Appendix 1).

2.0 Purpose of the Report

- 2.1 To present the details of the current Department for Levelling Up, Housing and Communities consultation on the proposed Infrastructure Levy. To consider the implications of the proposed amendments to South Derbyshire District Council, to approve a response to the consultation (detailed in Appendix 1) and approve submission.

3.0 Executive Summary

- 3.1 The government are consulting on significant changes to the way in which infrastructure to support development will be delivered in the future, with a move away from S106 and Community Infrastructure Levy's (CILs) to a single Infrastructure Levy.
- 3.2 The new system is expected to generate more infrastructure funds as it bases the value on the final sale price of development and will remove the ability of developers to negotiate contributions downwards. However, there are some concerns about how this will work in practice given that the majority of the funding will come towards the end of the development rather than required at key trigger points throughout development (as is currently the case) and that requirements need to be set out in advance which reduces the ability of the Council to respond and adapt to changing needs.

4.0 Detail

- 4.1 The Levelling-up and Regeneration Bill (the Bill) was published in May 2022, it is currently passing through parliament. The Bill seeks to replace the current system of developer contributions with a mandatory, more streamlined, and locally determined Infrastructure Levy. The government wants to make sure that local authorities receive a fairer contribution of the money that typically accrues to landowners and developers. This will support funding for the infrastructure such as affordable housing, schools, GP surgeries, green spaces and transport infrastructure to support connectivity that local communities expect to come with new development. The consultation was published on the 17th March and runs until 9th June 2023.
- 4.2 Under the current system of developer contributions, all local authorities can use discretionary s106 planning obligations to secure mitigations for development. In addition, all local authorities can charge CIL although South Derbyshire have not yet implemented this. Under the new system, introduced by the Bill, it will be mandatory for local authorities in England to charge the Infrastructure Levy in their area when it is implemented there. The Levy will apply to all types of development, aside from where exemptions apply. The Levy will replicate some existing exemptions from CIL. The consultation seeks views on the case for other suitable exemptions or reduced rates, including a proposal to apply exemptions to qualifying small sites and publicly funded infrastructure.
- 4.3 The Levy will be charged on the gross development value (GDV) of the property at the point of site sale or completion per square metre and applied above a minimum threshold. Levy rates and minimum thresholds (below which no Levy is charged) will be set and collected locally, and local authorities will be able to set different rates within their area which can be varied by the type of development (including brownfield and greenfield) and local authorities can create different charging zones.
- 4.4 Rates and thresholds will need to be set out in a Levy charging schedule which is subject to consultation and a process of public examination. To capture more value than the current system, local authorities will need to be able to maximise Levy revenues whilst maintaining the viability of development in their area. Having these rates set up front will remove, in most instances, the time-consuming negotiation of s106 agreements and provide considerably more certainty for local authorities and developers alike.
- 4.5 This will allow developers to price the value of contributions into the value of the land and for Levy liabilities to reflect market conditions. Levy liabilities will be based on GDV. It will also remove the need for planning obligations to be renegotiated if the is lower than expected; while allowing local authorities to share in the uplift if GDVs are higher than anticipated.
- 4.6 Basing the Levy on GDV requires a novel proposal around Levy payments as it's not possible to calculate the value until the development is finished. Indicative liabilities will be calculated using Levy charging schedules. These will set out expectations of Levy liabilities that reflect assumed values of a site. A provisional payment of the Levy will be made close to scheme completion. A final adjustment payment can be used on completion incorporating final values to ensure correct liabilities are discharged.
- 4.7 The Council will be permitted to borrow against future Levy proceeds, including from the Public Works Loan Board, to facilitate the forward funding of infrastructure. Cash reserves can also be built up across

- 4.8 The Levy is intended to be more transparent, as Levy charging schedules will make the expected value of a contribution clear up-front. It will also make it clear to existing and new residents what new infrastructure will accompany development and to developers what infrastructure will be required to make development acceptable. The government argue that this will ultimately create a more consistent system, which removes unnecessary delay and provides additional funds to local communities. The Levy is a tax-like charge that is imposed on development similar to that currently in place for the Community Infrastructure Levy under the Planning Act 2008.
- 4.9 Infrastructure 'integral' to the successful functioning of a site, such as on-site play areas, site access and internal highway network or draining systems, will be delivered by developers and secured through planning conditions. Where this is not possible, 'integral' infrastructure will be delivered through targeted planning obligations known as 'Delivery Agreements'. All other forms of infrastructure – 'Levy funded' infrastructure – will be paid for through Levy revenues.
- 4.10 S106 will be retained in the new system but for restricted purposes. Sites will come forward through three different 'routeways' (core, infrastructure in-kind or S106 only) depending on their character.
- 4.11 Local authorities will be required to prepare an Infrastructure Delivery Strategy for delivering local infrastructure and spending Levy proceeds. The Bill will enable local authorities to require the assistance of infrastructure providers, the local community, and other bodies in devising these strategies and their development plans. The government believes that Local authorities will be able to take a more strategic and unified approach to infrastructure planning and delivery. That includes how they expect to spend Levy proceeds to accommodate the needs of the community such as through the provision of GP surgeries and schools.
- 4.12 The government is committed to the Levy securing at least as much affordable housing as developer contributions do now. A new 'right to require' will enable local authorities to set out what proportion of the Levy they want delivered as affordable homes and what proportion they want delivered as cash. As the developer will be obliged to deliver these apportionments, the 'right to require' will afford greater protection to policy compliant levels of affordable housing. That is because, under the existing system, levels of affordable housing are often negotiated downward on viability grounds, resulting in fewer units being delivered than a local authority initially sought. The non-negotiable nature of the Levy provides an opportunity to address this. The 'right to require' means that where local authorities set out how much of the Levy they want as affordable housing, that amount will be delivered without the risk of a downward negotiation.
- 4.13 On-site affordable housing can be delivered as an in-kind payment of the Levy through a new 'right to require' which will enable local authorities to secure affordable homes as a proportion of levy liabilities.
- 4.14 Imitating provisions under the existing Community Infrastructure Levy legislation, both a neighbourhood share, and administrative share of the new Levy will be able to be retained to support funding of local community priorities and Levy administration respectively. Under the new Levy, this will be a smaller share in percentage terms than the Neighbourhood Share as it exists under CIL however, that is because the Infrastructure Levy will capture value that is currently captured through both CIL and s106. Therefore, it is envisaged that the Neighbourhood Share would be a smaller proportion of a larger amount of [Page 31 of 51](#) should not result in less value than the

existing system. Note that because South Derbyshire has not implemented a CIL that the Neighbourhood Share would be more than existing in any event.

- 4.15 The government is intending to introduce changes to the Levy over an extended period through a 'test and learn' approach. With the Levy being introduced in a minority of local authorities in the first instance to refine the system prior to a nationwide roll out which is anticipated to commence in 2029 and conclude in 2032. Separate to the consultation the government are inviting interest from authorities who wish to become a 'test and learn' authority (with likely changes to begin being implemented in 2025).

5.0 Financial Implications

- 5.1 None directly arising from this report.

6.0 Corporate Implications

Employment Implications

- 6.1 None directly arising from this report.

Legal Implications

- 6.2 None directly arising from this report.

Corporate Plan Implications

- 6.3 None directly arising from this report.

Risk Impact

- 6.4 None directly arising from this report.

7.0 Community Impact

Consultation

- 7.1 None.

Equality and Diversity Impact

- 7.2 None directly arising from this report.

Social Value Impact

- 7.3 The Council's response to the government consultation will potentially influence the level of infrastructure delivered within the district in the future. This includes the provision of affordable housing and other infrastructure required to ensure that communities are sustainable and healthy.

Environmental Sustainability

- 7.4 The Council's response to the government consultation will potentially influence the level of infrastructure delivered within the district in the future. This includes publicly accessible green space, flood mitigation measures and infrastructure to support active travel all of which should help to mitigate the impact of climate change.

8.0 Conclusions

- 8.1 A response in line with the officer recommendations detailed in Appendix 1 should be submitted to the Department for Levelling Up, Housing and Communities consultation on the Infrastructure Levy.

9.0 Background Papers

APPENDIX 1: Consultation Questions and proposed Council response.

Technical Consultation on the Infrastructure Levy – [Consultation document](#)

Appendix 1:

Consultation Question	Council comments	Proposed Council Response
Chapter 1 – Fundamental design choices		
<p>Question 1: Do you agree that the existing CIL definition of ‘development’ should be maintained under the Infrastructure Levy, with the following excluded from the definition:</p> <ul style="list-style-type: none"> • developments of less than 100 square metres (unless this consists of one or more dwellings and does not meet the self-build criteria) – No • Buildings which people do not normally go into - No • Buildings into which peoples go only intermittently for the purpose of inspecting or maintaining fixed plant or machinery - No • Structures which are not buildings, such as pylons and wind turbines. Yes. <p>Please provide a free text response to explain your answer where necessary.</p>	<p>This definition broadly means that structures that are buildings, and used by people, will qualify as ‘development’.</p> <p>Having no experience of the implementation and subsequent implications of a CIL it is hard to determine the impact that this would have on South Derbyshire.</p> <p>Under the proposals self-build properties will be exempt from the Infrastructure Levy. Given that the Council has a duty to support this type of development and that it creates the same level of infrastructure requirement as a standard (non-self-build) property it would appear that they should be paying the levy.</p>	<p>As all of these developments still require planning permission such as solar panels and pylons and they still have an effect and permanent change on the land.</p> <p>Developments of less than 100 square meters unless they are consisting of one or more dwellings should not be Included as it is anticipated that this will restrict the amount of development that takes place within the district.</p> <p>Buildings that people do not normally go into should still be included due to the permanent change that will take place on the landscape and the local area , for example an electricity sub-station.</p> <p>Buildings which are only entered intermittently for the purpose of inspection or maintenance should be included in the Infrastructure Levy charging should not be included as these are typically small scale and do not have an effect on the locality of the development e.g. the local highway network.</p>

Consultation Question	Council comments	Proposed Council Response
		Structures which are not buildings should not be Included such as wind turbines as they will be captured by other mechanisms such as BNG for any impacts that might be generated as an effect of the development of these structures.
<p>Question 2: Do you agree that developers should continue to provide certain kinds of infrastructure, including infrastructure that is incorporated into the design of the site, outside of the Infrastructure Levy? [Yes/No/Unsure].</p> <p>Please provide a free text response to explain your answer where necessary.</p>	<p>It is anticipated that developers will cost in ‘integral’ infrastructure as part of the build cost for a scheme and for it to be delivered in addition to payments of the Levy. This will broadly ensure that Levy revenues are not used to fund infrastructure that would normally be part of the costs of development. Some examples of what ‘integral infrastructure’ might include are:</p> <ul style="list-style-type: none"> • Cycle parking areas • Electric vehicle charging points • Inclusion of sustainable urban drainage systems and flood risk mitigation • Carbon reduction design measures to meet building regulations • Biodiversity enhancements and net gain • Private amenity space • Street trees and on-site green infrastructure • On-site play areas and open space for residents 	<p>Yes.</p> <p>Some infrastructure is best to be provided on-site by the developer. Some of this is integral to the development and expected to help ensure the site is designed as a well liveable community for future generations. This includes the creation of blue and green infrastructure and the requirements of Section 278 agreements.</p> <p>This is the developer delivering on site infrastructure that is critical to enable the development to take place and mitigate the potential impacts of the development that is taking place. The developer might have expertise on certain infrastructure that is required such as the construction of and the design of the infrastructure.</p>

Consultation Question	Council comments	Proposed Council Response
	<ul style="list-style-type: none"> The creation of safe, high quality, adoptable internal road layouts, that prioritise pedestrian movements and sustainable transport modes as well as, where appropriate, well designed agreed levels of multi-modal parking, including for disabled users, car clubs and electric vehicles 	<p>It is often more viable to provide of certain integral infrastructure on-site also than it would be to contribute towards off-site provision.</p>
<p>Question 3: What should be the approach for setting the distinction between ‘integral’ and ‘Levy-funded’ infrastructure? [see para 1.28 for options a), b), or c) or a combination of these].</p> <p>Please provide a free text response to explain your answer, using case study examples if possible.</p>	<p>Options:</p> <p>a) A set of principles established in regulations or policy. For infrastructure to be considered ‘integral’, it may be that a combination of principles must be met, which could include:</p> <p>i. Design: the mitigation relates to how the site is designed or interacts physically with the wider area</p> <p>ii. Liveability: the mitigation relates to the quality of the development itself</p> <p>iii. Beneficiaries: the mitigation is primarily for the benefit of those who inhabit the development or are directly impacted by the development</p> <p>iv. Predictability: it is clear to the developer that they will be required to make this kind of contribution</p>	<p>b) (A nationally set list of types of infrastructure that are either ‘integral’ or ‘Levy-funded’ set out in regulations or policy)</p> <p>Through having principles set in national regulations or policy it will ensure a clear line is set for the different types of infrastructure that is integral and levy-funded, especially when applications are received that are for cross boundary developments.</p>

Consultation Question	Council comments	Proposed Council Response
	<p>v. Individuality: it is required to mitigate an individual development, rather than the pooled impacts of multiple developments</p> <p>b) A nationally set list of types of infrastructure that are either ‘integral’ or ‘Levy-funded’ set out in regulations or policy. Such typologies can never be exhaustive but can deal with many common types of infrastructure. For instance, on-site green spaces and play areas and certain environmental mitigations might be set at a national level as integral infrastructure, which developers are expected to contribute.</p> <p>c) Principles and typologies are set locally. With reference to national policies and guidance, local authorities will be able to set out any specific items that they will be seeking as integral contributions, through their infrastructure delivery strategy.</p>	
<p>Question 4: Do you agree that local authorities should have the flexibility to use some of their Levy funding for non-infrastructure items such as service provision? [Yes/No/Unsure]</p> <p>Please provide a free text response to explain your answer where necessary.</p>	<p>Currently the use of Section 106 Agreements can only be used to fund infrastructure provision, that mitigates the impact of the development. However, in the future it should also be used to an extent towards items such as architecture fees and design costings which will go</p>	<p>Yes.</p> <p>Where it is linked to the capital infrastructure provision and evidence of service provision can be provided.</p>

Consultation Question	Council comments	Proposed Council Response
	<p>towards the creation of the infrastructure (e.g. a new community centre).</p> <p>Under new section 204N(5), and via regulations, we will be able to allow local authorities funding for non-infrastructure matters, such as revenue funding for services. The Levy is, in essence, a one-off payment made in relation to a development, whereas revenue funding of services is an ongoing obligation. This means that the ongoing delivery of a service cannot be funded in the long-term by levy revenues from a specific development.</p>	<p>Service provision should not include staff costs (such as salaries). As once the money from the Levy has run out the service provided will have to be stopped and no longer be provided to the residents as a mitigation of the development impacts. If service provision is paid for using the Infrastructure Levy and includes staffing costs it should include a caveat to ensure that it is ring fenced to mean that the staffing that is funded relates to specific infrastructure delivery.</p>
<p>Question 5: Should local authorities be expected to prioritise infrastructure and affordable housing needs before using the Levy to pay for non-infrastructure items such as local services? [Yes/No/Unsure].</p> <p>Should expectations be set through regulations or policy? Please provide a free text response to explain your answer where necessary.</p>	<p>Local authorities may wish to have flexibility to provide contributions towards service funding for local priorities.</p>	<p>Yes.</p> <p>Regulations and Policy.</p> <p>This will ensure that the effects of the development benefit those that are directly impacted by the development. It will help to mean that the development will balance the pressure of new development over the need of improvements to the surrounding area.</p> <p>Otherwise, there is the risk that the Infrastructure Levy contributions will be lost to the provision of other</p>

Consultation Question	Council comments	Proposed Council Response
		Council services rather than the prioritisation of the delivery that is needed the most, including the delivery of affordable housing.
<p>Question 6: Are there other non-infrastructure items not mentioned in this document that this element of the Levy funds could be spent on? [Yes/No/Unsure]</p> <p>Please provide a free text response to explain your answer where necessary.</p>		The Council reserves a right to comment following the test and learn of the Levy as it is uncertain until the Levy is implemented if there is other non-infrastructure items the Levy should fund.
<p>Question 7: Do you have a favoured approach for setting the 'infrastructure in-kind' threshold? [high threshold/medium threshold/low threshold/local authority discretion/none of the above].</p> <p>Please provide a free text response to explain your answer, using case study examples if possible.</p>	<p>Government proposes creating three distinct routeways for securing developer contributions:</p> <ol style="list-style-type: none"> 1. The core Levy routeway 2. Infrastructure in-kind routeway 3. S106-only routeway <p>Government propose retaining negotiated s106 planning obligations for large and complex sites. For qualifying schemes, s106 obligations will be used as a tool to secure infrastructure and affordable housing as an in-kind contribution of the Levy.</p> <p>Infrastructure in-kind is where a developer delivers required infrastructure and LPA checks costs of delivery against what</p>	<p>Medium threshold or local authority discretion.</p> <p>At South Derbyshire District Council, we do not have developments that are over the 10,000 homes or above that is proposed for the high threshold level. On average our largest developments sites are 2,000 homes at a time but often a multiple of these sites located adjoining each other with separate agreements. They are often developed as large urban extensions. By having the infrastructure in kind set at the medium threshold or at local authority discretion it would enable the largest schemes that the District</p>

Consultation Question	Council comments	Proposed Council Response
	<p>would be received through the levy. The outcome should equal or exceeds levy amount – otherwise developer would need to ‘top up’ with cash).</p> <ul style="list-style-type: none"> a) A high threshold. A threshold for the very largest and most complex sites e.g new settlements of 10,000 homes and above, or complex urban regeneration sites with large scale redevelopment of existing buildings. This will mean that the greatest number of sites possible are subject to the core Levy routeway. b) A medium threshold. A threshold set lower to cover urban extensions e.g. between 2,000 and 4,000 units). c) A low threshold. A threshold set far lower (e.g. sites over 500 units). This will increase the associated levels of negotiation. d) Local authority discretion. Local authorities set their own qualifying threshold. <p>The lower the threshold the more complex it will be to secure contributions as these would not be done automatically through the Levy.</p>	<p>allocates through the Local Plan to benefit from the Infrastructure in Kind route for the delivery of key infrastructure the site requires such as a new school to mitigate the impacts of the site directly.</p>

Consultation Question	Council comments	Proposed Council Response
	Note as a Council we would set the Levy amount	
<p>Question 8: Is there anything else you feel the government should consider in defining the use of s106 within the three routeways, including the role of delivery agreements to secure matters that cannot be secured via a planning condition? Please provide a free text response to explain your answer.</p>	<p>Where it is not possible to secure integral infrastructure through planning conditions, it will be delivered through targeted planning obligations known as ‘Delivery Agreements’. Delivery Agreements will be a constrained, narrowly targeted S106 agreement to plug gaps that planning conditions cannot secure.</p> <p>A Delivery Agreement will have wider usage than securing on-site infrastructure, to cover all purposes of planning obligations and to support the proper mitigation of the effects of development on a site, where this would not be covered by the Levy.</p> <p>In limited circumstances, Delivery Agreements could also be used to request additional money outside of Levy liabilities. Any obligations contained in a Delivery Agreement will be subject to existing CIL Regulations (regulation 122) restrictions (i.e. necessary to make the development acceptable in planning terms, directly related to the development; and fairly and reasonably related in scale and kind to the development), and additional regulatory restrictions on use.</p>	<p>The Council reserves the right to comment further on the three routeways within a further consultation.</p>

Consultation Question	Council comments	Proposed Council Response
	<p>Delivery Agreements will not be a means to request additional contributions from developers towards 'Levy-funded' infrastructure.</p>	
<p>Chapter 2: Levy rates and minimum thresholds</p>		

<p>Question 9: Do you agree that the Levy should capture value uplift associated with permitted development rights that create new dwellings? [Yes].</p> <p>Are there some types of permitted development where no Levy should be charged? [Yes].</p> <p>Please provide a free text response to explain your answer where necessary.</p>	<p>Permitted development rights are a national grant of planning permission which allow certain building works and changes of use to be carried out without having to make a full planning application. Some permitted development rights allow for the creation of new homes, for example through the change of use or upward extension of certain existing buildings.</p> <p>Expanding the chargeable scope of developer contributions through the Levy to include these schemes will need to consider the balance between collecting more value and maintaining viability, especially given these conversions constitute brownfield development.</p> <p>It is proposed that the Levy will only be charged on the revenues that the developer receives from a development brought forward under permitted development rights when the value of the square</p>	<p>Yes and Yes.</p> <p>The Levy should capture value uplift associated with permitted development rights that create new dwellings and an increase of residential floorspace including change of use from non-residential to dwellings and the creation of additional floorspace as these can then help to provide contributions towards community and social infrastructure which arises as a result of the permitted development taking place.</p> <p>Permitted development where there is no gain in residential floor space should be excluded from the infrastructure levy.</p>
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	<p>footage of the scheme is over a certain threshold. In that way, permitted development schemes that do not create significant uplift in land value would come forward without a charge to the Levy, but those more likely to have a transformative effect on the area will be in scope of the Levy.</p> <p>The value threshold would be set nationally in Levy regulations. The government also proposes that a maximum Levy charge would be set for permitted development schemes to protect viability. Local authorities will then retain the ability to charge the Levy at that maximum amount, or at a lower rate, if they choose to do so.</p>	
<p>Question 10: Do you have views on the proposal to bring schemes brought forward through permitted development rights within scope of the Levy?</p> <p>Do you have views on an appropriate value threshold for qualifying permitted development?</p>		<p>The Council reserves the right to comment at a later stage on an appropriate value threshold.</p>

<p>Do you have views on an appropriate Levy rate 'ceiling' for such sites, and how that might be decided?</p>		
<p>Question 11: Is there is a case for additional offsets from the Levy, beyond those identified in the paragraphs above to facilitate marginal brownfield development coming forward? [No]. Please provide a free text response to explain your answer where necessary, using case studies if possible.</p>	<p>Local authorities will be able to set different rates for different areas and typologies of development, and offset existing floorspace, and the Levy will expand the type of development upon which contributions are sought.</p> <p>The government believes that this should allow local authorities to deal with substantial amounts of variability between types of development, support the Levy in capturing more than the existing system, while providing local authorities with flexibility and tools to preserve development viability on a variety of different sites.</p>	<p>No.</p> <p>The Council agrees that variability across different areas within the district should be accounted for through the different levels of Infrastructure Levy rate setting. This includes considering the different typologies of development that take place including major and minor, residential and non-residential development. It is agreed that this will allow for the ability to account for viability across different sites across the District.</p>
<p>Question 12: The government wants the Infrastructure Levy to collect more than the existing system, whilst minimising the impact on viability. How strongly do you agree that the following components of Levy design will help achieve these aims?</p> <ul style="list-style-type: none"> Charging the Levy on final sale GDV of a scheme [Strongly Agree/Agree/Neutral/Disagree/Strongly Disagree/Unsure] 	<p>The final GDV will be the sales value of the scheme. Basing the charge on final sale GDV means liabilities will track price changes in the development market (both up and down).</p> <p>The usage of different Levy rates and minimum threshold</p>	<p>Charging the Levy on the final sale price would be strongly supported as build costs change over time, therefore it is likely that by charging on the final value of the scheme the amount the Council would be able to collect in Infrastructure Levy would be higher. In the unlikely</p>

<ul style="list-style-type: none"> • The use of different Levy rates and minimum thresholds on different development uses and typologies [Strongly Agree/Agree/Neutral/Disagree/Strongly Disagree/Unsure] • Ability for local authorities to set 'stepped' Levy rates [Strongly Agree/Agree/Neutral/Disagree/Strongly Disagree/Unsure] • Separate Levy rates for thresholds for existing floorspace that is subject to change of use, and floorspace that is demolished and replaced [Strongly Agree/Agree/Neutral/Disagree/Strongly Disagree/Unsure] 	<p>rates set by the local authority will allow for a variety of factors such as the different build cost of the various typologies and development uses.</p> <p>Stepped up Levy rates are proposed to allow for rates to be set at a lower rate initially and then for them to be stepped up to a higher rate over time.</p>	<p>hood that there are negative changes to the economy then there is the assurance that it is fairer those in the development sector.</p> <p>The minimum threshold will compromise the main (non-land) construction related development costs and the current value of the land in its existing use (Existing Use Value, Fees & Finance and Construction costs). The levy would be charged on top of this rate. However, for different development uses and typologies it is agreed to charge different rates to ensure that the best possible levels of contribution is achieved from a development whilst taking account of the viability levels that will arise from the development.</p> <p>The 'Stepped' up rates will ensure that the amount received through Section 106 agreements is starting point, then for viability to be accounted for as the Levy rate is increased over time. This is whilst taking account of the</p>
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		Levy capturing more contribution than Section 106 agreements whilst still ensuring the balance is achieved between the capture of land value and also allowing development land to come forward.
Question 13: Please provide a free text response to explain your answers above where necessary.	The aim of the Infrastructure Levy is to maximise revenues for the Local Planning Authority whilst ensuring there is still viability within a local area to mean that development will still take place and be attractive to developers.	It is agreed that having different Levy rates and minimum thresholds is essential to ensure the development is able to take place.
Chapter 3 – Charging and paying the Levy		
Question 14: Do you agree that the process outlined in Table 3 is an effective way of calculating and paying the Levy? [Yes/No/Unsure] Please provide a free text response to explain your answer where necessary.	<p>Table 3: Proposed process for calculating and paying the levy</p> <p>Payment Process: Indicative liability calculation</p> <p>Planning Stage: Submitted with the planning application.</p> <p>Detail: Charging schedules will include assumed values, such as average GDV per m2 for a site in an area/typology, as well as Levy rates and thresholds.</p>	There is concern raised by the Council over the timing of the payment. With regard to the issue that the payment is to be made post-completion of the development or once the development has sold. As although this reflects the market value of the development, it means that in order for the Local Authority to be able to fund any infrastructure to mitigate the impacts of the development then they will have to borrow against

		<p>existing cash flows or borrow out of the Public Works Loan Board.</p> <p>The borrowing is something that the District Council has been reluctant to do due to the possible implications that this might cause. Any borrowing rates would have to be at favourable rates for the Council and that the process of securing the payment from the developer would need to be guaranteed so as to not leave the Council out of pocket should any issues arise. There are also concerns regarding the ability to be able to ensure that a developer will pay the Levy if it is required at the end of the development and the method of enforcement taken to ensure that payment will be made needs to be strongly enforceable to ensure that the Levy is received by the Local Planning Authority. Currently the Section 106 contributions are collected at 40% occupation of the development, which ensures that the developer still has the cash flow to be able to pay the</p>
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		contributions from the sales of the houses at that point within the development, however it does not impact sites coming forward and have an impact on viability. Therefore, it means that the opportunity of mitigating the impacts of the development available early enough to ensure that all of the residents are having infrastructure delivered early within the timings of the delivery of the development.
Question 15: Is there an alternative payment mechanism that would be more suitable for the Infrastructure Levy? [Yes/No/Unsure] Please provide a free text response to explain your answer where necessary.		Payment at a certain point of occupation, this would help to ensure that the infrastructure is still deliverable early for both the residents of the surrounding area and the new residents to ensure the impacts of the development is mitigated.
Question 16: Do you agree with the proposed application of a land charge at commencement of development and removal of a local land charge once the provisional Levy payment is made? [Yes/No/Unsure] Please provide a free text response to explain your answer where necessary	Once planning permission is granted, the Levy liability will be registered against the development site as a local land charge. The local land charge and any occupation restriction linked to the Levy will be removed from the development once payment to meet the provisional Levy liability has been made.	A local land charge is currently applied to Section 106 agreements and remain on the land registry in perpetuity for future purchasers of the land as it binds successors in title. As the provisional Levy is due at prior to the first occupation of the scheme, if the land charge is then removed there is nothing enforceable remaining on the

	<p>It has been argued that liable persons may be able to escape payment of the final adjustment amount. However, retaining the land charge will inhibit the sale of new homes before completion, reduce the incentive for the provisional liability to be paid prior to completion, and potentially risks that liability for the land charge is passed on to residents.</p> <p>The lead proposal is for the land charge to be linked to the discharge of a provisional payment. To protect against any failed payments due at the final adjustment payment stage, the Bill allows for a penalty fine to be charged for unfulfilled IL liabilities. The minimum value for that penalty is higher than the equivalent provision under CIL to deter developers from seeking to avoid paying total liabilities owed.</p>	<p>land title to ensure that the final adjustment is paid post completion of the development. The Levy should remain on the title in order to hold the developer accountable for the cost of the development through the Levy. It is something that can be removed once the scheme is completed.</p>
<p>Question 17: Will removal of the local land charge at the point the provisional Levy liability is paid prevent avoidance</p>	<p>Within the proposed Levelling up Bill, Section 204S(10) of</p>	<p>Strongly Disagree.</p>

<p>of Infrastructure Levy payments? [Strongly Agree/Agree/Neutral/Disagree/ Strongly Disagree/Unsure] Please provide a free text response to explain your answer where necessary.</p>	<p>the Bill allows for a penalty charge to be paid against unfulfilled Infrastructure Levy liabilities that are due</p>	<p>It will be harder to make someone accountable for the payment of the final adjustment amount of the Infrastructure Levy which is needed for essential infrastructure if it is not enforceable against them as a local land charge. If the final adjustment payment is not paid at the completion of the development, then the provisions within the Levelling Up Bill allow for a penalty fine to be issued to the landowner. However, any penalty process that takes place needs to ensure that the Council are not left out of pocket for costs that might occur.</p>
<p>Question 18: To what extent do you agree that a local authority should be able to require that payment of the Levy (or a proportion of the Levy liability) is made prior to site completion? [Strongly Agree/Agree/Neutral/Disagree/Strongly Disagree/Unsure]. Please explain your answer.</p>		<p>Strongly Agree.</p> <p>The Council strongly agrees that payment of the Levy should be required prior to site completion to ensure that the infrastructure to mitigate the effects of the development is delivered in a timely manner for the benefit of the residents of the district. In particular the area most impacted by the development. This will help to ensure that the infrastructure can be delivered in</p>

		an efficient manner as the delivery of the site progresses.
Question 19: Are there circumstances when a local authority should be able to require an early payment of the Levy or a proportion of the Levy? Please provide a free text response to explain your where necessary.		Yes, if it is a contribution towards a major off-site infrastructure project such as a new road network or school.
Question 20: Do you agree that the proposed role for valuations of GDV is proportionate and necessary in the context of creating a Levy that is responsive to market conditions [Yes/No/Unsure]. Please provide a free text response to explain your answer where necessary.		Yes.
Chapter 4 – Delivering infrastructure		
Question 21: To what extent do you agree that the borrowing against Infrastructure Levy proceeds will be sufficient to ensure the timely delivery of infrastructure? [Strongly Agree/Agree/Neutral/ Disagree/ Strongly Disagree /Unsure]. Please provide a free text response to explain your answer where necessary.		Strongly Disagree. Borrowing against the Public Works Loan Board will not be a good manner to ensure that there is timely delivery of infrastructure is not advisable as there is the possibility that the amount provisionally planned to be received through the final adjustment payment is in fact lower due to changing market circumstances therefore the local authority will have to return an overpayment to the developer. This means that the Council will have to find the extra money for

		<p>this overpayment return as the PWLB money will have been spent on the capital project.</p>
<p>Question 22: To what extent do you agree that the government should look to go further, and enable specified upfront payments for items of infrastructure to be a condition for the granting of planning permission? [Strongly Agree/Agree/Neutral/Disagree/Strongly Disagree/Unsure] Please provide a free text response to explain your answer where necessary.</p>		<p>Strongly agree.</p> <p>The provision of infrastructure is vital in ensuring that a development is well designed into being a good environment for residents to live in the future. Therefore, it is essential that they have the key infrastructure in place for them to have a good quality of life to start with. This includes street lighting and adequate highway provision. The ability for the Council to request where required the infrastructure payments upfront in order to help bring forward key strategic items such as a school or doctor's surgery in a timely manner as part of a strategic development across multiple developments is essential.</p>
<p>Question 23: Are there other mechanisms for ensuring infrastructure is delivered in a timely fashion that the government should consider for the new Infrastructure Levy? [Yes/No/Unsure] Please provide free text response to explain your answer where necessary.</p>		<p>Yes. It should be ensured that there are appropriate enforcement mechanisms in place against the new Infrastructure Levy.</p>

<p>Question 24: To what extent do you agree that the strategic spending plan included in the Infrastructure Delivery Strategy will provide transparency and certainty on how the Levy will be spent? [Strongly Agree/Agree/Neutral/Disagree/Strongly Disagree] Please provide a free text response to explain your answer where necessary.</p>	<p>The Infrastructure Delivery Strategy (IDS) sets out an understanding of the infrastructure that is required to support the development proposed by the Local plan, how this will be funded and the local authority's approach to prioritising Levy funds.</p> <p>The aim is to improve transparency over how developer contributions are spent to support the local area, and to provide relevant bodies with a significant say on the distribution of Levy receipts. This includes Affordable Housing, by making it clear what proportion of the Levy value local authorities will require as in-kind affordable housing, through the 'right to require'.</p>	<p>Yes, it is agreed that the strategic spending plan should be included in the Infrastructure Delivery Strategy. This will help to make it clear to residents, Councillors and developers what the spending priorities are and what will delivered over the course of the plan period. It is good that it will be independently tested at examination as this will ensure that it is tested in combination with the Local Plan and the charging schedule independently. However there needs to be allowances made for the IDS to have some flexibility for when there is change in circumstances either by the Council or by external infrastructure partners that might alter the spending priorities that would be set out in the IDS.</p>
<p>Question 25: In the context of a streamlined document, what information do you consider is required for a local authority to identify infrastructure needs?</p>	<p>It is proposed that the IDS would be split into three parts</p> <ol style="list-style-type: none"> 1) Baseline 2) Approach to funding 3) Spending plan <p>The document would set out the proposed infrastructure</p>	<p>It is considered that it is required for a local authority to have full information on the current infrastructure demands from the providers and what ideally, they would need to overcome these demands.</p>

	<p>required , the current levels of provision in the area and the approach that would be taken to funding the infrastructure that is required</p>	<p>This will then help create the evidence for the LPA to have prioritisation choices over which infrastructure they choose to deliver over the course of the Local Plan period to support the delivery of housing and mitigate the potential impacts.</p>
<p>Question 26: Do you agree that views of the local community should be integrated into the drafting of an Infrastructure Delivery Strategy? [Yes/No/Unsure] Please provide a free text response to explain your answer where necessary.</p>		<p>Community Consultation is key for the delivery of understanding the views of the residents to sit alongside any evidence base information that is gathered to ensure that the delivery of the correct infrastructure is prioritised for the needs of those who live in the area affected by the delivery of new developments.</p>
<p>Question 27: Do you agree that a spending plan in the Infrastructure Delivery Strategy should include:</p> <ul style="list-style-type: none"> • Identification of general ‘integral’ infrastructure requirements • Identification of infrastructure/types of infrastructure that are to be funded by the Levy • Prioritisation of infrastructure and how the Levy will be spent • Approach to affordable housing including right to require proportion and tenure mix • Approach to any discretionary elements for the neighbourhood share 	<p>Integral Infrastructure is those items of infrastructure that the developer will still be required to be deliver on site. Whilst ‘integral’ infrastructure will mitigate the impact of the development to an extent, it will not contribute to mitigating the cumulative impact of the site in the area. Examples of this include drainage,</p>	<p>It is agreed that all of the above should be included within the spending plan. This will ensure that full transparency is provided, and awareness is available to all regarding all these matters within the Infrastructure Delivery Strategy.</p> <p>This will help to make the expectations clear to developers what is expected for them to</p>

<ul style="list-style-type: none"> • Proportion for administration • The anticipated borrowing that will be required to deliver infrastructure • Other – please explain your answer • All of the above 	<p>highways and play area requirements.</p> <p>The Affordable Housing Mix will set out the proportion of the Levy that the LPA intends to secure through the ‘right to require’ as a standard approach, including the tenure mix of these homes, as well as whether that authority intends to take a ‘grant pot’ approach to securing affordable homes. This should align with the requirements for affordable housing set out in the local plan and its evidence base. This will be subject to further policy development to minimise risk of duplication.</p> <p>The neighbourhood share will be a reflection of national requirements a percentage of proceeds of the IL that will be allocated for spending by individual neighbourhoods.</p>	<p>provide when they are putting in a planning application for development within the district.</p>
<p>Question 28: How can we make sure that infrastructure providers such as county councils can effectively influence the identification of Levy priorities?</p>	<p>Clause 93 in the Levelling up Bill requires prescribed public bodies to assist the authority in relation to the preparation or revision of the relevant plan,</p>	<p>All of the above should be given to help support infrastructure providers – however, please include providers such as the NHS as they are vital for the</p>

<ul style="list-style-type: none"> • Guidance to local authorities on which infrastructure providers need to be consulted, how to engage and when • Support to county councils on working collaboratively with the local authority as to what can be funded through the Levy • Use of other evidence documents when preparing the Infrastructure Delivery Strategy, such as Local Transport Plans and Local Education Strategies • Guidance to local authorities on prioritisation of funding • Implementation of statutory timescales for infrastructure providers to respond to local authority requests • Other – please explain your answer 	<p>which includes the elements of the plan which support the Infrastructure Delivery Strategy. This includes relevant parts of the evidence base that the prescribed body will have more specialism on than the local authority.</p>	<p>delivery of infrastructure (such as GP surgeries) and often are forgotten about and delivery of their infrastructure is the hardest to do.</p> <p>This will help to ensure that all those who currently receive or might in the future need contributions from developers are engaging with the District Council effectively as the charging authority and that the infrastructure is needs are fully understood across the local plan period.</p> <p>The Council would welcome any clear guidance to local authorities on the prioritisation of funding, is key to the delivery of the funding through the Infrastructure Levy using the IDS. This would help assist our understanding to help target our resources and knowledge. The Council reserves the right to comment on this at further consultation stages.</p>
<p>Question 29: To what extent do you agree that it is possible to identify infrastructure requirements at the local plan stage? [Strongly Agree/Agree/Neutral/Disagree/Strongly</p>		<p>Agreed it is possible to identify infrastructure requirements at Local Plan stage, through the identification of the large</p>

<p>Disagree/Unsure] Please provide a free text response to explain your answer where necessary.</p>		<p>infrastructure requirements that are proposed. It is not possible to necessary agreed the finesse details of the infrastructure for over the 15 year (at minimum) Local Plan period.</p>
<p>Chapter 5 – Delivering affordable housing</p>		
<p>Question 30: To what extent do you agree that the ‘right to require’ will reduce the risk that affordable housing contributions are negotiated down on viability grounds? [Strongly Agree/Agree/Neutral/Disagree/Strongly Disagree/Unsure] Please provide a free text response to explain your answer where necessary.</p>	<p>On-site affordable housing will be delivered predominantly as an in-kind payment of the Levy through a new ‘right to require’. This will see a percentage of the Levy value delivered in-kind by developers as on-site affordable housing, protecting it from the pressure of other spending priorities. The ‘right to require’ will operate on residential development.</p> <p>This can be used to secure affordable tenures such as Social Rent homes, Affordable Rent homes, Shared Ownership homes, and First Homes. The Levy has been designed to be adaptable to any potential policy changes around affordable housing tenure types in the future.</p>	<p>The ‘right to require’ will be sought as a proportion of the Levy, that must be delivered in-kind as on-site affordable dwellings by the developer.</p> <p>The amount will be expressed as a percentage of the proportion of the Levy the Local Authority will seek in on-site affordable homes and then a proportion in cash.</p> <p>The District Council will express the ‘right to require’ as a percentage, to set an expectation to all as to what proportion of the Levy they will seek in cash, and what proportion as in-kind onsite affordable homes. This will be set out clear for all to have awareness of what the Council is asking for of the Levy. This will be outlined within the charging schedule and the IDS , ensuring</p>

	<p>The key principle underpinning this design is that under the 'right to require' there will be limited scope or incentive for developers to provide less affordable housing on viability grounds, or to provide affordable housing of one tenure type over another. That is because, as the Levy liability is fixed, the full amount will have to be discharged whether the Levy liability is met via cash or through a combination of cash and an in-kind contribution of affordable homes.</p>	<p>that the Council is remaining fully transparent for all.</p> <p>The overall Levy amount is linked to the GDV, therefore if the overall value of the scheme reduces from the amount calculated at the indicative liability calculation stage when the planning application was received the amount in the Levy is reduced, at this point it is anticipated that the value of the discount given</p> <p>However, if the GDV is higher than anticipated the apportionment of affordable homes is fixed in line with the increase of GDV. The Council would need confirmation the uplift would be paid in a cash value from the developer (or land owner) and would be enforceable as it would be post completion of the development.</p>
<p>Question 31: To what extent do you agree that local authorities should charge a highly discounted/zero-rated Infrastructure Levy rate on high percentage/100% affordable housing schemes? [Strongly Agree/Agree/Neutral/Disagree/Strongly Disagree/Unsure]</p>	<p>The government's position is that schemes comprised entirely of affordable housing will not be charged to the Levy. The government is supportive of schemes coming</p>	<p>Although the viability margins within a 100% affordable housing scheme need to be considered it is essential that local authorities still charge an Infrastructure Levy rate on these</p>

<p>Please provide a free text response to explain your answer where necessary</p>	<p>forward with a high proportion of affordable housing and is seeking for the Levy to accommodate them appropriately.</p>	<p>schemes to ensure that the impacts of these developments are fully mitigated. South Derbyshire District Council considers that to be the case, this can be seen in Oak Close (DMPA/2019/1176) application that was refused at planning committee as the development was considered to be unsustainable due to the infrastructure and service requirements not being provided through developer contributions contrary to policy.</p>
<p>Question 32: How much infrastructure is normally delivered alongside registered provider-led schemes in the existing system? Please provide examples.</p>	<p>If a scheme is exempt from paying the Levy in cash on the basis of the affordable housing it provides onsite, the developer will still be required to deliver ‘integral’ infrastructure. Whilst ‘integral’ infrastructure will mitigate the impact of the development to an extent, it will not contribute to mitigating the cumulative impact of the site in the area.</p>	<p>There has been three S106 agreements have been provided over the last two monitoring years. However, these have not provided the full amount of infrastructure through developer contributions as required through the developer contributions SPD.</p> <p>DMPA/2019/1176 – Oak Close</p> <p>DMPA/2019/1415 – Court Street, Woodville</p> <p>DMPA/2021/0627 – Henshall Drive, Chellaston</p>

<p>Question 33: As per paragraph 5.13, do you think that an upper limit of where the ‘right to require’ could be set should be introduced by the government? [Yes/No/unsure] Alternatively, do you think where the ‘right to require’ is set should be left to the discretion of the local authority? [Yes/No/unsure]. Please provide a free text response to explain your answer where necessary.</p>		<p>The Council considers yes there should be an upper limit of where the ‘right to require’, as this would be contrary to our Affordable Housing policy set out within our Affordable Housing SPD. This is where the Council will not support housing in clusters of no more than 10 dwellings with the exception of 100% schemes. The limit should therefore be imposed to ensure that clustering is not faced unless it is known from the planning application stage that the scheme is going 100% affordable housing development.</p> <p>By also having a upper limit cap on ‘right to require’ it also ensures that there is the cash available to provide for the other infrastructure essential to the development .</p>
<p>Chapter 6 – Other areas</p>		
<p>Question 34: Are you content that the Neighbourhood Share should be retained under the Infrastructure Levy? [Yes/No/Unsure?]</p>	<p>Currently 25% of total CIL receipts can be allocated to parished areas with a Neighbourhood Plan in place and 15% of CIL receipts can be allocated where a NDP has not been “made”. Under the</p>	<p>The Council agrees that the Neighbourhood Share should be retained under the Infrastructure Levy. As this helps to ensure development within a specific area affected by the</p>

	<p>new Levy, this will be a smaller share in percentage terms than the Neighbourhood Share as it exists under CIL. That is because the Infrastructure Levy will capture value that is currently captured through both CIL and s106.</p>	<p>development on the parish infrastructure spending priorities.</p>
<p>Question 35: In calculating the value of the Neighbourhood Share, do you think this should A) reflect the amount secured under CIL in parished areas (noting this will be a smaller proportion of total revenues), B) be higher than this equivalent amount C) be lower than this equivalent amount D) Other (please specify) or E) unsure. Please provide a free text response to explain your answer where necessary</p>		<p>The Council reserves a right to comment as currently the Council currently operates under a Section 106 system therefore has no experience of CIL Neighbourhood Share and the amount of funding this generates.</p>
<p>Question 36: The government is interested in views on arrangements for spending the neighbourhood share in unparished areas. What other bodies do you think could be in receipt of a Neighbourhood Share in such areas?</p>		<p>The Council believes that there should be flexibility to ensure that the appropriate body as designated by the Council should be entitled to the neighbourhood share. This might vary from area to area but could include South Derbyshire Community Voluntary Support or other appropriate community organisations who operate in areas where there is no Parish Council (or no active Parish Council).</p>
<p>Question 37: Should the administrative portion for the new Levy A) reflect the 5% level which exists under CIL B) be</p>		<p>The administrative portion for the new Levy should be b) be</p>

<p>higher than this equivalent amount, C) be lower than this equivalent amount D) Other (please specify) or E) unsure. Please provide a free text response to explain your answer where necessary.</p>		<p>higher than this equivalent amount due to the increase resource pressure faced upon the Council, which includes the resourcing implications on current staff who work upon Section 106 agreements and the further implications this will have them due to the lack current knowledge that is faced within planning departments for valuation and the charging of contributions</p>
<p>Question 38: Applicants can apply for mandatory or discretionary relief for social housing under CIL. Question 31 seeks views on exempting affordable housing from the Levy. This question seeks views on retaining other countrywide exemptions. How strongly do you agree the following should be retained:</p> <ul style="list-style-type: none"> residential annexes and extensions; [Strongly Agree/Agree/ Neutral/Disagree/Strongly Disagree] self-build housing; [Strongly Agree/Agree/Neutral/Disagree/Strongly Disagree] <p>If you strongly agree/agree, should there be any further criteria that are applied to these exemptions, for example in relation to the size of the development?</p>	<p>DLHUC at present have several existing exemptions to CIL. We have replicated the existing CIL charitable relief exemption (contained in section 210 of the Planning Act 2008), at section 204F in the Bill; and new sections 204D(5)(h) and 204G also provides powers for further exemptions or reduced rates to be set out in regulations. The government could therefore, via regulations, set out other national exemptions or reduced rates for the Levy.</p>	<p>The Council agrees that for residential annexes and extensions should continue to be maintain the exemption from the Infrastructure Levy as they do not normally result in an increase in the Council's housing stock.</p> <p>The Council disagrees that self-build housing should be exempt from the Infrastructure Levy as they are still class as a increase in the housing provision across the District.</p>
<p>Question 39: Do you consider there are other circumstances where relief from the Levy or reduced Levy rates should apply, such as for the provision of sustainable technologies?</p>		<p>The Council reserves a right to comment at a later date/</p>

<p>[Yes/No/Unsure]. Please provide a free text response to explain your answer where necessary.</p>		
<p>Question 40: To what extent do you agree with our proposed approach to small sites? [Strongly Agree/Agree/Neutral/Disagree/Strongly Disagree/Unsure] Please provide a free text response to explain your answer where necessary.</p>	<p>At present the approach to small sites, is that they shall only be sought on sites above 11 dwellings and 15 dwellings or more in terms of affordable housing for Section 106 contributions. This helps maintain the incentive for SMEs to develop such sites, whilst making sure CIL contributions can still be sought on these sites and keeping them viable.</p> <p>In rural areas, Local Authorities</p>	<p>It is proposed that to help maintain the incentive for SMEs to develop small sites there will be reduced Levy rates charged on small sites. This is something that is agreed with by the Council in order to ensure that development is still brought forward on a variety of developments whilst maintaining the diversity in developers that do so.</p>
<p>Question 41: What risks will this approach pose, if any, to SME housebuilders, or to the delivery of affordable housing in rural areas? Please provide a free text response using case study examples where appropriate.</p>		<p>The Council anticipates this poses the risk that if the development takes a long time to construct then there will be an increase financial risk if there is a sudden change in the economic circumstances for the developer.</p>
<p>Question 42: Are there any other forms of infrastructure that should be exempted from the Levy through regulations?</p>	<p>It is the government's position that government or publicly funded infrastructure be exempt from the Levy through regulations, to create a</p>	<p>No. The Council believes that all infrastructure where needed should mitigated with developer contributions where appropriate.</p>

	<p>consistent approach across local authorities, given these types of projects can often be cross-boundary. Section 106 agreements may need to continue to be used alongside the exemption to ensure site specific mitigation is provided.</p>	
<p>Question 43: Do you agree that these enforcement mechanisms will be sufficient to secure Levy payments? [Strongly Agree/Agree/Neutral/Disagree/Strongly Disagree/Unsure] Please provide a free text response to explain your answer where necessary.</p>	<p>The issuance of Stop Notices will be permitted to prevent development commencing when no assumption of Infrastructure Levy liability is in place. We will also impose restrictions on occupation unless and until the provisional Levy liability is paid for a development or phase of development.</p> <p>Failure to pay Infrastructure Levy liabilities will be met with financial penalties.</p>	<p>Stop notices are a good deterrent to ensure that development will not commence until the Infrastructure Levy liability assumed.</p> <p>However, restrictions on occupations many Councils does not have the resourcing to ensure that this is complied with as the enforcement teams have a heavy workload and are continually busy.</p> <p>The Council will issue financial penalties however strict guidance and legislation needs to be in place to stop developers taking avoidance to the financial penalties that are issued upon them and any interest that might occur.</p>
<p>Chapter 7 – Introducing the Levy</p>		

<p>Question 44: Do you agree that the proposed ‘test and learn’ approach to transitioning to the new Infrastructure Levy will help deliver an effective system? [Strongly Agree/Agree/ Neutral/Disagree/Strongly Disagree/Unsure] Please provide a free text response to explain your answer where necessary</p>	<p>The proposed ‘test and learn’ rollout will see the Levy introduced in a representative of local authorities prior to a nationwide rollout across England. It is envisaged that it will encompass a range of LPA and capture a variety of planning and development settings across the country.</p>	<p>The District Council agrees that this will help to deliver an effective system as it will help highlight any issues that might arise with the proposals before they are rolled out nationally. However it will be required that all local authorities will need support from DLUHC to ensure that the transition from the current system of both Section 106 and CIL to Infrastructure Levy is managed effectively with the limited resources that authorities currently have for managing Section 106 and CIL.</p>
<p>Question 45: Do you have any views on the potential impact of the proposals raised in this consultation on people with protected characteristics as defined in section 149 of the Equality Act 2010? [Yes/No/Unsure]. Please provide a free text response to explain your answer where necessary.</p>		<p>No.</p>

REPORT TO:	ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE	AGENDA ITEM: 8
DATE OF MEETING:	30 MAY 2023	CATEGORY: DELEGATED
REPORT FROM:	STRATEGIC DIRECTOR (SERVICE DELIVERY)	OPEN
MEMBERS' CONTACT POINT:	RICHARD GROVES (01283) 595738 richard.groves@southberbyshire.gov.uk	DOC: s:/Local Plan/Committee Reports/EDS45
SUBJECT:	EAST MIDLANDS AIRPORT DRAFT NOISE ACTION PLAN	REF:
WARD(S) AFFECTED:	ALL WARDS	TERMS OF REFERENCE: EDS17

1.0 Recommendations

- 1.1 It is recommended that a cross-party Member Working Panel be established with authority for determining a Committee resolution in response to the forthcoming East Midlands Airport Draft Noise Action Plan. This response would then be presented to a future meeting of this Committee for information.

2.0 Purpose of Report

- 2.1 The purpose of this report is to seek approval for the establishment of a cross-party Member Working Panel with delegated authority to determine a Council response to the East Midlands Airport Draft Noise Action Plan. The response would then be reported to a later meeting of the Environmental and Development Services Committee for information.

3.0 Detail

- 3.1 The Department for the Environment, Food and Rural Affairs (DEFRA) has required that all major airports review their Noise Action Plans (NAPs) in 2023. The purpose of NAPs is to prevent and reduce environmental noise where necessary. Under the regulations affected airports must provide performance information and assess how effectively they are controlling the effect of noise arising from aircraft landing and take-off.
- 3.2 Although dates have not yet been formally set the consultation period for the Draft NAP is anticipated to begin before the end of May and to end on 31 July. This means that it will not be possible to prepare a report to this Committee setting out a recommended Council response. The same situation arose in relation to the previous Draft EMA NAP and at its meeting of 31 May 2018 the Committee responded by delegating authority to a nominated Member Working Panel to consider all relevant material and formulate a Council response (minute EDS/17 refers). That response was subsequently reported

for information to the next meeting of the Committee, on 16 August, 2018 (minute EDS 33 refers).

4.0 Conclusions

4.1 It is proposed that the approach set out in para 3.2 be applied in regard to the current Draft NAP consultation and that a Member Working Panel be established to determine a Council response, which would then be reported to a later meeting of this Committee for information. As was the case previously, it is suggested that the Panel should comprise the Chair and Vice Chair of this Committee, a member to represent the most affected residents and a representative of the Opposition party.

5.0 Financial Implications

5.1 There are no financial implications for the Council.

6.0 Corporate Implications

Employment Implications

6.1 None identified.

Legal Implications

6.2 None identified.

Corporate Plan Implications

6.3 The Draft NAP has implications for the following key aims of the Corporate Plan:

- “Encourage and support business development and new investment in the District” as the presence of the East Midlands Airport provides an advantage to local employers and inward investors.
- “Attract and retain skilled jobs in the District”, (see above)
- “Promote Health and Wellbeing across the District” as noise from night time air traffic movements and resulting sleep loss can impact the health and wellbeing of the population affected

Risk Impact

6.4 None identified.

7.0 Community Implications

Consultation

7.1 This is a consultation exercise being conducted by East Midlands Airport

Equality and Diversity Impact

7.2 The East Midlands Airport site helps to support the local economy both directly by providing employment for local residents and indirectly by providing for the needs of employers operating within South Derbyshire. It can also potentially impact the amenity of local communities through noise generation, subject to mitigation interventions.

Social Value Impact

7.3 See “Equality and Diversity Impact”, para 7.2.

Environmental Sustainability

7.4 Commercial aviation can potentially have negative impacts on the natural environment through carbon and other emissions at present, although EMA is seeking to achieve net zero emissions in terms of the operation of the airport itself and surface access by 2038.

8.0 Background Papers

“East Midlands Airport Draft Noise Action Plan”

June 2023

Environmental Outcomes Report

REPORT TO:	ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE	AGENDA ITEM: 9
DATE OF MEETING:	30 MAY 2023	CATEGORY: DELEGATED
REPORT FROM:	HEIDI MCDOUGALL, STRATEGIC DIRECTOR	OPEN
MEMBERS' CONTACT POINT:	BRANDON STACEY (07810139579) brandon.stacey@southderbyshire.gov.uk	DOC:
SUBJECT:	THE DEPARTMENT FOR LEVELLING UP, HOUSING AND COMMUNITIES CONSULTATION ON ENVIRONMENTAL OUTCOMES REPORTS	REF:
WARD(S) AFFECTED:	ALL	TERMS OF REFERENCE:

1.0 Recommendations

- 1.1 For Members to approve the submission of a response to consultation in line with officer recommendations (detailed in Appendix 1).

2.0 Purpose of Report

- 2.1 To present the details of the current Department for Levelling Up, Housing and Communities consultation on Environmental Outcomes Report: a new approach to environmental assessment. To consider the implications of the proposed amendments to South Derbyshire District Council, to approve a response to the consultation (detailed in Appendix 1) and approve submission.

3.0 Executive Summary

- 3.1 The consultation outlines proposed changes to that way in which environmental assessments will be undertaken in the future. This includes an ambition to make assessment more proportionate, streamline reporting, make data readily available and increase the focus on environmental issues (through the removal of social and economic factor assessments) and outcomes post development through monitoring and enforcement.
- 3.2 The new system will result in as much environmental protection as the existing system.
- 3.3 Details of the new system are limited as this is an initial consultation with further consultation expected to follow.
- 3.4 The key concern of the Council response relates to the need to properly finance any additional burdens that may be passed to the Council as a result of any changes to the system. [Page 120 of 151](#)

4.0 Detail

- 4.1 The Levelling-up and Regeneration Bill was published in May 2022, it is currently passing through parliament. Through the Levelling Up and Regeneration Bill, the government is seeking to secure the necessary powers to replace the current processes set out in EIA and SEA Directives with a new system of Environmental Outcomes Reports (EORs). These reforms aim to ensure the importance and rigour of environmental assessment is retained whilst delivering better environmental outcomes. The government are consulting on reforms to environmental assessments. The consultation was published on the 17 March 2023 and runs until 9 June 2023.
- 4.2 Formal environmental assessment has been required in the UK since the 1980s but the overall effectiveness of these processes has been questioned insofar as managing environmental impacts.
- 4.3 Through the Environment Act 2021 the government set a clear commitment to clean up the country's air, restore natural habitats, increase biodiversity and halt the decline in species by 2030. The consultation seeks views on the opportunity to create an improved framework of environmental assessment which properly reflects the country's needs and unique environmental characteristics.
- 4.4 The new system of environmental assessment (EORs) aims to provide a streamlined system that emphasises greater focus on achieving environmental ambitions using more consistent data and focussed on measuring environmental effects.
- 4.5 It is expected that standards are maintained and clause 142 (Safeguards: non-regression, international obligations and public engagement) of the Bill enshrines the commitment to non-regression in law and commits that the new system results in as much overall environmental protection as the current approach.
- 4.6 The introduction of outcomes-based approach to the EORs aims to provide a greater capacity for the government to reflect its environmental priorities directly into plan-making and decision-making process on the largest developments.

The aim of the changes to the system are:

- In the screening stage of reports, clear criteria is to be provided to reduce need for screening in most instances. The scoping element is to involve agreed outcomes which will require less lengthy scoping exercises. Scoping outcomes can be scoped out early in the process, based on a desktop analysis of accessible, current, and reliable data. Clarity regarding what is assessed at strategic and project levels will be provided.
- In the assessment stage of plan and project making, assessment against outcomes supported by approved indicators will ensure the process articulates how the development is contributing to the government's environmental ambitions. An assessment requirement to apply the mitigation hierarchy in the design and development of the plan or project as well as greater clarity about what reasonable alternatives should be considered, and how will be proposed.
- In the overall reporting stage, reporting against agreed outcomes will allow for concise summaries that conclude relevant sections in supporting technical analysis. The findings of the technical analyses will be more accessible, making them of tangible utility to decision makers and data users.

- In terms of the monitoring and remediation stage, enhanced requirements will better address uncertainty and post-implementation issues. This aims to improve best practice and will be reinforced by stronger enforcement of mitigations and remedial actions. Data produced in the analysis will be stored and inform future assessments more widely through a move from a document-based system towards interactive information, use of common data standards, and the increased data accessibility requirements.
- The performance reporting stage will involve agreed reporting requirements to support the understanding of the environment and the impact of development.

4.7 The consultation consists of 26 questions and in general terms the Council are supportive of the aims and ambitions of the new system. However, at the current time there is limited information regarding the detail of the new system which limits the ability of the Council to respond in detail. Of key concern running throughout the Council's response is the impact of changes and additional responsibilities creating additional burden on Council resources. It is key that any additional responsibility or burden is fully funded (by whatever mechanism necessary) to ensure that the cost is not passed to the Council and where necessary additional training and support is provided to the Council to ensure that we have the resources to discharge any new responsibilities.

4.8 Further consultation is expected to be carried out by the government to design and develop the detail of the new system which will be delivered through secondary legislation and so the Council will have the opportunity to comment further.

5.0 Financial Implications

5.1 None directly arising from this report.

6.0 Corporate Implications

Employment Implications

6.1 None directly arising from this report.

Legal Implications

6.2 None directly arising from this report.

Corporate Plan Implications

6.3 The Council's response to the consultation subsequent influence over changes to environmental assessments has the potential to assist the Council achieve better environmental outcomes from development.

Risk Impact

6.4 None directly arising from this report.

7.0 Community Implications

Consultation

7.1 None.

Equality and Diversity Impact

7.2 None directly arising from this report.

Social Value Impact

7.3 None directly arising from this report.

Environmental Sustainability

7.4 The Council's response to the consultation subsequent influence over changes to environmental assessments has the potential to assist the Council achieve better environmental outcomes from development.

8.0 Conclusions

8.1 A response in line with the officer recommendations detailed in Appendix 1 should be submitted to the Department for Levelling Up, Housing and Communities consultation on reforms to environmental assessments.

9.0 Background Papers

APPENDIX 1: Consultation Questions and proposed Council response.

Notes:

- * Category – Please see the Committee Terms Of Reference in [Responsibility for Functions - Committees](#). This shows which committee is responsible for each function and whether it has delegated authority to make a decision, or needs to refer it elsewhere with a recommendation.
- ** Open/Exempt - All reports should be considered in the open section of the meeting, unless it is likely that exempt information would be disclosed. Please see the [Access to Information Procedure Rules](#) for more guidance.
- *** Committee Terms Of Reference in [Responsibility for Functions - Committees](#).

Appendix 1: Questions and proposed response

Consultation Question	Summary of info from the consultation document	Council's Comments	Proposed Council Response
<p>Q.1. Do you support the principles that will guide the development of outcomes? [Yes / No].</p>	<ul style="list-style-type: none"> • The Secretary of State to set outcomes which a plan or project which will have to be reported against. • Outcomes will be high level and reflect the government's environmental ambitions. • The overall level of environmental protection provided by existing environmental law will not be reduced. • The outcomes will be set in secondary legislation (which will be subject to government scrutiny and public consultation) with a supporting suite of indicators set out in guidance. There will be a number of indicators for each outcome. • The outcomes should: 	<p>The process is likely to evolve over time and be subject to change which not only makes it hard to comment on now but also means that there might be significant resource burden on the Council whilst we also have to adapt and stay abreast of the changes and implications.</p> <p>The principles set out in the outcomes seem to be reasonable and should be supported.</p> <p>However, without further information on indicators, how the outcomes will be applied at a local level and who is responsible for monitoring progress of outcomes the Council needs to be mindful of the potential extra financial and resource burden that could be</p>	<p>Yes</p>

Consultation Question	Summary of info from the consultation document	Council's Comments	Proposed Council Response
	<ul style="list-style-type: none"> - drive the achievement of statutory environmental targets and the Environment Improvement Plan be measurable using indicators at the correct scale (see paragraphs 4.15 to 4.20 for further detail on indicators) - be designed using the knowledge and experience of sector groups and environmental experts - have an organisation responsible for monitoring overall progress of specific outcomes i.e., a responsible 'owner' - be reviewed on a regular basis to ensure they remain relevant - do not duplicate matters more effectively 	<p>passed towards them if this responsibility is passed to them.</p>	

Consultation Question	Summary of info from the consultation document	Council's Comments	Proposed Council Response
	addressed through policy.		
Q.2. Do you support the principles that indicators will have to meet? [Yes / No].	<ul style="list-style-type: none"> • Indicators needs to be scalable at different levels (i.e. for both national and local projects). • Indicators will be set nationally and will need to be applied consistently. • indicators will be developed through consultation and testing with the sector and relevant stakeholders • Indicators must be: <ul style="list-style-type: none"> - clearly and directly relevant to one or more priority outcomes. - non-duplicative. - Proportionate. - drawn from existing data sets, wherever possible. - measurable at the correct scale (i.e. strategic or project level). 	<p>The process is likely to evolve over time and be subject to change which not only makes it hard to comment on now but also means that there might be significant resource burden on the Council whilst we also have to adapt and stay abreast of the changes and implications.</p> <p>The principles that the indicators have to meet seem to be reasonable and should be supported.</p> <p>However, without further information on who the indicators are owned and managed by the Council needs to be mindful of the potential extra financial and resource burden that could be passed towards them if this responsibility is passed to them.</p>	Yes

Consultation Question	Summary of info from the consultation document	Council's Comments	Proposed Council Response
	<ul style="list-style-type: none"> - evidence based. - Replicable. - owned and managed. - supported by a clear methodology and guidance – including how they will be updated as new data emerges. • certain outcomes may not be conducive to a quantitative metric and agreed assessment methodologies that draw on qualitative assessment, using professional judgement, may have to be used. 		
Q.3. Are there any other criteria we should consider?	Certain outcomes may not be useful in contributing towards a quantitative metric and in some instances qualitative assessment may be required based on agreed assessment methodologies.	None that can be identified at this stage.	No
Q.4. Would you welcome proportionate reporting	<ul style="list-style-type: none"> • Each environmental assessment regime will be 	The Council would welcome proportionate reporting against	Yes

Consultation Question	Summary of info from the consultation document	Council's Comments	Proposed Council Response
<p>against all outcomes as the default position? [Yes/ No].</p>	<p>able to use the powers in the Bill to develop their own tailored approach to assessment.</p> <ul style="list-style-type: none"> • Applicants report on the performance of projects or plans against all relevant outcomes on a proportionate basis including a minimal assessment of the outcome for those circumstances where a full assessment is not required. • It will be rare that outcomes are not relevant at all as most will require a degree of desktop analysis to be 'scoped out' (as they currently are). • Assessment should focus resources on the most relevant issues for that plan or development. 	<p>all outcomes as the default position (because even where the outcomes are less relevant the Council will need to report on them to show how they have come to that conclusion).</p> <p>The Council would also support the onus being on the applicant to undertake the assessment and provide the evidence. However, where the onus is on the applicant to report on the performance of projects/plans against outcomes given the potential financial implications for poor performance it is likely that there may be bias in this reporting and there needs to be consideration of how any bias can be removed without the need for further assessment by the Council which would duplicate work, increase pressure on Council resources and could introduce a level of</p>	

Consultation Question	Summary of info from the consultation document	Council's Comments	Proposed Council Response
		conflict that would need to be swiftly and economically resolved.	
Q.5. Would proportionate reporting be effective in reducing bureaucratic process, or could this simply result in more documentation?	<ul style="list-style-type: none"> • Proportionate reporting will allow for minimal assessment of outcomes where full assessment is not required. • Most relevant issues can be focused on, with less resources spent on scoping 		This will likely assist with reducing overall reporting and documentation demands, although it is acknowledged that such a determination will only be practical through the application of the EOR process once finalised.
Q.6. Given the issues set out above, and our desire to consider issues where they are most effectively addressed, how can government ensure that EORs support our efforts to adapt to the effects of climate change across all regimes?	<ul style="list-style-type: none"> • The assessments need to properly consider climate change (in terms of mitigation and adaption). Matters like climate change are not a single issue but complex network of interconnecting considerations. Climate change covers many different considerations and is not always directly, or 		The complexity of the climate change issue has been recognised as has the fact that the existing system has been shown to be failing. The system for assessment needs to be simpler and a lack of knowledge, skills and resources within the planning system at the Council is likely to have been a contributing factor and this will need to be addressed if the system is

Consultation Question	Summary of info from the consultation document	Council's Comments	Proposed Council Response
	<p>effectively, measurable in itself.</p> <ul style="list-style-type: none"> • Use of the current system is not having a tangible impact on the ground. • Timing of assessments may be an issue that needs to be addressed. • EORs need to consider climate change adaption needs across regimes. • Climate change is best tackled at a national scale including through changes to policy. 		<p>going to be effective in the future.</p> <p>In order for the EORs to be successful there needs to be limited scope for interpretation and there should be very clear assessment criteria (i.e. it shouldn't matter who does the assessment the results should be the same).</p> <p>The interaction between different regimes to adapt to the effects of climate change should be considered by government and factored into assessments at a national level before being pushed out to a local level.</p> <p>The requirements for additional assessments (e.g. carbon impact assessments) increases the resource burden on the Council and</p>

Consultation Question	Summary of info from the consultation document	Council's Comments	Proposed Council Response
			this should be addressed by the government through further financial and skills development support.
<p>Q.7. Do you consider there is value in clarifying requirements regarding the consideration of reasonable alternatives? (Yes/No)</p>	<ul style="list-style-type: none"> • Consideration of options with less damaging effects on the environment should be carried out at an early stage. • Current confusion about the range and scale of reasonable alternatives that are required to be considered. • Consideration of reasonable alternatives is often retrofitted and are not infrequently a 'cut and paste' from assessments carried out for other plans and projects. • Require plan-makers and developers to provide a summary record of their 	<p>Consideration of reasonable alternatives is already something that the Council undertakes. The Council would welcome any further guidance on what reasonable alternatives should be considered would be welcome.</p> <p>The production of a summary record however would create additional work rather than reduce the workload as the assessment would have to be undertaken in full prior to a summary being produced. It is likely that this would duplicate work and increase the amount of work that needs to be undertaken by the Council. It is also likely that the Council would need to publish the full</p>	<p>Yes.</p>

Consultation Question	Summary of info from the consultation document	Council's Comments	Proposed Council Response
	<p>decision-making on alternatives.</p> <p>The consideration of alternatives should be reviewed and, if necessary and reasonable, updated by the plan maker or applicant, prior to submission as part of the EOR to capture any subsequent changes in the plan or project.</p> <ul style="list-style-type: none"> • Guidance will be clear that realistic alternatives, fully consistent with the primary objectives of the project, should be considered, with no need to assess and report against any options that would not be credible. 	<p>assessment and the summary and therefore this is increasing the demand on Council resources.</p>	
<p>Q.8. How can the government ensure that the consideration of alternatives is built into the early design stages of</p>	<p>Reasonable alternatives are often unoriginal assessments used for other plans. There is a need to ensure that alternatives are explored in earnest, at an early stage of the planning process. The</p>		<p>The Council recognises the importance of appropriately timed assessment of alternatives and that that this should come as early as possible in the process.</p>

Consultation Question	Summary of info from the consultation document	Council's Comments	Proposed Council Response
the development and design process?	<p>government is proposing to require the addition of a summary record of alternatives assessed. This will be a high-level summary.</p> <p>Guidance will define how realistic alternatives are considered and how subsequent changes will be implemented where such determinations are established to be necessary.</p>		<p>However, evidence tends to increase over time (the further down the process that you get) making the assessments more accurate and therefore by building the assessment of reasonable alternatives into the process too early could mean that there is inadequate information to undertake the assessments and/or that the assessment work will need to be duplicated throughout the process.</p> <p>Any mechanism to require assessment of reasonable alternatives should take account the level of information available at the time.</p>
Q.9. Do you support the principle of strengthening	<ul style="list-style-type: none"> The first stage of the process is to decide whether assessment is required. This is a time- 		The principle is supported providing that there is clear guidance on borderline cases

Consultation Question	Summary of info from the consultation document	Council's Comments	Proposed Council Response
the screening process to minimise ambiguity?	<p>consuming activity that also carries the highest risk of legal challenge, further complicated by a common reluctance to undertake environmental assessments as they are often viewed as resource intensive with little value.</p> <ul style="list-style-type: none"> • There will be two categories that require assessment: <ul style="list-style-type: none"> - Category 1 consents will require an assessment in all circumstances. - Category 2 consents will require an assessment if the criteria set out in the regulations are met. • Regulations will narrow the scope for discussion by being more prescriptive on how borderline cases should be considered. • 'Screening' decisions for the smaller number of Category 2 consents will remain the 		and a well-articulated framework.

Consultation Question	Summary of info from the consultation document	Council's Comments	Proposed Council Response
	<p>judgement and discretion of the consenting authority (possibly based on proximity, or a defined impact pathway, to a sensitive receptor instead of a project size threshold) but regulations will narrow the scope for discussion by being more prescriptive on how borderline cases should be considered.</p>		
<p>Q.10. Do you consider that proximity or impact pathway to a sensitive area or a protected species could be a better starting point for determining whether a plan or project might require an environmental assessment under Category 2 than simple size thresholds? [Yes/No].</p>	<ul style="list-style-type: none"> • Clause 140 will bring forward the introduction of Category 1 and Category 2 consents in order to assist with determining whether assessment thresholds are met 	<p>The proposed consideration for when an assessment is required would mean that the sensitive area / protected species is the key consideration for the assessment rather than an arbitrary threshold.</p> <p>The scale of development will however still need to be a consideration.</p>	<p>Yes</p>

Consultation Question	Summary of info from the consultation document	Council's Comments	Proposed Council Response
Q.11. If yes, how could this work in practice? What sort of initial information would be required?	The need to simplify the process of deciding when an assessment is required. Borderline cases will need a framework for effective analysis.		Impacts and thresholds should be articulated clearly. Outcomes and indicator variables should have detailed guidance to avoid ambiguity wherever possible.
Q.12. How can we address issues of ineffective mitigation?	<p>The consideration and application of the mitigation hierarchy (avoid, mitigate and compensate) should standard practice and should be undertaken early in the process.</p> <p>Uncertainty regarding the mitigation required cannot be removed (due to the complexity of the environment).</p> <p>We propose that applicants will be required to report on the steps undertaken at the design and development stage to avoid an adverse impact on the environment.</p> <p>Agreed mitigation may need to be reviewed (adaptive or dynamic mitigation) following</p>		In enabling the new system to be more proactive (via review and adaption of mitigation) this will add significant extra burden onto the Council in terms of resources. Whilst this might achieve better environmental outcomes there needs to be careful consideration of how the process will impact upon current workloads and there should be significant investment into Councils to allow them to be able to adapt to these new additional processes. There also needs to be consideration of how this is dealt with by Councils

Consultation Question	Summary of info from the consultation document	Council's Comments	Proposed Council Response
	implementation and changes to mitigation (in response to greater certainty on effects) should use a transparent and accountable process.		and the need to upskill and support (on a continual basis) the Councils to do this role.
Q.13. Is an adaptive approach a good way of dealing with uncertainty? [Yes/No].	Where monitoring demonstrates a potential need for remedial actions to be taken, adaptive or dynamic mitigation measures may be considered. The government is exploring how such management could assist with uncertain variables in the assessment of development-related impacts on the environment.	See above – this approach is in theory likely to achieve better environmental outcomes, but it does add significant resource burden on to Councils which needs to be considered/addressed satisfactorily.	Yes
Q.14. Could it work in practice? What would be the challenges in implementation?	The practical implications of such an approach could pose challenges in implantation given the potential need to alternate approaches or to divert additional resources in response to monitoring.		See above. Council resources would be a major barrier to implementation, as would a lack of skills to be able to review and suggest mitigation required. Reliance on consultants would not be appropriate.

Consultation Question	Summary of info from the consultation document	Council's Comments	Proposed Council Response
<p>Q.15. Would you support a more formal and robust approach to monitoring? [Yes/No].</p>	<p>Delivery of mitigation through consent mechanisms is inherently uncertain, and mitigation measures may, have unintended consequences, not known at the time of the decision. This makes effective monitoring processes essential in ensuring plans and projects are as proposed, and their effects are as predicted in the assessment.</p> <p>The purpose of the monitoring is to verify whether the effects of a development on the environment are as predicted in the assessment. It also checks whether mitigation to address issues arising has been implemented as proposed, and is working as expected, within the timeframes agreed as part of the planning process.</p> <p>Monitoring is required under the current system but it is largely patchy and inadequate and is</p>	<p>The government recognise that a strain on Council resources is a big factor in why monitoring is currently often not seen as a priority and so this something that needs to be addressed in advance of any formal requirements being introduced.</p>	<p>Yes</p>

Consultation Question	Summary of info from the consultation document	Council's Comments	Proposed Council Response
	<p>considered to be a lower priority activity. As a result measures proposed as mitigation are often not implemented as originally proposed in the assessment, and sometimes not at all.</p> <p>The government intend to clarify monitoring requirements and directly link monitoring with data collection to inform our understanding of the environment. If the anticipated levels are not met and remediation proves necessary, it will be pursued and enforced.</p> <p>The government will explore the range of options for securing the resources required to take remedial action, such as when a developer is no longer present, or a shell company has dissolved. This could include the use of bonds, escrow accounts and any potential role that third parties could play.</p>		

Consultation Question	Summary of info from the consultation document	Council's Comments	Proposed Council Response
Q.16. How can the government use monitoring to incentivise better assessment practice?	Clause 141 will provide a more robust approach to how outcomes are monitored. It is considered that monitoring of projects (other than minerals, waste and offshore wind) is inadequate. Clause 141 will enumerate assessment requirements and proposed mitigation.		It depends on who the monitoring is going to be undertaken by, if assessment and monitoring are undertaken by two separate bodies then it will be very hard to incentivise the assessment body unless the monitoring body has strong powers to enforce compliance and issue financial penalties and penalties on development – this needs to be linked to the applicant/developer and take account of the fact that the development may have completed and could be in different ownership.
Q.17. How can the government best ensure the ongoing costs of monitoring are met?	Monitoring and mitigation-related costs can be unforeseen and burdensome. Resources are often required at a level that compromises performance overall. Proposed reforms will allow for the		Any burdens placed on Councils need to be fully funded and training needs to be provided on an on-going basis to upskill staff to be able to critically review the

Consultation Question	Summary of info from the consultation document	Council's Comments	Proposed Council Response
	re-use of data, improved monitoring (to provide more accurate prediction of results) and the potential incorporation of actions to secure remedial efforts, such as bonds, escrow accounts and other options for third parties.		<p>assessments and undertake monitoring (should the Council end up being the responsibly body).</p> <p>The cost of monitoring (and re-assessment) should ultimately be met by the applicant (which could incentivise improved assessments).</p>
Q.18. How should the government address issues such as post-decision costs and liabilities?	Post-decision costs and liabilities can be onerous and difficult to accurately forecast.		<p>These need to be factored in as best as possible as part of the decision-making process. There should be no instances where the cost and liabilities are left for the Council to pick up.</p> <p>There should be a mechanism for recouping the costs back from the developer. There should be timescales for review of mitigation that makes this possible.</p>

Consultation Question	Summary of info from the consultation document	Council's Comments	Proposed Council Response
<p>Q.19. Do you support the principle of environmental data being made publicly available for future use?</p>	<p>Clauses 78-92 in the Bill will provide for planning authorities to require standardised data to be made openly available. The Bill will enhance digitisation of planning services. This will result in data (especially strategic) being more accessible to users. Overall, capturing data more effectively will:</p> <ul style="list-style-type: none"> • deepen our understanding of the state of the environment • inform future policy development • make future assessments quicker and easier to carry out • help us understand the effectiveness of assessment; and • provide feedback on the effectiveness of the types of mitigation proposed. 		<p>Yes.</p> <p>Sharing of good quality up-to-date data is key to ensure that good decisions are made.</p> <p>However, there should be agreed data standards so that the data is comparable and there should be a requirement that the data should be provided by the applicant in the required format.</p> <p>Again there will be an element of data manging, cleansing and analysis that will be required by the Council and this should be accompanied by support (technical and financial) to ensure that this does not simply become another burden for the Authority.</p>

Consultation Question	Summary of info from the consultation document	Council's Comments	Proposed Council Response
Q.20. What are the current barriers to sharing data more easily?	<p>A lack of digitisation, prevention of publicly available data, and overall accessibility issues are hindering effective data sharing.</p> <p>Furthermore, the right kind of data is often not being provided for specific process needs. This is leading to inefficiencies and a loss of data collection.</p>		<p>Data is often provided in hard copy or as a PDF document which would then have to go through a process of digitising by the Authority and being made compliant with accessibility standards before it could be published on the website. A lack of standardisation means that the data is hard to interrogate or analyse because of the format that it is provided in.</p> <p>The key barrier is a lack of resources within the Council which means that there is not the capacity to do anything other than upload the information that is provided to us onto the website under each planning reference.</p> <p>There is no centralised place for the information to be held.</p>

Consultation Question	Summary of info from the consultation document	Council's Comments	Proposed Council Response
			<p>Depending on how the data was to be shared there may also be a lack of skills within the Council to share the data. As a council we do not have a dedicated data or GIS officer that's sites within the planning function and therefore this task would fall to officers in addition to their other workload which would mean that it is unlikely to be a priority.</p>
<p>Q.21. What data would you prioritise for the creation of standards to support environmental assessment?</p>	<p>The correct type of data is often lacking in terms of accessibility or copyright concerns. Related systems such as Local Nature Recovery Strategy may benefit from improved availability of data.</p>		<p>Data should be able to be collected with limited bureaucratic delay and annual benchmarks should be considered where possible. Copyright and GDPR-related constraints should be assessed to avoid inhibiting the collection of such variables.</p>

Consultation Question	Summary of info from the consultation document	Council's Comments	Proposed Council Response
Q.22. Would you support reporting on the performance of a plan or project against the achievement of outcomes? [Yes/ No].	Clause 146 allows the government to require the reporting of performance against specified environmental outcomes. The national level data collection variables will need to be clearly articulated.	Yes but only if additional resources were provided in order to do this.	Yes
Q.23. What are the opportunities and challenges in reporting on the achievement of outcomes?	The government will need to balance the opportunity for successful environmental protection with the desire to reduce bureaucratic requirements and consequent impacts on resourcing.		Lack of resources within the Council is a key challenge. Also the lack of knowledge and potentially a lack of support from other key organisations (who are themselves under resourced).
Question 24: Once regulations are laid, what length of transition do you consider is appropriate for your regime? i) 6 months ii) 1 year	A transition period will be anticipated in order to consider lead times in developing plans. The aim will be to provide as much of a time-limited transitional phase as practical.		Town and Country Planning. It would be useful for changes to the assessment and reporting mechanism to link to changes in the planning system as a whole. The 'new style plans' are proposed to come into effect

Consultation Question	Summary of info from the consultation document	Council's Comments	Proposed Council Response
<p>iii) 2 years</p> <p>Please state regime.</p>			<p>in June 2025 and this should be the same.</p> <p>However, the transition period should only start from when the details (through secondary legislation) are known about which would give authorities time to prepare.</p>
<p>Question 25: What new skills or additional support would be required to support the implementation of Environmental Outcomes Reports?</p>	<p>The government is to develop support mechanisms to bolster skills development.</p>		<p>Additional training for critically reviewing EOR's, mitigation and monitoring would be beneficial. Overall guidance for planning officers should be as unambiguous and detailed as possible to remove interpretation where possible.</p> <p>Financial support to discharge any additional Council responsibilities or resource burdens would be required.</p>

Consultation Question	Summary of info from the consultation document	Council's Comments	Proposed Council Response
Question 26: The government would be grateful for your comments on any impacts of the proposals in this document and how they might impact on eliminating discrimination, advancing equality and fostering good relations.	Equalities implications are to be assessed through the public sector equality duty to inform the development of this policy.		It is unclear at this stage whether there will be any discernible impacts on equalities. The social and economic components of the existing SA structures would need to be imbedded in further policy analysis (such as replacement of SEA) should the EOR solely focus on environmental matters.

REPORT TO:	ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE	AGENDA ITEM: 10
DATE OF MEETING:	30 MAY 2023	CATEGORY: DELEGATED
REPORT FROM:	STRATEGIC DIRECTOR (SERVICE DELIVERY)	OPEN
MEMBERS' CONTACT POINT:	DEMOCRATIC SERVICES 01283 595889/5722 democraticservices@southderbyshire.gov.uk	DOC:
SUBJECT:	COMMITTEE WORK PROGRAMME	REF:
WARD(S) AFFECTED:	ALL	TERMS OF REFERENCE: G

1.0 Recommendations

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

2.0 Purpose of Report

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

3.0 Detail

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

4.0 Financial Implications

4.1 None arising directly from this report.

5.0 Background Papers

5.1 Work Programme.

Environmental & Development Committee 30 May 2023 Work Programme

Work Programme Area	Date of Committee meetings	Contact Officer (Contact details)
Reports Previously Considered by Last Three Committees		
Work of the Corporate Environmental Sustainability Group	26 January 2023	Matt Holford Head of Environmental Services (01283) 595856
Authority Monitoring Report	26 January 2023	Steffan Saunders Head of Planning and Strategic Housing 07971604326
Designation of Neighbourhood Area	26 January 2023	Jessica Cheadle Planning Policy Assistant (01283) 595820
Revision to Action Plan For Nature Work Programme	26 January 2023	Christopher Worman Parks and Green Spaces Manager (01283) 595774
Toyota City	26 January 2023	Mike Roylance Head of Economic Development and Growth (01283) 595725
Corporate Plan Performance Report Q3	02 March 2023	Clare Booth Corporate Performance & Policy Officer (01283) 595788
South Derbyshire Economic Development and Growth Strategy	02 March 2023	Mike Roylance Head of Economic Development and Growth (01283) 595725
Consultation Response to Proposed Changes to the NPPF.	02 March 2023	Steffan Saunders Head of Planning and Strategic Housing

		07971604326
Pre-Submission Draft Derbyshire and Derby Minerals Local Plan	20 April 2023	Richard Groves Planning Policy Officer (01283) 595738
Derbyshire Road Verges Project	20 April 2023	Sean McBurney Head of Cultural and Community Services 07435 935050
NSIP Oaklands Solar Farm	20 April 2023	Steffan Saunders Head of Planning and Strategic Housing 07971604326
Provisional Programme of Reports To Be Considered by Committee		
Corporate Plan 2020-24 Performance Report Q4	30 May 2023	Heidi McDougall Strategic Director (Service Delivery) 01283 595 775
The Department for Levelling Up, Housing and Communities Consultation On The Proposed Infrastructure Levy.	30 May 2023	Jessica Cheadle Planning Policy Assistant 07435 829964
East Midlands Airport Draft Noise Action Plan	30 May 2023	Richard Groves Planning Policy Officer 01283 595738
The Department for Levelling Up, Housing and Communities Consultation On Environmental Outcomes Reports	30 May 2023	Steffan Saunders Head of Planning and Strategic Housing 07971604326
Enforcement and Regulatory Activity Annual Report 2023	10 August 2023	Matt Holford Head of Environmental Services 07891 072081
Wildflower Project Report	10 August 2023	Sean McBurney Head of Cultural and Community Services 07435 935050
Statement of Community Involvement	10 August 2023	Planning Policy Team Leader (01283) 595749

Climate and Environmental Action Plan review	21 September 2023	Matt Holford Head of Environmental Services 07891 072081
Electric Recharge Infrastructure	21 September 2023	Matt Holford Head of Environmental Services 07891 072081
Environmental Services Commercialisation Plan review	09 November 2023	Matt Holford Head of Environmental Services 07891 072081
Consultation on East Midlands Airport Sustainable Development Plan	09 November 2023	Planning Policy Team Leader (01283) 595749
Infrastructure Funding Statement 2022-23	09 November 2023	Jessica Cheadle Planning Policy Assistant (01283) 595820
Authority Monitoring Report 2022-23	25 January 2024	Jessica Cheadle Planning Policy Assistant (01283) 595820
East Midlands Airport Airspace Redesign Consultation (changing the flight paths)	Estimate 2024	Planning Policy Team Leader (01283) 595749
Gypsy and Traveller Accommodation Assessment Report	TBC	Planning Policy Team Leader (01283) 595749