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Our Ref

Your Ref

Date: 13th January 2021

Dear Councillor,

Environmental and Development Services Committee

A Meeting of the **Environmental and Development Services Committee** will be a **Virtual Committee**, held via Microsoft Teams on **Thursday, 21 January 2021 at 18:00**. You are requested to attend.

Yours faithfully,



Chief Executive

To:- **Labour Group**

Councillor Taylor (Chairman), Councillor Dunn (Vice-Chairman) and Councillors Mrs. Heath, Singh and Tilley.

Conservative Group

Councillors Mrs. Brown, Corbin, Ford, Mrs. Haines and Mrs. Patten.

Independent Group

Councillors Fitzpatrick and MacPherson.

AGENDA

Open to Public and Press

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

13th August 2020 **4 - 8**

15th September 2020 **9 - 10**

24th September 2020 **11 - 15**

12th November 2020 **16 - 22**
- 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** PICTORIAL WILDFLOWER PLANTING TRIAL-OUTCOMES AND NEXT STEPS **23 - 31**
- 7** AUTHORITY MONITORING REPORT **32 - 83**
- 8** INTRODUCTION OF PRE-PLANNING APPLICATION CHARGING **84 - 96**
- 9** REVIEW OF PRIVATE HIRE FEES **97 - 105**
- 10** ENVIRONMENT POLICY **106 - 112**

Exclusion of the Public and Press:

- 12** 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.

- 13** To receive the Exempt Minutes of the following Meetings:

13th August 2020

15th September 2020

24th September 2020

12th November 2020

- 14** To receive any Exempt questions by Members of the Council pursuant to Council procedure Rule No. 11.

- 15** SHARPE'S POTTERY MUSEUM

- 16** DRAFT FREEPORT PROPOSALS

ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE

13th August 2020

OPEN

PRESENT:-

Conservative Group

Councillor MacPherson (Chairman) and Councillors Brown, Billings, Dawson, Ford, Hewlett, Mrs. Patten, and Mrs Wheelton (substituting for Councillor Mrs Haines).

Labour Group

Councillors Dunn, Mrs. Heath, Singh, Taylor and Tilley.

EDS/13 **APOLOGIES**

Apologies were received from Councillor Mrs Haines.

EDS/14 **TO RECEIVE THE OPEN MINUTES**

RESOLVED:-

That the open minutes of the following Committees were approved as a true record:

<u>Committee</u>	<u>Date</u>	<u>Minutes No's</u>
Environmental and Development Services Committee	25.11.19	EDS/48 – EDS/63
Environmental and Development Services Committee	05.03.20	EDS/88 – EDS/100

EDS/15 **DECLARATIONS OF INTEREST**

Councillor Ford declared an interest in matters related to EDS/21 Biodiversity Offsetting and Update from Biodiversity Working Group, by virtue of being a County Councillor advising he would not take part in the debate.

Councillor Mrs. Patten declared an interest in matters related to EDS/21 Biodiversity Offsetting and Update from Biodiversity Working Group, by virtue of being a County Councillor advising she would not take part in the debate.

EDS/16 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/17 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/18 INTRODUCTION OF ANIMAL WELFARE LICENSING POLICY**

The Senior Licensing Officer presented the report to the Committee and explained that the policy had been prepared following the introduction of new regulations. Following a 12-week consultation changes were made to ensure that any inspection of animals would be conducted by a veterinarian.

Councillor Wheelton raised a query regarding unlicensed breeders in the area. The Senior Licensing Officer informed Members that these were being investigated in conjunction with the RSPCA, the Police and Environmental Health Officers.

RESOLVED:

- 1.1 *Members noted the consultation responses received in relation to the Animal Welfare Licensing Policy at Appendix 1 of the report.***
- 1.2 *Members approved the introduction of the Animal Welfare Licensing Policy at Appendix 2 of the report to come into effect on approval by Full Council.***

EDS/19 HILTON, MARSTON ON DOVE AND HOON NEIGHBOURHOOD DEVELOPMENT PLAN REGULATION 16 CONSULTATION

The Head of Planning and Strategic Housing presented the report to the Committee outlining the main points. It was noted that highlighting that policies within the Neighbourhood Plan could restrict new development within Hilton but the Committee was informed that the Parish Council had stated in writing to the Council that the Neighbourhood Development Plan fully supported all housing development within the Council's Local Plan including The Mandarin and that beyond 2028 there would be no moratorium on house building and there would be limited new housing proposed to support the needs of Hilton up to 2035. It was further stated by the Parish Council that Hilton had seen a rapid growth over the past few years, more so than any other service village within the District which drove the community led policies. The Head of Planning and Strategic Housing pointed out that future development opportunities could be restricted which in effect could lead to a moratorium in the village.

Following a request from Members for more information the Head of Planning and Strategic Housing clarified several points regarding the Neighbourhood Plan and how housing needs would be addressed and how the requirement for affordable housing would be also met in the District and confirmed that the Neighbourhood Plan was not strong enough to outweigh any Council policies covered within the current Local Plan.

RESOLVED:

- 1.1 The Committee authorised that the Hilton, Marston on Dove and Hoon Neighbourhood Development Plan Regulation 16 Consultation be conducted in accordance with as much of the adopted Statement of Community Involvement as practicable, allowing for the restrictions due to COVID-19.***
- 1.2 The Committee approved the outstanding matters from the Council's Regulation 14 comments, as per Appendix 1 of the report, be made on behalf of the Council to the Regulation 16 Consultation.***

EDS/20 **LOCAL ENVIRONMENTAL QUALITY SURVEY 2020**

The Strategic Director (Service Delivery) presented the report referring to a survey conducted during the period January to March which had been based on tried and tested methods which incorporated national indicators as used by the Keep Britain Tidy campaign to assign scores of cleanliness.

Members raised questions about the litter picking processes specifically on major routes such as the A38. The Strategic Director (Service Delivery) advised the Committee that service standards were in place and that collaborative working between many organisations in the District was required to address the issue.

RESOLVED:

- 1.1 The Committee noted the content of the Local Environmental Quality Survey report.***
- 1.2 The Committee approved an additional survey to take place in September/October 2020.***
- 1.3 The Committee agreed future performance information from the Local Environmental Quality Surveys be included within the Corporate Plan Performance Reports.***

EDS/21 **BIODIVERSITY OFFSETTING AND UPDATE FROM BIODIVERSITY WORKING GROUP**

The Planning Policy Officer presented the report to the Committee providing the latest position of the Working Group regarding offsetting losses in bio-diversity due to the Swadlincote Regeneration Area and highlighted the benefits of an

Action Plan for Nature for the District and advised Members that the Derbyshire Wildlife Trust was fully engaged with the Working Group.

Members raised questions regarding the transfer of wildlife to the new site, the selection criteria for the new site, access restrictions to protect the new site and the status of the sites not included in the project. The Planning Policy Officer informed the Committee that all necessary provisions would be made to protect any species that are present and the main considerations for the new sites had been grassland and woodland type habitats and the closeness to the Regeneration Area. The Planning Policy Officer added that training and equipment would be considered to enable appropriate management and protection of the new sites. Members were also informed that other sites could be developed through the Action Plan for Nature or the National Forest.

The Committee expressed thanks to the Planning Policy Officer and the Derbyshire Wildlife Trust for a good report and an excellent result for the District.

RESOLVED:

That the Committee:

- 1.1 Approved the proposed biodiversity enhancement works to sites outlined in the attached Biodiversity Net Gain Report attached to the report.***
- 1.2 Noted the update on the ongoing work of the Biodiversity Working Group.***

EDS/22 **COMMITTEE WORK PROGRAMME**

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

RESOLVED:

That the Committee considered and approved the updated work programme.

EDS/23 **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.

That the exempt minutes of the following Committee was approved as a true record:

<u>Committee</u>	<u>Date</u>	<u>Minutes No's</u>
Environmental and Development Services Committee	05.03.20	EDS/101 – EDS/103

EDS/24 **EXEMPT QUESTIONS FROM MEMBERS OF THE COUNCIL UNDER COUNCIL PROCEDURE RULE NO 11**

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

SERVICE LEVEL AGREEMENT RELATING TO CONSERVATION ADVICE

The Committee approved the recommendation in the report.

The meeting terminated at 19:35 hrs

COUNCILLOR MACPHERSON

CHAIRMAN

ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE

15th September 2020

OPEN

PRESENT:-

Conservative Group

Councillor MacPherson (Chairman), Councillor Mrs Haines (Vice-Chairman) and Councillors Mrs Brown, Dawson, Fitzpatrick, Ford, Mrs Patten,

Labour Group

Councillors Dunn, Mrs. Heath, Singh, Southerd (substitute for Cllr Taylor) and Tilley.

In Attendance

Councillors Mrs. Wheelton

EDS/28 **APOLOGIES**

The Committee was informed that apologies had been received from Councillors Hewlett and Taylor

EDS/29 **DECLARATIONS OF INTEREST**

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

EDS/30 **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/31 **QUESTIONS BY MEMBERS OF THE COUNCIL UNDER COUNCIL PROCEDURE RULE NO 11**

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

EDS/32 **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/33 **EXEMPT QUESTIONS FROM MEMBERS OF THE COUNCIL UNDER COUNCIL PROCEDURE RULE NO 11**

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

REVIEW OF OPERATIONAL SERVICES STRUCTURE

The Committee approved the recommendations in the report.

The meeting terminated at 18:45hrs

COUNCILLOR MACPHERSON

CHAIRMAN

ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE

24th September 2020

OPEN

PRESENT:-

Conservative Group

Councillor MacPherson (Chairman), Councillor Mrs Haines (Vice-Chairman) and Councillors Mrs Brown, Fitzpatrick, Ford, Mrs Patten and Mrs Wheelton (substituting for Councillor Dawson).

Labour Group

Councillors Dunn, Mrs. Heath, Dr Pearson (substituting for Councillor Taylor), Shepherd (substituting for Councillor Tilley) and Singh.

EDS/36 **APOLOGIES**

The Committee was informed that apologies had been received from Councillors Dawson, Hewlett, Dr Pearson and Tilley.

EDS/37 **DECLARATIONS OF INTEREST**

Councillor Ford declared an interest in EDS/52 Additional Staffing Due to Covid-19, by virtue of being a County Councillor.

EDS/38 **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/39 **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/40 **CORPORATE PLAN 2020-24 PERFORMANCE REPORT (2020-2021 QUARTER 1 – 1 APRIL TO 30 JUNE)**

The Head of Organisational Development and Performance presented the report and updated Members regarding the eight performance measures and

noted two for concern, namely: Fly-Tipping and Fuel Poverty. The Head of Organisational Development and Performance explained that mitigating actions had been applied in both cases and highlighted salient points in the Risk Register.

The Committee raised a query regarding the impact of increased Fly Tipping. The Head of Environmental Services informed Members that fixed penalty notices had been issued, and that new arrangements would enable more investigations to be carried out moving forward.

RESOLVED:

- 1.1 *The Committee considered 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/41 **LICENSING ACT 2003 – STATEMENT OF LICENSING POLICY**

The Senior Licensing Officer presented the report to the Committee, outlining the main points of the report, highlighting the need to update the Policy to reflect changes in legislation.

RESOLVED:

- 1.1 *Members noted the consultation responses received in relation to the Licensing Act 2003 Statement of Licensing Policy as per Appendix 1 of the Report.***
- 1.2 *The Members approved the Council's Licensing Act 2003 Statement of Licensing Policy ("Policy").***

EDS/42 **KEY PERFORMANCE INDICATORS – LICENSING DEPARTMENT**

The Senior Licensing Officer presented the report and updated Members how the Licensing Team had continued to support the Licensing processes throughout the Covid-19 pandemic.

RESOLVED:

- 1.1 *Members noted the performance of the Licensing Department in relation to the Key Performance Indicators.***

EDS/43 **CONSULTATION ON PLANNING WHITE PAPER – PLANNING FOR THE FUTURE**

The Head of Planning and Strategic Housing presented the report to the Committee confirming that all questions in the White Paper had been answered as required and highlighted proposed changes identified during the consultation process. The Head of Planning and Strategic Housing drew attention to the doubling of housing requirements for South Derbyshire, changes to current

processes, the lack of flexibility in discussions with local community groups and the requirement to prepare a new Local Plan within 30 months.

The Committee expressed concern over 30 months to deliver a new Local Plan and the level of penalties if this was not achieved and collaborative working with neighbouring authorities. The Head of Planning and Strategic Housing confirmed that the Planning Policy Team had been tasked to gather evidence regarding this and that work would be ongoing, but it was unlikely that a Local Plan could be completed in a 30-month time period and that although penalties had not been defined it could include government appointed planners assisting local authorities to prepare Local Plans. The Head of Planning and Strategic Housing informed Members that the Council was in communication with neighbouring authorities who had viewed the White Paper with similar concerns.

RESOLVED:

The Committee approved the response to the Government's White Paper consultation "Planning for the Future" on the basis of the comments set out in Appendix 2 of the Report, with the final response to be delegated to the Chairman of Environment and Development Services Committee in consultation with the Head of Planning and Strategic Housing.

EDS/44 **ADOPTION OF LOCAL GREEN SPACES PLAN**

The Planning Policy Officer presented the report to Members confirming that the report would have the same weight as the Local Plan and that the preparation had seen a lot of community involvement.

Members received the report with interest and gratitude for the work involved by the team.

RESOLVED:

The Committee agreed to adopt the Local Green Spaces Plan as a Development Plan Document, incorporating all the main modifications set out by the Inspector and the additional modifications proposed by the Council, including any consequential and other appropriate alterations for the purposes of clarification or typographical corrections.

EDS/45 **CHANGES TO THE CURRENT PLANNING SYSTEM, MINISTRY OF HOUSING, COMMUNITIES AND LOCAL GOVERNMENT CONSULTATION**

The Planning Policy Officer presented the report to Members highlighting that the housing new calculations for the District changed and explained how the Council would maintain the management of affordable homes.

The Committee raised concerns about the number of affordable housing and the level of consultation with local authorities. The Planning Policy Officer informed Members that whilst there had been some collaboration with the Council consultation had not been completed.

RESOLVED:

The Committee agreed that the proposed answers to questions set out in Annexe B of the report be forwarded to the Ministry for Housing, Communities and Local Government as the Council's response to 'Changes to the Current Planning System' consultation.

EDS/46 TRIAL OF POOL CAR ARRANGEMENTS WITH THE NHS

The Head of Environmental Services presented the report to Members outlining the key benefits of a collaboration with NHS Derbyshire for provision of a pool car for staff.

The Committee asked for clarification regarding costs, how the key would be obtained and how driving license checks would be carried out. The Head of Environmental Services confirmed that the cleaning costs were included and advised that the online booking system would only include a list of approved users and agreed to update the Committee with reference to the provision of keys.

RESOLVED:

The Committee endorsed the trial of a pool car scheme in partnership with NHS Derbyshire and agreed that a further report on a more permanent scheme, if the trial is successful, be received by this Committee.

EDS/47 BID FOR ELECTRIC VEHICLE RECHARGE POINTS

The Head of Environmental Services presented the report to Members highlighting the main factors, specifically the availability of electric vehicle recharging points. It was noted that installation of charging points for use by residents and users of the car parks had been considered and that eight recharge points were proposed within the two approved sites.

The Committee supported the proposal and recognised the amount of work put into the report.

RESOLVED:

The Committee endorsed the bid for government funding for the installation of electric vehicle recharge points within Council car parks.

EDS/48 COMMITTEE WORK PROGRAMME

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

RESOLVED:

That the Committee considered and approved the updated work programme.

EDS/49 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/50 **EXEMPT QUESTIONS FROM MEMBERS OF THE COUNCIL UNDER COUNCIL PROCEDURE RULE NO 11**

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

ADDITIONAL STAFFING REQUIREMENTS DUE TO COVID 19

RESOLVED:-

The Committee approved the recommendation in the report.

The meeting terminated at 20:05hrs.

COUNCILLOR MACPHERSON

CHAIRMAN

ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE

12th November 2020

OPEN

PRESENT:-

Conservative Group

Councillor MacPherson (Chairman), Councillor Mrs Haines (Vice-Chairman) and Councillors Brown, Dawson, Fitzpatrick, Hewlett, Mrs. Patten and Pegg (substituting for Councillor Ford).

Labour Group

Councillors Dunn, Richards (substituting for Councillor Mrs Heath), Singh, Taylor and Tilley.

In Attendance

Councillor Mrs. Wheelton

EDS/53 **APOLOGIES**

The Committee was informed that apologies had been received from Councillors Ford and Mrs Heath.

EDS/54 **TO RECEIVE THE OPEN MINUTES OF THE FOLLOWING MEETING**

The Open Minutes of the following Meeting were reviewed, considered as a true record and approved by the Chairman.

Committee	Date	Minute References
Environmental and Development Services	6 th July 2020	EDS/01 – EDS/12

EDS/55 **DECLARATIONS OF INTEREST**

Councillor Mrs Patten declared an interest in EDS/62 The Sand and Gravel Consultation by virtue of being a County Councillor.

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 COMMITTEE**EDS/58 CORPORATE PLAN 2020-24 PERFORMANCE REPORT Q2**

The Head of Organisational Development and Performance presented the report to the Committee pointing out that 80% of the key aims were on track and informed Members that both Household Waste Collection and Fly-Tipping measures were indicated as red.

The Committee raised queries regarding the measurements used for the Attractiveness of the District, the Planning Performance figures, the negotiations for Section 106 Agreements, the engagement of the District Valuer and fuel poverty. The Strategic Director (Service Delivery) clarified that several indicators had been deployed including a survey regarding visitor satisfaction in relation to the Attractiveness of the District. The Head of Planning and Strategic Housing clarified that the planning performance figures were in the range of 98-99% which included the extension of time figures, but further detail would be issued to the Committee and confirmed that policies were in place to ensure the terms of Section 106 Agreements were met and that the District Valuer had been consulted where necessary. Members were informed by the Head of Environmental Services that interventions were available, including improvements to heating through the Better Care Funding initiative, legal actions against landlords, legal power under the Housing Act and action in partnership with Derbyshire County Council to access energy systems for people living with long-term health issues to help reduce fuel poverty.

RESOLVED:

- 1.1 *The Committee considered 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/59 CONSIDERATION OF STATUTORY TAXI AND PRIVATE HIRE STANDARDS

The Senior Licensing Officer presented the report to the Committee, advising Members of the basis of the report which aligned with standards in the industry and there were no financial implications.

Members received the report and enquired whether the Police had agreed to share information about drivers. The Senior Licensing Officer informed the

Committee that a meeting had been requested with the Police and other Derbyshire licensing authorities to discuss the sharing of information.

RESOLVED:

- 1.1 Members noted the consideration of the Statutory Taxi and Private Hire Standards.**
- 1.2 The Committee approved the proposed changes to the Private Hire Licensing Policy and Private Hire Vehicle, Driver and Operator Conditions to come into effect in January 2021.**

EDS/60 **REVIEW OF PRIVATE HIRE FEES**

The Senior Licensing Officer presented the report to the Committee, outlining the main points of the report in respect of driver and operator fees.

RESOLVED:

- 1.1 The Committee approved the proposed fees for private hire drivers, vehicles and operators.**

EDS/61 **CORPORATE ENVIRONMENTAL SUSTAINABILITY GROUP**

The Head of Environmental Services presented the report to the Committee outlining each theme and highlighted two additional workstreams: Climate and Environment and Bio-Diversity. The Head of Environmental Services explained that the Action Plan for Climate and Environment would be reported on at the same time as a revised plan is brought to this Committee early next year.

RESOLVED:

- 1.1. The Committee noted the progress made in improving the Council's environmental performance further to this Committee establishing a Corporate Environmental Sustainability Group in August 2018.**
- 1.2. The Committee noted the content of the report having regard to the Council's decision to declare a Climate Emergency at full Council on 27 June 2019.**
- 1.3. The Committee gave delegated authority to the Strategic Director – Service Delivery in liaison with the Chairman of the Committee to respond to the anticipated forthcoming consultations on the Environment Bill during 2021, should there be insufficient time to bring consultation responses to the Committee.**

EDS/62 **SAND AND GRAVEL CONSULTATION**

The Planning Policy Officer presented the report to the Committee explaining that the purpose of the report was to agree the Council's response to Derby City Council and Derbyshire County Council's Sand and Gravel Consultation as part of the Minerals Local Plan Preparation process.

The Committee raised queries regarding Dove Valley and consultation with Parish Councils. The Planning Policy Officer informed Members that no mineral extraction had taken place in this part of the District in modern times and that the consultation was available on the County Council's web site until 13 December to enable other parties such as Parish Councils to respond.

Members raised questions about the mitigation of existing bio-diversity and protection of both the environment and the economy. The Planning Policy Officer confirmed that there was potential mitigation for restoration of sites, that could include wetland type sites such as those used in the Trent Valley Vision

RESOLVED:

1.1 The Committee agreed the Council's proposed response to Derby City Council and Derbyshire County Council's Sand and Gravel Consultation as part of their Minerals Local Plan (MLP) by objecting to:

- (i) the methodology adopted for calculating future demand, based on a three rather than ten-year sales average, on the grounds that it is unjustified and significantly overstates the likely quantity of sand and gravel needed within the proposed plan period.**
- (ii) the allocation of sites other than the four assessed as having 'high' potential in the MLP on the grounds that these alone can provide more than sufficient capacity to meet sand and gravel needs over the plan period.**
- (iii) the allocation of the proposed Foston site on the grounds of:**
 - (a) a potential increase in flood risk, as identified by the Environment Agency (EA), and**
 - (b) the setting of a precedent in recent times for sand and gravel extraction in the Dove Valley, which would inevitably and irreversibly alter the character of the area.**

1.2 The Committee agreed to state in the Council's response that notwithstanding the objection to the proposed Foston site, should the Minerals Planning Authorities (MPAs) decide to proceed with this allocation, no development should be progressed in advance of the establishment of a community-focused body to ensure a strategic and co-ordinated approach to mitigation, restoration and aftercare in respect of any minerals related development in the Dove Valley. The above recommendation was approved with an amendment that the final wording of the Council's response be delegated to Strategic Director (Service Delivery) in agreement

with the Chairman of the Committee and the Chairman of Planning Committee.

- 1.3 *The Committee agreed that concerns relating to aspects of the site assessment methodology and its application, as set out in para's 8.9– 8.12, be forwarded to the MPAs.***

EDS/63 **WASTE COLLECTION SERVICES REVIEW OUTCOME**

The Head of Operational Services presented the report to Members and provided an overview of the latest position for Waste Collection Services and the impact of the Environment Act changes to government legislation.

The Chairman thanked the Overview and Scrutiny Committee recognising an excellent report. Members raised questions on what capacity is available to make a connection with the public and whether fly tipping was thought to be associated with the loss of the Saturday Freighter service. The Head of Operational Services responded that there are no specific resources to deliver Public Relations activities but, advised that nearby local authorities are using similar schemes. A further plan which will include PR will be brought back to Committee. The Strategic Director (Service Delivery) confirmed that a solution would only be implemented with a detailed communication plan with the public.

The Head of Operational Services responded to the question on fly tipping and the removal of Saturday Freighters operating in the district that it was felt that this would not affect the issue of Fly Tipping. The Head of Environmental Services contributed to the discussion and concurred with the Head of Operational Services that the absence of the Saturday service was not seen as contributory to the issue of Fly Tipping.

RESOLVED:

- 1.1 *The Committee thanked the Overview and Scrutiny Committee and consultants Eunomia for their support in reviewing the Council's future options for the delivery of waste collection services in the light of an end to current contractual arrangements in October 2021 and anticipated legislative changes.***
- 1.2 *The Committee agreed that the Council continues to deliver the current service standards until 2023, as a minimum, to allow for clearer guidance to be available from Government on implementing the Environment Bill.***
- 1.3 *The Committee agreed that the Head of Operational Services negotiates with suppliers for interim arrangements for the collection and processing of materials effective from 6 October 2021 and for a further report to be brought to this Committee to agree any interim arrangements.***
- 1.4 *The Committee agreed that the Saturday freighter service be terminated with immediate effect.***

1.5 The Committee agreed that the Head of Operational Services undertakes local consultation on the continuing provision of the current bring recycling sites.

1.6 The Committee agreed that officers work towards the implementation of option three, (move to three weekly recycling and residual waste collections, with an additional bin for recycling (one recycling bin for paper card and one for all other materials), weekly food waste and fortnightly garden waste collection) detailed in the Eunomia options report, as the preferred long-term solution to achieving recycling and waste minimisation targets.

EDS/64 APPROVAL OF THE INFRASTRUCTURE FUNDING STATEMENT

The Planning Policy Team Leader presented the report to Members noting that the statement had been presented due to a change in regulations of Section 106 monies and how and when the funding should be used.

RESOLVED:

The Committee approved the Infrastructure Funding Statement (IFS) for the 2019-20 Financial year.

EDS/65 COMMITTEE WORK PROGRAMME

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

RESOLVED:

That the Committee considered and approved the updated work programme.

EDS/66 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/67 EXEMPT QUESTIONS FROM MEMBERS OF THE COUNCIL UNDER COUNCIL PROCEDURE RULE NO 11

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

The meeting terminated at 20:00hrs

COUNCILLOR MACPHERSON

CHAIRMAN

REPORT TO:	ENVIRONMENTAL AND DEVELOPMENT SERVICES	AGENDA ITEM:6
DATE OF MEETING:	21st JANUARY 2021	CATEGORY: (See Notes) DELEGATED or RECOMMENDED
REPORT FROM:	ALLISON THOMAS, STRATEGIC DIRECTOR OPERATIONS	OPEN
MEMBERS' CONTACT POINT:	ALLISON THOMAS, 5775 Allison.thomas@southderbyshire.gov.uk	DOC:
SUBJECT:	PICTORIAL WILDFLOWER PLANTING TRIAL-OUTCOMES AND NEXT STEPS	
WARD(S) AFFECTED:	ALL	TERMS OF REFERENCE: (See Notes)

1.0 Recommendations

- 1.1 That the Committee notes the outcome of the pictorial wildflower planting pilot scheme which was undertaken at four locations within the District during 2020.
- 1.2 That the Committee approves the continuation of wildflower planting in the four pilot areas in 2021, adapted to reflect the lessons learned in the initial scheme in 2020.
- 1.3 That the Committee welcomes Derbyshire County Council's agreement for the Council to trial a different mowing regime at four sites and at two "gateways" into the District to encourage indigenous/native wild flowers, under the terms of its Agency Agreement subject to the Committee's approval.
- 1.4 That the Committee endorses a communications campaign under the banner "First Impressions" for the work on the "gateway" sites into the District.
- 1.5 That the Committee notes that the above work will inform the potential development of a revised specification for its Agency Agreement with the County Council in the longer-term.
- 1.6 That the Committee notes that the continuation of the wildflower trial and amendments to highway verge management on the proposed trial and gateway sites can be accommodated within existing budgets. However, should the Committee wish to see a District-wide expansion of the proposed trials in the longer-term then the resource implications of so doing -wide would be the subject of a future report to this Committee and also referred to the Finance and Management Committee for approval.

2.0 Purpose of the Report

- 2.1 To seek approval to the continuation of the pictorial wildflower planting as a pilot scheme at four locations within the District, slightly amended to reflect lessons learned from the initial scheme.
- 2.2 To seek approval to trial a different highway verge mowing regime to encourage indigenous wild flowers at four sites and at and at two “gateways” into the District, as part of a “First Impressions” communications campaign with the endorsement of Derbyshire County Council under the terms of its Agency Agreement with the Council.
- 2.3 To explain the financial implications of the continuation of the wildflower trials, variation to the verge mowing regime and work to “gateways” into the District.

3.0 Executive Summary

- 3.1 Unlike the current grass cutting arrangements which the Council undertakes to agreed Service Standards and for highway verges in accordance with its Agency Agreement with Derbyshire County Council, pictorial wildflower planting and the encouragement of indigenous/native wild flowers requires a different management and mowing regime.
- 3.2 In August 2019, the Committee gave approval to the commencement of a pictorial wildflower planting pilot on four sites across the District. These were as follows:
 - Hartshorne Road, Repton – Right hand side of road heading towards Hartshorne just after the Knights Lane junction.
 - Ticknall Road, Ticknall – Left hand side of road heading into Ticknall
 - The Mease, Hilton - Derby Road end nearest to A50.
 - William Nadin Way, Swadlincote
- 3.3 The first three of the above sites were a success. The fourth pilot area at William Nadin Way failed.
- 3.4 A meeting has taken place with Derbyshire County Council’s Highway’s Network Manager to discuss the pilot, for which cultivation licences were given and to consider further opportunities for joint working. The County Council has indicated that whilst it would be willing for the Council to continue to plant the original pilot areas with wild flowers in 2021, longer-term it would be keen to explore how it might amend the specification of it Agency Agreements with all District and Borough Councils, where appropriate and subject to highway safety considerations, to introduce different verge mowing regimes that encourage indigenous wild flowers to grow.
- 3.5 The County Council is not in a position to amend its specification in the short-term but would be willing for South Derbyshire to “informally” pilot a different mowing regime in the District which would inform its work in this area.
- 3.6 As a consequence of the above, four sites have been selected with the County Council’s endorsement, to trial a different verge maintenance regime for 2021. In addition, a further two “gateway” sites into the District are also proposed for inclusion in the trial.
- 3.7 The County Council has indicated that irrespective of any pilot, the District Council will still be required to maintain a one metre swathe cut to rural roadside verges, a full cut four times per year to visibility splays and a minimum five cuts per year to urban roadside verges in order to maintain highway safety.

4.0 Detail

- 4.1 In April 2018, Environmental and Development Services and Housing and Community Services Committee agreed a set of standards for how the Council manages a number of its public facing services including:
- parks and open spaces
 - grass cutting and street cleansing
 - Housing estates and communal areas.
- 4.2 These standards set out the frequency and the nature of the services that would be delivered and have since been underpinned by Key Performance Indicators in the Council Plan on:
- Improving local environmental quality (measured through a bi-annual survey supported by Keep Britain Tidy)
- 4.3 South Derbyshire District Council cuts grass to ensure that people can use the roads and pavements safely. The Council cuts the grass on all Council-owned land, highway verges (as an agent for Derbyshire County Council), public open spaces, parks, town centres and memorial gardens.
- 4.4 As a guide, areas outside 30mph signs are cut two or three times a year, depending on the road designation and traffic sight lines are cut four times a year. Under the Agency Agreement with Derbyshire County Council the Council is required to cut a metre strip of the verge in two of every three years with the third year requiring a full verge cut back to the highway boundary. Derbyshire County Council require areas within the 30mph zones to be cut five times a year, South Derbyshire District Council currently cut these verges 16 times a year.
- 4.5 The Council uses large ride on mowers, within the 30mph zones, to make cutting as efficient as possible. Sometimes, these machines cannot cut close enough to trees and bases of obstacles so trimmers are used to ensure a consistent cut across all areas on every cut. Grass cuttings are not collected.
- 4.6 On the rural road network, the Council uses tractor-mounted flails to cut grass verges. Due to logistical and resourcing issues it is not possible to trim around trees and posts outside the 30mph zones. Again, grass cuttings are not collected.
- 4.7 In 2020, the Council undertook a wildflower planting pilot on four sites across the District. The County Council granted cultivation licences to the District Council to enable this pilot planting to take place. It did, however, indicate that it did not have the resources to support the pilots, neither did it support just leaving the grass to grow as this creates safety/visibility issues. The pilot sites selected were as follows:
- Hartshorne Road, Repton – Right hand side of road heading towards Hartshorne just after the Knights Lane junction.
 - Ticknall Road, Ticknall – Left hand side of road heading into Ticknall
 - The Mease, Hilton - Derby Road end nearest to A50.
 - William Nadin Way, Swadlincote
- 4.8 Unlike the standard grass cutting arrangements, wildflower planting on these sites required a different management and mowing regime. This involved:

- Autumn Marking out the area to be planted
Spraying to eradicate weeds
Rotavating
Seeding
- Spring/Summer
Once the seeds flowered and set seed the verges were cut, raked, bailed, and cleared.
The arisings were then disposed of. With standard grass cutting, cut grass is blown back on to the verges with no disposal costs.

- 4.9 Continuation of this wildflower planting requires the above management process to start again with repeat sowing necessary to maintain the full impact of the wildflowers for the following year.
- 4.10 The initial outcome of the pilots was mixed. The sites at Repton and Ticknall were planted with a cornfield mix of seeds and were both considered to be successful, in terms of planting, with a colourful display stretching for between 200-300 metres of verge. The site in Hilton was planted with a 'Magic Carpet' mix of seeds and also produced a colourful display in two 100 metre blocks. The site in Swadlincote failed. It is considered that the adjacent building work may have compromised the planting.
- 4.11 The feedback from local residents on the trials that succeeded was extremely positive, with no negative feedback for the site that failed. The trial was budgeted to continue for five years and it is considered that this will give a meaningful insight into what works and what does not, therefore, it is proposed that the Council will continue with the pilot on all four of the identified sites.
- 4.12 It is not recommended, however, that a further extension of this type of wildflower planting is undertaken elsewhere in the District in the immediate future as the majority of the wildflowers displayed on these sites would not occur naturally on grass verges in the countryside. From a biodiversity perspective, the preference would be to encourage appropriate indigenous wildflowers to prosper, leaving pictorial planting, of the kind used in the pilots to parks, urban verges on new developments, roundabouts (as has been agreed by the Housing and Community Services Committee recently as part of a District-wide roundabout sponsorship scheme, financed by the private sector) and urban public open spaces. The option of naturalistic perennial planting, a low maintenance form of planting used throughout the UK and internationally, would provide an alternative long-term approach, promoting biodiversity with stunning visual displays.
- 4.13 In addition to the above sites there are already two verges in the District identified by Derbyshire County Council as Road Verge Reserves, these are located at Rosliston Road and Staunton Lane and have a specific maintenance regime to encourage wildlife habitat and maintain the diversity of wildflowers present.
- 4.14 Derbyshire County Council is currently reviewing the Road Verge Reserves across the County and has commissioned Derbyshire Wildlife Trust to undertake the review, advise on any capital works that might be required and to revise the management plans for each site as appropriate.
- 4.15 The Council currently manages large areas of grassland habitat for biodiversity value, including Salt's Meadow in Swadlincote Woodlands, part of Rosliston Forestry Centre, Sandholes in Midway and Croft Orchard in Overseal. These are cut and cleared annually using agricultural contractors at relatively low costs. There are

proposed improvements to various Council grassland sites as a mitigation project using specific S106 mitigation funding from a recent bypass development. This will give the opportunity to trial a variety of approaches on sites with different topography, drainage, soil conditions. It is also intended that all the Council's nature sites will have ecological surveys, and, where appropriate, propose prescribed biodiversity opportunities for grassland/ habitat recovery/ improvement and future biodiversity net gain.

4.16 In recent discussions with Derbyshire County Council regarding the Highway Agency Agreement, it has been proposed that South Derbyshire District Council trials a different mowing regime on four rural verge sites across the District and at two "Gateway" sites into the District for 2021 with the aim of rewilding these verges by encouraging native species to flourish.

4.17 These sites are as follows:

Gateway Sites

- B5008 towards Willington
- A516 Etwell to Micklegate

Rural verge Sites

- Rural verges A514 Ticknall to Stanton
- A50 Shardlow to Elvaston
- Walton Road, Drakelow
- Catton Road, Walton on Trent

4.18 Habitat recovery with minimal intervention, is considered the more sympathetic approach to local biodiversity but can take between three to five years, or potentially longer, to show a real difference. In trialling a new approach this would, over time, demonstrate that the Council has a long-term strategic plan for the District (part of its emerging Plan for Nature). And if successful could signal a step-change in the Council's approach to managing the local environment for the next generation.

4.19 The Council has a statutory duty to consider biodiversity in exercising its functions and not disturb or destroy habitat. Where there is potential to affect long-established habitat such as old hedgerows and verges, unimproved grassland, former meadow, woodland edge etc. ecological surveys and impact assessments must be considered as essential good practice. It will be important to provide evidence of improvement with 'before' data to compare the 'after' data

4.20 These rural sites are likely to have abundant wildlife in terms of invertebrates, mammals, birds, reptiles etc. even if the flora is not species rich. They may have historic or archaeological interest and hold specialist species that need protection, especially at the base of hedgerows, including reptiles and the endangered hedgehog. Many of these verges and hedgerows are seen on District maps from the 1800s and some may date to medieval times. They may be remnant meadows/ woodland edges which have residual seed banks which flourish under changed management regimes. They can be improved/ recovered, but these require careful bespoke, (often one-off) interventions depending on a variety of ecological factors such as shade, orientation, soil-type, drainage, topography, tree proximity etc. Changing the mowing regime to an autumn cut and clear will generally impoverish the soil over a number of years and increase species richness, but is a long-term process which sees no immediate results and has no visual 'wow factor' to stimulate debate and discussion, but has greater ecological integrity.

- 4.21 Cutting grass between April and July generally reduces floral diversity over time and can encourage the vigorous growth of robust, long-lived, often invasive species that are more likely to spread vegetatively.
- 4.22 Cutting long grass which is left to lie in situ results in the build-up of a thick 'thatch' of dead and dying vegetation forming a mat over the soil, suppressing growth of many smaller plants and encouraging the more vigorous often invasive, species. Many of our wild meadow flowers which we hope to establish on verges rely on open soil for seed to germinate. The longer the grass at cutting time, the greater the suppression.
- 4.23 Prescription for improvement of rural roadside grass verges including those with old hedgerows all require-
- Full wildlife/ flora survey/ impact assessment of site, an approach will be made to Derbyshire Wildlife Trust to undertake the appropriate survey on the trial sites.
 - Bespoke prescriptions to be created for each proposed improvement site based on survey results.
 - Native perennial hedgerow flora and meadow species can be selected depending on site conditions and should include Yellow Rattle (*Rhinanthus minor*) which reduces grass dominance due to its semi-parasitic habit, along with species which are the most important of food sources for pollinators and invertebrates
 - Mow the grassed area as closely as possible prior to any interventions
 - Mark out defined area and map for recording
 - Remove invasive weeds such as ragwort as necessary over growing season
 - Pesticide should not be used
- 4.24 There are a number of options for habitat recovery on grassed areas of which the following have proved successful.
Options include
- Option 1: Cut the whole of the verge once a year in September, rather than the current 4/5 cuts. This will not stimulate as many wildflowers as other options but could be appropriate in more rural locations. It is relatively low cost. This approach could be accommodated within existing resources if the number of sites were limited.
 - Option 2: Cut the whole of the verge twice a year once mid-February to mid-March and once in September, this should stimulate a quicker "rewilding" than Option 1; this approach could also be accommodated within existing resources again with a limit on number of sites. Arisings can be left to lie, but removal is preferable (see 4.18 above). The early cut must not take place after mid-March to avoid damage to emerging flora in spring.
 - Option 3: Adopt the same cutting regime as above but the cut vegetation is removed to allow the germination of the seeds and to reduce the soil fertility over time. Arisings can be removed either by hand or by using equipment that collects as it cuts. Some Councils have attempted to utilise help from parish or town councils or from local interest groups where manual grass removal is adopted. This will require resources to co-ordinate and could lead to a decline of a specific site if volunteers disappear.

- Option 4: More intensive management including some site preparation at the start including harrowing and sowing or reducing soil quality by removing turf or topsoil, preparing ground and using green hay or sowing an appropriate indigenous seed mix and managing as option 3.
- Option 5; Disc overseeding. This involves close mowing, sow area in March using disc overseeder with chosen seed mix, planting perennials/ bulbs if required, Early cut once mid-February to mid-March and clear in September. Arisings can be left on surface for two days before removal, but not critical. A further cut in late autumn/ early winter is recommended. This is a less costly method than option 4 and has shown exceptional results where used for inserting perennial native meadow species into existing grassland.

4.25 In the absence of further available funds, it is proposed that option two be adopted for the six rural verge locations and that site-specific plans are developed for the gateway sites based on site context, budgets, resources and highway safety. It is likely that the gateway sites may have a combination of approaches including enhanced cutting regimes for the sight lines/visibility splays.

4.26 The County Council has indicated that it would be supportive of the Council trialling a new management regime for the sites selected. The outcomes would be monitored carefully by comparing species counts from the initial survey each year and if successful could become the blueprint for a revised Agency Agreement specification with the County across Derbyshire. If only option two can be afforded it could be a number of years before any improvements are evidenced, and any blueprint can be created. In the light of the current ecological emergency this may not be considered sufficient to deliver the biodiversity intentions in the Corporate Plan.

4.27 The only caveat to the pilot schemes taking place is that highway safety should continue to be a primary concern so the mowing of sight lines/visibility splays should continue in line with existing standards.

4.28 The changes proposed would need to be underpinned by a accompanying Communications Plan. It is proposed that this is badged as “First Impressions” - to explain the public what the Council is doing and the visual and environmental impact it will have on the look and feel of the District in the coming years as you travel through it.

5.0 Financial Implications

5.1 The costs of the initial pilot planting, which was agreed by the Committee in 2019, included year one two cuts and clearances and two herbicide treatments plus full coverage seeding, subsequent years include for one cut and clearance and top up seeding.

	19/20	20/21	21/22	22/23	23/24	Total
Manpower	£3,822	£1,912	£1,950	£1,989	£2,028	£11,701
Equipment Hire Costs	£2,250	£750	£ 765	£ 780	£ 795	£ 5,340
Materials	£1,214	£447	£ 456	£ 465	£ 474	£ 3,056
Total	£7,286	£3,109	£3,162	£3,234	£3,297	£20,088

- 5.2 The Council will continue to hire the type of equipment required to undertake the management of the pilot sites during the pilot phase.
- 5.3 In the long-term, investment by the Council in specialist equipment would need to be considered, dependent on the range and type of maintenance approach adopted. Wildflower management is more intensive than conventional mowing on rural verges, but can often be less intensive in urban settings, the right approach could balance out any additional employee needs. Therefore, consideration about the number of staff and appropriate training will need to be factored into any longer-term undertaking.
- 5.4 Whilst the proposed trials can be accommodated within existing budgets, once the outcome of the trial has been considered, and if a decision is reached to increase the number of sites receiving enhanced maintenance regimes, then any additional long-term costs will need to be evaluated and reported accordingly.

6.0 Corporate Implications

Employment Implications

- 6.1 In the short-term, workforce requirements can be accommodated from existing resources. The long-term implications are unknown and will be very dependent on taking a balanced approach.

Legal Implications

- 6.2 Renegotiation of the Highways' Agency Agreement with the County Council could be required in the longer-term.

Corporate Plan Implications

- 6.3 In the light of the success of the wildflower planting pilots and the proposed trials of revised verge management arrangements on the sites identified, changes to the agreed Service Standards will need to be considered. This will be the subject of a future report to this Committee.

Risk Impact

- 6.4 There is increased awareness from the public of the potential for public land owners to improve their impact on the built and natural environment; there is momentum throughout the Country to be seen to be doing something, particularly following the National Pollinator Strategy in 2014. Failure to continue with the planting in the pilot areas or to consider longer-term approaches to sustainable verge management as part of its Plan for Nature, and the Corporate Plan commitment to biodiversity, could have a detrimental effect on the Council's reputation.

7.0 Community Impact

Consultation

- 7.1 Prior to implementing the trial verge management approach, the Council will need to develop a communications plan, as highlighted above, to inform and in some cases persuade an often-skeptical public about the benefits of not cutting the grass. Where appropriate community groups and residents may wish to be involved in activity related to wildflower improvement.

Equality and Diversity Impact

7.2 Not applicable

Social Value Impact

7.3 Wildflower planting increases biodiversity, ornamental wildflower planting enhances the aesthetic appearance of otherwise bland green spaces, improves the livability of the District and encourages wildlife.

Environmental Sustainability

7.4 In August 2018 the Council established a Corporate Environmental Sustainability Group (CESG) to consider ways in which the Council could improve its environmental credentials. This was timely, given the most recent Council Motion in June 2019 for the Council to declare a Climate Change Emergency signed up to by over 100 local authorities across the country.

7.5 The Group's remit is to move the Council towards becoming a beacon of environmental good practice. Its key focus is on retaining accreditation to the International Environmental Standard ISO14001 which was successfully achieved in December 2019 for the eleventh year in a row, but the Group is also focusing on a range of other environmental projects including:

- Implementing the approved Staff Travel Plan by encouraging staff to walk, cycle and use public transport both to work and in the course of their duties to reduce carbon emissions and improve the health and well-being of staff.
- Improving the way in which the Council manages its own waste, water and energy
- Improving its procurement practices to ensure consideration is given to environmental factors during the procurement process.
- Developing a biodiversity plan for the District – a Plan for Nature - which has the potential to fundamentally change the way in which the Council manages its own land, public open space and land it manages on behalf of others i.e. highway verges.

7.6 This Plan for Nature will be a long-term Strategy for the District and will form part of the evidence base for the next Local Plan. It will help and support the Council to provide more clarity to developers on the way in which the Council would like to see net biodiversity gain being delivered as part of any future development. An update on its development will be presented to a future Committee.

REPORT TO:	ENVIRONMENTAL & DEVELOPMENT SERVICES COMMITTEE	AGENDA ITEM: 7
DATE OF MEETING:	21st JANUARY 2021	CATEGORY:
REPORT FROM:	STRATEGIC DIRECTOR – SERVICE DELIVERY	OPEN
MEMBERS’ CONTACT POINT:	KAREN BEAVIN 07501 698400 karen.beavin@southderbyshire.gov.uk	DOC:
SUBJECT:	AUTHORITY MONITORING REPORT	
WARD(S) AFFECTED:	ALL	TERMS OF REFERENCE: EDS 03

1.0 Recommendations

- 1.1 That the Committee notes the content of the Authority Monitoring Report (AMR) and authorises the publication of the document on the Council’s website.

2.0 Purpose of the Report

- 2.1 To allow the Committee to note the content of the AMR, which provides information on the performance of policies in the adopted Local Plan Part 1 and 2 for the monitoring period April 1st, 2019 to March 31st, 2020 and to seek authorisation to publish this on the Council’s website.

3.0 Detail

- 3.1 The preparation of an AMR is a requirement under the Town and Country Planning (Local Planning) (England) Regulations 2012.
- 3.2 The Council has produced monitoring reports on an annual basis since 2004. These have historically been published in December or January each year. The reports present data on a wide range of issues such as the number of homes and amount of commercial floor space completed or under construction during the monitoring year and the progress being made on the preparation of Development Plan Documents.
- 3.3 The AMR includes monitoring for the Local Plan policies included in the Local Plan Part 1 and 2.
- 3.4 Particular areas of note from the report are that in the monitoring year there were 1,285 net housing completions, of which 291 were affordable homes. These figures are an increase on the previous monitoring year by 67 and 66 homes, respectively. The Council can demonstrate a five-year housing land supply of 5.76 years.

- 3.5 There was net additional employment floor space of 2,885 sqm delivered during the monitoring period.
- 3.6 Regarding regeneration and the use of brownfield land, 13% of housing delivered within the monitoring period was on previously developed land and 52% of employment floor space was delivered on previously developed sites.

4.0 Financial Implications

- 4.1 None directly arising from this report.

5.0 Corporate Implications

Employment Implications

- 5.1 None directly arising from this report.

Legal Implications

- 5.2 None directly arising from this report.

Corporate Plan Implications

- 5.3 The AMR allows effective monitoring of the Council's planning policies some of which are of importance in delivering the strategic priorities and objectives included in the Council's Corporate Plan and relative Service Delivery Plans produced by the individual directorates.

Risk Impact

- 5.4 None directly arising from this report.

6.0 Community Impact

Consultation

- 6.1 None

Equality and Diversity Impact

- 6.2 None directly arising from this report.

Social Value Impact

- 6.3 The AMR notes that the level of affordable housing across the District has increased by 291 units in the 2019/20 monitoring period.
- 6.4 The AMR records that there was a net increase in employment floorspace over the monitoring period and a net loss in employment land, the latter being due to the construction of housing in accordance with a local plan allocation.

Environmental Sustainability

6.5 None

7.0 Conclusions

7.1 The AMR shall be published on Council's website following Committee approval.

8.0 Background Papers

Appendix 1: Authority Monitoring Report 2019/20

Appendix 2: Housing Position Paper, January 2021



**South
Derbyshire
District Council**

Planning and Strategic
Housing

AMR

Authority Monitoring Report

1st April 2019 to 31st March 2020



19-20



Contents





Executive Summary	3
Plan Preparation	6
Population	8
Housing	10
Self-Build	13
Employment	14
Retail	16
Regeneration	17
Infrastructure	17
Appendix A: Policy Monitoring	18
Appendix B: Housing Position Paper January 2020	

Executive Summary

Theme	Headline
Population 	<p>In 2019 the mid-year population for South Derbyshire stood at 107,260. This is an increase of 2,760 people compared to the 2018 mid-year estimate. Since the start of the Plan period in 2011 there has been an increase in the District's population of 12,360 people.</p>
Housing 	<p>The District Council's Housing Target is 742 homes to be built per annum between 2011-2028.</p> <p>In the 2019/20 monitoring period there were 1,292 (gross) completions. However, once losses in the period are taken into account, a total of 1,285 homes (net) were built.</p> <p>Since 2011, 6,270 homes have been built against a requirement of 6,678.</p> <p>Affordable housing completions for the period 2019/20 were 291. This is an increase on the number recorded in the 2018/19 period when 225 affordable homes were completed. 22.52% of homes completed in the period were classed as affordable.</p> <p>In 2019 median house prices were 7.18 times median (gross) annual workplace earnings. An increase from 7.13 times earnings in 2018 indicating that homes have become less affordable in the monitoring period¹.</p> <p>A total of 19 individuals were added to the District Council's self-build register during the fourth base period (31 October 2018 to 30 October 2019). 10 individuals were added to the register during the third base period.</p>

¹ House price to workplace based earnings ratios can be found on the following webpage:

<https://www.ons.gov.uk/peoplepopulationandcommunity/housing/datasets/ratioofhousepricetoworkplacebasedearningslowerquartileandmedian>

Employment		<p>The total industrial and business land need outside the Derby Urban Area within South Derbyshire between 2011 - 2028 is 47.27ha. On 31 March 2020, the amount of new land developed since 1 April 2011 was 36.77ha, with a further 0.93ha under construction at the time of the survey. A further 72.95ha had planning consent and 18.71ha did not yet have planning consent but was allocated for industrial and business development in the Local Plan Part 1.</p> <p>Net additional floor space delivered in the monitoring period was 2,885 sqm.</p>
Retail		<p>12 retail, office and leisure units were recorded as vacant in Swadlincote Town Centre during the survey in June 2020. The vacancy rate for the retail, leisure and office uses in the town centre is 6.45% by number of units, or 4.32% if measured as a proportion of floor space.</p> <p>No new local centres were completed with the monitoring period. Proposed local centres on strategic sites at New House Farm, Boulton Moor, Wragley Way and Drakelow Park had not been implemented as of 31 March 2020.</p>
Regeneration		<p>The Brownfield Land Register submission for 2019 comprised 20 sites with a total area of 72.2 ha.</p> <p>13% of housing delivered in the monitoring period was on previously developed land, whilst 52 % of employment floor space was delivered on previously developed sites.</p>
Infrastructure		<p>Local infrastructure projects delivered in the monitoring period:</p> <p>Chellaston Fields Spencer Academy and The Mease Spencer Academy Primary Schools were both opened in September 2019.</p> <p>The re-building of Repton Village Hall was completed in September 2019.</p> <p>Stenson Fields Community Centre was completed in this monitoring period.</p>

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Plan Preparation

Plans and Policy Documents

The Local Development Scheme sets out the timetable for the preparation of planning policy documents. The latest version was published in May 2018 (LDS 9) and can be viewed on the Council's website [here](#).

The Part 1 Local Plan (LP1)

This document, adopted by the Council on 13 June 2016, forms the strategic part of the Council's Local Plan. It contains allocations for strategic housing and employment sites as well as a range of thematic spatial policies in respect of housing, employment, sustainable development, the built and natural environment and infrastructure. The Plan is available to view on the Council's website [here](#).

The Part 2 Local Plan (LP2)

This document was adopted by the Council on 2 November 2017 in accordance with LDS8. It sets out the location of 14 non-strategic housing sites allocated within the District, defines settlement boundaries and sets out a range of thematic policies on topics such as heritage, retail, local green spaces, and development in the countryside. It is available to view on the Council's website [here](#).

Supplementary Planning Documents and Development Plan Documents

Design Guide and Affordable Housing Supplementary Planning Documents (SPDs) were adopted in November 2017. The Design Guide SPD incorporates car parking and open space and facilities' standards, previously proposed as separate documents.

The Local Development Scheme (LDS9, May 2018) indicates that the Council will produce:

- A Local Green Spaces Development Plan Document (DPD): Options Consultations took place in October to November 2018 and was submitted to the Secretary of State on 24th May 2019, with the Examination in Public took place on 12th September 2019. The modifications consultation ran from 4th February 2020 until 17th March 2020. Since the monitoring period to which this AMR relates, the Local Green Spaces Plan was adopted by the Council on 24th September 2020.
- A Gypsy and Traveller Site Allocations DPD: Between 28th August and 2nd October 2019 the District Council consulted upon the Sustainability Appraisal Scoping Report for the Gypsy and Traveller Site Allocations DPD. An up-to-date assessment of need is to be

undertaken prior to the commencement of the Gypsy and Traveller Site Allocations DPD and whilst the Gypsy and Traveller Accommodation Assessment (GTAA) has been commissioned and the site surveys have commenced, Covid-19 has delayed the site surveys and a significant delay to the completion of the GTAA is expected.

- An SPD on Greenways: No firm dates have been set for consultation or adoption. The District Council continues to liaise with Derbyshire County Council with a view to progressing the document.

Neighbourhood Development Plans

Neighbourhood Development Plans (NDPs) currently in production or made are as follows:

- **Repton NDP:** Following the submission of the Plan to the Council in January 2019 and the receipt of the Examiner's report in July 2019, The Parish of Repton Neighbourhood Development Plan 2016 – 2028 went to referendum on 14 November 2019. The referendum posed the question: *'Do you want South Derbyshire District Council to use the Parish of Repton Neighbourhood Development Plan to help it decide planning applications in the Repton Neighbourhood Area?'*. The outcome of the referendum was a 'yes' vote, with 565 out of 586 persons that voted, voting in favour of the Plan'. The Parish of Repton Neighbourhood Plan was formally made on 6 January 2020. More information is available on the Repton Neighbourhood Plan website at http://www.reptonvillage.org.uk/n_p/np_home.html.
- **Melbourne NDP:** Public consultation in accordance with Regulation 14 of the Neighbourhood Planning Regulations 2012 was undertaken on the Draft Melbourne Neighbourhood Development Plan for six weeks between 20 May 2019 and 2 July 2019. More information is available on the Melbourne Neighbourhood Plan at: <https://www.melbourneparishcouncil.org.uk/>
- **Hilton NDP:** An area comprising the Parishes of Hilton, Marston on Dove and Hoon has been designated as a Neighbourhood Plan Area. Hilton Parish Council undertook the Regulation 14 consultation from 28 October 2019 to 9 December 2019. Since the monitoring period to which this AMR relates, the NDP was submitted to the Council in May 2020 and the Regulation 16 consultation undertaken, which closed on 19 October 2020. The examination of the NDP is forthcoming. Information on the Plan is held on the Parish Council's website: <https://www.hiltonparishcouncil.org.uk/neighbourhood-plan.html>
- **Willington NDP:** An area comprising the Parish of Willington has been designated as a Neighbourhood Plan Area.

Population

On average the District's population has been increasing by around 1,500 people annually since the start of the Plan period, as indicated in Table 1, below:

Table 1: Mid-year population estimates for South Derbyshire 2011-2019²

Year	Population Estimate
2011	94,900
2012	95,900
2013	97,100
2014	98,400
2015	99,300
2016	100,400
2017	102,400
2018	104,500
2019	107,260

Available population forecasts from the Office of National Statistics (ONS) for the District indicate that the population will continue to grow rapidly, but at a steadily falling rate as time progresses, from an annual increase of 1,769 between 2020 and 2021 to an increase of 1,299 between 2027 and 2028. The following table indicates 2018 sub-national population projections for South Derbyshire.

² <https://www.nomisweb.co.uk/reports/lmp/la/1946157140/report.aspx?town=south%20derbyshire#tabrespop>

Table 2: Mid-year population Forecasts for South Derbyshire 2020-2028 and illustration of potential population reflecting plan growth targets

Year	Population Forecasts ¹
2020	108,164
2021	109,933
2022	111,632
2023	113,257
2024	114,819
2025	116,281
2026	117,697
2027	119,043
2028	120,342

¹Population forecasts based on ONS 2018-based Subnational population projections for South Derbyshire

<https://www.ons.gov.uk/peoplepopulationandcommunity/populationandmigration/populationprojections/datasets/localauthoritiesinenglandtable2>

Housing

In accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012, councils are required to report on the housing delivery that has taken place during the past monitoring year, which in this case is the period from 1 April 2019 until 31 March 2020.

Residential land supply is monitored annually in South Derbyshire with full site surveys around 1 April each year, in accordance with a County-wide protocol. The use of a database linked to GIS enables planning permissions and progress on sites to be tracked on a consistent basis across Derbyshire. Information is also collected on the development of affordable housing by tenure as well as data on house sizes and development densities on wholly completed sites.

Housing Requirement

The agreed and examined housing target from South Derbyshire's Local Plan Examination is a Housing Market Area (HMA) requirement from 2011 to 2028 of 33,388 dwellings of which 12,618 dwellings is the housing requirement for South Derbyshire. This figure consists of the housing need for South Derbyshire which is 9,605 dwellings together with a share of the housing need that Derby is unable to accommodate, 3,013 dwellings. **Based on a requirement of 12,618 the annualised housing requirement for the District is 742 dwellings.**

Housing Supply

The net number of completed dwellings from the start of the Plan period in 2011 can be seen in the Table 3 below.

Table 3: Housing Delivery since the start of the Plan period

Monitoring Period	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20
Number	378	274	385	420	569	820	921	1218	1285
On previously developed land (%)	38	32	26	33	12	14	11	12	13

The delivery figures since the start of the Plan period show an initial reduction in the number of homes delivered in the period 2011-12. This is likely to be as a result of a lack of supply from the then committed sites and economic conditions following the global financial crisis. Housing delivery reached its lowest point in the 2012/13 monitoring period. Numbers have risen every year since, though the 2016/17 monitoring period saw a significant step change in delivery. The reason for this increased number of completions is that the Local Plan Parts 1 and 2 had been adopted, meaning that new housing allocations have been made and 'opened up' for development.

As identified in Table 3 the completions from the previous seven years demonstrate the housing target of 742 has been met four times since the beginning of the plan period. In total 6,270 homes have been completed within the Plan period up to the 31 March 2020. This indicates a shortfall of 408 homes over the Plan period to date. In order to address this shortfall the Council expects to continue to deliver high levels of growth over the next five years. Details regarding the Council's five-year land supply are set out in the Housing Position Paper included at Appendix B.

Completions on Previously Developed (Brownfield) Land

Of the 1,285 dwellings (net completions) that were completed within the District in 2019/20, 13% were on previously developed land. As can be seen from Table 3, completions on previously developed land have generally decreased since the start of the Plan period. The National Planning Policy Framework encourages the use of brownfield sites but does not set a national target. The high level of greenfield development

in South Derbyshire is a result of the high level of housing growth required and the lack of previously developed land currently available for development. Further information on previously developed land is provided in the section on the Brownfield Land Register.

Local Plan Allocations

The Adopted Part 1 and Part 2 Local Plans include 32 allocations ranging in size from 10 dwellings to 2,239 dwellings. The Local Plan Part 1 includes 18 strategic allocations which will deliver around 12,700 homes (although a number of sites will not be fully built out by the end of the Plan period); the Local Plan Part 2 includes 14 non-strategic allocations which cumulatively will deliver at least 600 dwellings. Many of these allocations benefit from planning consent and are currently under construction.

Remaining Supply

- **Sites with Planning Permission:** Large sites with full or outline planning permission (including those with a Council resolution to approve pending the completion of legal agreements, have remaining capacity for a total of 8,557 dwellings.
- **Windfall estimates:** An allowance has been included within the Local Plan Part 1 of 23 dwellings per year.
- **Small Sites:** There are 344 dwellings with planning permission on small sites.
- **Losses:** An allowance for 14 dwelling losses per annum has been included in the trajectory. This figure is based on previous rates of losses.

It is expected that 5,596 dwellings on large sites (with planning permission) and 304 dwellings on small site sites (with planning permission) will contribute to the housing land supply to 2028. At 1st April 2020, 757 dwellings were under construction.

For further information on large sites with planning permission please view the Housing Position Paper at Appendix B.

Affordable Housing Completions

The number of affordable housing completions is monitored alongside general market housing completions. The number of affordable homes completed during the first three years of the Plan period was relatively low with 33 affordable housing completions in 2011/12 and 2012/13 and 23 affordable housing completions in 2013/14. However, in 2014/15 affordable housing completions rose substantially to 97 and continued to do so with 107 completions in 2015/16, 185 completions in 2016/17, 180 completions in 2017/18 and 225 completions in 2018/19. 291 affordable homes were completed during the 2019/20 monitoring period and the breakdown of tenure of these homes is set out in Table 4 below.

Table 4: Gross Affordable Housing Completions 2019-20

Social Rented Homes	Shared Ownership	Affordable Rented Homes	Affordable Homes Total
112	75	104	291

Dwelling Type Monitoring

Completions are recorded on a site basis. Table 5 below shows the numbers and percentages of completions in 2019/20 categorised by type of dwelling and number of bedrooms.

There was an increase in the number of 3 and 4 bed houses (527 and 429 completions) in comparison with the previous year (429 and 425 completions). There was a decrease in the number of flats (29 completions) compared to last year (48 completions) and an increase in the number of bungalows completed (25 in 2019/20 compared to 8 in 2018/19).

Table 5: Gross Completions by Dwelling Type and Size

Dwelling Type	1 Bed	% 1 Bed	2 Bed	% 2 Bed	3 Bed	% 3 Bed	4 Bed	5+ Bed	Total	Dwelling Type %
Bungalow	1	4.0	19	76.0	5	20.0	0	0	25	1.9
Flat or Apartment or Maisonette	6	20.7	23	79.3	0	0.0	0	0	29	2.2
House	15	1.2	224	18.1	522	42.2	429	48	1238	95.8
Total (gross)	22	1.7	266	20.6	527	40.8	429	48	1292	

Gypsy and Travellers

A Gypsy and Traveller Accommodation Assessment (GTAA) covering Derbyshire, the Peak District National Park and East Staffordshire was jointly commissioned and subsequently published in June 2015. This study identified a need for South Derbyshire of 38 new pitches over the period 1 April 2014 – 31 March 2034, of which 14 pitches were to be delivered in the first five years. Beyond March 2019 the identified need for new pitches for each five-year period is seven, eight and nine respectively.

During the 2019/20 monitoring year a total of six permanent traveller pitches were granted planning consent.

Self-Build

The Self-build and Custom Housebuilding Act 2015 places a duty on local authorities to keep and publish a register of individuals and community groups (associations of individuals) locally who want to acquire land for self-build homes and to have regard to these registers in carrying out the following functions; planning, housing, the disposal of any land by the authority and regeneration.

Local authorities must give suitable development permission to enough suitable serviced plots of land to meet the demand for self-build and custom housebuilding in their area. The level of demand is established by reference to the number of entries added to an authority's register during a base period.

The first base period began on the day on which the register (which meets the requirement of the 2015 Act) was established and ended on 30 October 2016. Each subsequent base period is the period of 12 months beginning immediately after the end of the previous base period. Subsequent base periods therefore run from 31 October to 30 October each year. At the end of each base period, relevant authorities have three years in which to permission an equivalent number of plots of land which are suitable for self-build and custom housebuilding, as there are entries for that base period.

At the close of the fourth base period ending 30 October 2019, there were 52 individuals recorded on the Council's self-build register of which 19 were added during the most recent 12-month period (ending 30 October 2019). Between the end of the third base period, ending 30 October 2018, and the end of the fourth base period, ending 30 October 2019, planning permission was granted for 46 single residential units, including 13 provided through the conversion of existing buildings.

Employment

The total industrial and business land need outside the Derby Urban Area within South Derbyshire between April 2011 and March 2028 is 47.27ha. Between that date and 31 March 2020, 36.77ha had been completed (see Table 7). As at 31 March 2020, there was a further 72.95ha with planning consent, 0.93ha was under construction and 18.71ha did not yet have planning consent but was allocated for industrial and business development in the Local Plan Part 1 (see Table 8). Gross employment land provision within the District therefore measured 129.36ha. Since April 2011, 24.68ha of established industrial and business land had been lost to other uses.

Table 6: Total Land and Floor Space Gained and Lost and Proportion of Gains on Previously Developed Land by Use Class 1 April 2019 – 31 March 2020

Description		B1a	B1b	B1c	B2	B8	Mixed	Total
Employment land developed or lost in 2019/20 by type.	Gains (ha)	0	0	0	0.37	0.00	0.37	0.74
	Losses (ha)	0.01	0	0	0	4.00	0.00	4.01
Employment floor space developed or lost in 2019/20 by type	Gains (sqm)	290	0	0	1276	920	989	3475
	Losses (sqm)	590	0	0	0	0	0	590
Floor space developed for employment in 2019/20 on previously developed land.	Gains (sqm)	290	0	0	586	920	0	1796
	% of gains on PDL	100	0	0	45.92	100	0	51.68

Table 7: Completed Employment Sites April 2011 – 31 March 2020

Sites Completed since 2011	Area (ha.)
Former Bretby Hotel and Conference Centre	1.35
Nestle, Marston Lane, Hatton	12.91
Park Road, Newhall	1.62
Dove Valley Park, Foston	2.32
Keystone Lintels, Swadlincote	2.00
ATL Foston	1.34
Tetron Point, Swadlincote	2.65
Small sites (less than 1ha)	12.58
Total	36.77

Table 8: Employment Land Under Construction; with Planning Permission or Allocated in the Local Plan but Without Planning Permission; and Losses at 31st March 2020

Sites Under Construction	Area (ha.)
Small sites combined (all less than 1ha)	0.93
Sites with Planning Permission	
Tetron Point, Swadlincote	4.71
Dove Valley Park, Foston	40.51
Former Ministry of Defence Depot, Hilton	3.15
Former Drakelow Power Station	12.0
South of Cadley Hill Industrial Estate	3.00
ATL, Foston	2.2
Woodyard Lane, Foston	3.22
Sinfin Lane, Barrow on Trent	2.22
Park Road, Newhall	1.00
Small sites combined (all less than 1ha.)	0.94
Local Plan Allocations without Planning Permission	
Hilton	3.71
Cadley Hill	3
Woodville Regeneration Area	12
Total	92.59
Loss of Employment Land	
Total Losses since 1st April 2011	24.68

Retail and Town Centre

The Council currently monitors vacancy rates in Swadlincote Town Centre annually as part of the Council's town centre benchmarking scheme. The latest available data for the 2019/20 monitoring year is from June 2019.

At that point 186 retail, leisure, and office ground floor units were recorded for monitoring purposes in Swadlincote town centre of which 100 were Use Class A1 units.

In total, 12 ground floor retail, office and leisure units were recorded as being vacant with a combined floor area of 2,262 sqm, representing 6.45% of all such units and 4.32% of all such floorspace. The location of vacant units is shown in Fig. 1.

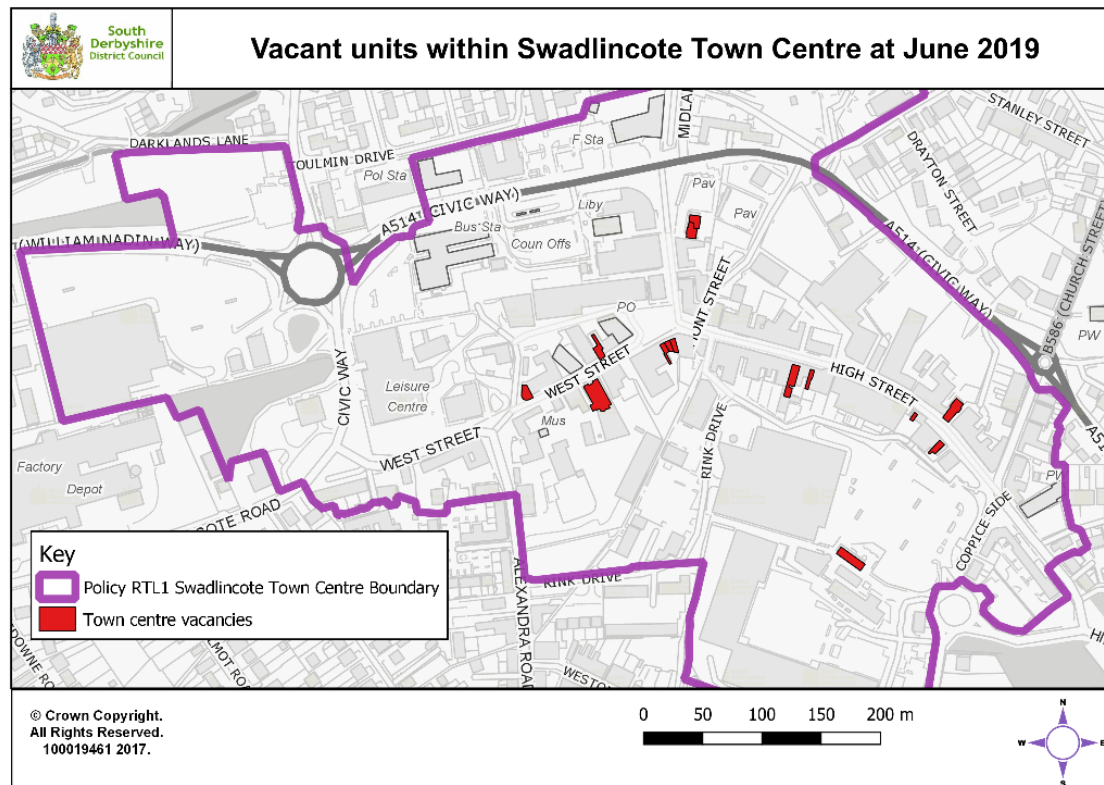


Figure 1: Vacant Units in Swadlincote as recorded in June 2019

Regeneration Brownfield Land Register

Regulation 3 of the Town and Country Planning (Brownfield Land Register) Regulations 2017 requires local planning authorities in England to prepare, maintain and publish registers of previously developed (brownfield) land by 31 December. The registers are intended to provide information on sites that local authorities consider to be appropriate for residential development. Brownfield sites that meet the relevant criteria must be entered in Part 1 of brownfield land registers. Sites entered in Part 2 of the brownfield land registers are granted permission in principle. Regulation 17 requires local planning authorities to review their registers at least once a year. The published register for 2019 comprises 20 sites, all contained within Part 1 of the register, with a total combined land area of 72.2 ha. It may be viewed on the District Council website [here](#):

Infrastructure

The new primary schools at Hilton and Chellaston Fields (The Mease Spencer and Chellaston Fields Spencer Academy respectively) were completed within the monitoring period.

A new community centre was opened in both Stenson Fields and Repton.

On 1 September 2019, the Community Infrastructure Levy (Amendment) (England) (No. 2) Regulations 2019 came into force, requiring that all authorities in receipt of contributions received through planning obligations (also known as Section 106 contributions) must produce an annual Infrastructure Funding Statement (IFS). The first of these IFSs is to be published by 31 December 2020 relating to the previous financial year, i.e. the monitoring year to which this AMR relates. An IFS will continue to be required on an annual basis thereafter. The IFS provides various breakdowns of the Section 106 monies, as is required by the Regulations and the IFS itself is available [here](#).

Appendix A: Policy Monitoring (based on Monitoring and Implementation Tables for LPP1 and LPP2)

Indicator	Policy Number	Policy Name	Plan	Performance
Spatial Strategy Policies				
Number of planning applications which go to appeal and are subsequently granted planning permission	S2	Presumption in Favour of Sustainable Development	LPP1	Ten applications were allowed at appeal
Net number of additional dwellings each year	S4	Housing Strategy	LPP1	1285 (net) additions. See main text for further information
Five Year Housing Land Supply	S4	Housing Strategy	LPP1	See Housing Position Paper at Appendix B
Annual net additional employment floor space and net employment land	S5	Employment Land Need	LPP1	Floor space and land, net of losses, delivered in the monitoring period were +2,885 sqm and -3.27 ha respectively. The loss of employment land recorded in this period was predominately due to the redevelopment of land at Hilton Business Park for housing, that land being allocated for such purposes in the Local Plan Part 1.
Amount of vacant ground floor retail, office and leisure floorspace in Swadlincote Town Centre	S7	Retail	LPP1	12 by number of units (6.45% of all ground floor retail, leisure and office use) or 4.32% by floor area. See main text for further information
Amount of new development granted within the Green Belt, including conversion, reuse of buildings and new buildings (excluding householder extensions)	S8	Green Belt	LPP1	One application for new development was granted in the Green Belt
Settlement Development Policies				
Number of applications (full or outline on major sites) for market housing granted consent outside of the settlement boundaries	SDT1	Settlement Boundaries and Development	LPP2	There were none consented outside of settlement boundaries (and contrary to the development plan) in the monitoring period.
Housing Policies				
Net additional dwellings by category of the settlement hierarchy	H1		LPP1	Derby UA dwellings 679 Burton UA dwellings 108

				Swadlincote 227 dwellings Key Service Villages 240 dwellings Local Service Villages 20 dwellings* Rural villages /areas 11 dwellings *The Aston-On-Trent settlement boundary crosses into the parish of Weston-on-Trent, consequently the Aston Hall Hospital development (Local Plan Part 1 Housing Allocation - Policy H8) is included in Local Service Village completions for Weston-on-Trent
Meet policy requirements, including site specific policy requirements	H2-H19	Strategic Housing Site Policies	LPP2	Policy H8, Former Aston Hall Hospital was completed during this monitoring year.
The number of dwelling types built each year	H20	Housing Balance	LPP1	See main body of this report
The number of market, social and intermediate housing constructed annually	H20	Housing Balance	LPP1	See main body of this report
Density of wholly completed sites or phases	H20	Housing Balance	LPP1	Seven sites of 10 dwellings or more were completed within monitoring year, comprising a total of 345 dwellings on a gross area of 12.27 ha, giving an average of 28.18 dwellings per hectare
Annual affordable housing completions including the number of social rented and intermediate affordable housing	H21	Affordable Housing	LPP1	See main body of this report
The number of dwellings annually completed on exception sites	H21	Affordable Housing	LPP1	None
Number of additional pitches granted planning permission annually	H22	Sites for Gypsies and Travellers and Travelling Show people	LPP1	During the 2019/2020 monitoring year a total of 6 permanent traveller pitches were granted
Meet policy including site specific policy requirements	H23	Non-Strategic Housing Site Policies	LPP2	No non-strategic housing sites were completed during this monitoring year.
Number of planning applications for replacement dwellings in rural areas (outside of settlement boundaries)	H24	Replacement dwellings in the countryside	LPP2	Five applications for replacement dwellings outside of settlement boundaries have

				been recorded in the monitoring period, four of which were granted consent.
Number of rural worker dwellings consented in the monitoring period	H25	Rural Workers	LPP2	No application for permanent workers dwellings was granted
Number of applications for new residential garden land in the countryside	H26	Residential Gardens in the Countryside	LPP2	Five applications were granted planning permission for residential garden use outside of settlement boundaries in the monitoring period.
Number of householder applications lost on appeal	H27	Residential Extensions and Other Householder Development	LPP2	One appeal was dismissed
Applications for change of use to residential Use - class C3(residential conversions) granted planning consent	H28	Residential Conversions	LPP2	18 applications were permitted, including prior notifications for conversion of agricultural buildings to dwellings, in the monitoring period.
Employment and the Economy Policies				
Annual total B1, B2 and B8 floorspace and new land area completion on strategic employment land allocations.	E1	Strategic Employment Land Allocations	LPP1	No new employment land was completed on strategic sites in the monitoring period.
Floor space area for completed units measuring under 100m2 and between 100-500m2 on the identified sites. In policy E1	E1	Strategic Employment Land Allocations	LPP1	No micro-floorspace units were completed on sites identified in Policy E1 and no small-scale floor space were completed on sites identified in policy E1
Annual total B1, B2 and B8 floorspace and new land area completion outside strategic employment land allocations.	E2	Other Industrial and Business Development	LPP1	0.74 ha and 3,475 sqm of employment floor space was completed outside of strategic employment sites in the monitoring period.
The amount of employment land area/floor space lost each year to other uses.	E3	Existing Employment Areas	LPP1	4.01 ha of employment land and 590sqm of employment floor space was lost to other uses in the monitoring period
Protection of land against development that would prejudice development of the site for intended purpose	E4	Strategic Location for Sinfin Moor Employment site Extension	LPP1	Site remains protected for future extension of Sinfin Moor employment site
Protection of land against development that would prejudice development of the site for intended purpose	E5	Safeguarded Employment Site – Dove Valley Park	LPP1	8.86ha of the site was granted full planning permission for B2 use within the plan period (combined with an adjacent plot to

				make a total of 12.36ha). The remainder of the site has outline planning permission for large scale B2 or B8 development.
Completion of new industrial and business development	E6	Woodville Regeneration Area	LPP1	There was 0ha of industrial and business development in the Woodville Regeneration Area
Number of rural employment development schemes completed	E7	Rural Development	LPP1	Three rural development schemes were completed in the monitoring period.
Sustainable Development Policies				
Number of planning applications granted annually contrary to Environment Agency advice on water quality grounds	SD1	Amenity and Environmental Quality	LPP1	There were no applications subject to a holding objection on water quality grounds from the EA in the monitoring period.
Number of Air Quality Management Areas (AQMA) within the District	SD1	Amenity and Environmental Quality	LPP1	There are no AQMA's located within the District
Number of planning applications granted annually contrary to Environment Agency advice on flood risk grounds	SD2	Flood Risk	LPP1	No applications were subject to a holding objection on flood risk grounds from the EA in the monitoring period.
Proportion of main rivers meeting WFD targets	SD3	Sustainable Water Supply, Drainage and Sewerage Infrastructure	LPP1	Information on WFD monitoring is available to view on the EA website http://environment.data.gov.uk/catchment-planning/RiverBasinDistrict/4
Reduce average consumption of water per household Number of properties consented that required developer to deliver optional standard of Part G of the Building Regulations of 110litres of water per person per day. Based on delivery on sites of 10 or more	SD3	Sustainable Water Supply, Drainage and Sewerage Infrastructure	LPP1	680 homes granted full or reserve matters consent were required to deliver this standard in the monitoring period. And 223 homes granted outline consent were required to deliver this standard in the monitoring period.
Number of planning applications granted annually with an outstanding objection regarding Contaminated Land or mining legacy issues	SD4	Contaminated Land and Mining Legacy Issues	LPP1	No planning applications have been identified as consented with an outstanding objection regarding contaminated land or mining legacy issues.
Number of planning applications granted annually with an outstanding objection regarding minerals safeguarding	SD5	Minerals Safeguarding	LPP1	No planning applications in the monitoring period were granted with an outstanding minerals safeguarding objection.

Renewable energy capacity in South Derbyshire (on schemes over 1Mw)	SD6	Sustainable Energy and Power Generation	LPP1	There is 22.1 Mw of installed renewable energy capacity in South Derbyshire. Of the six operational schemes all but one scheme are solar PV schemes. The remaining scheme is a 1.6Mw landfill gas scheme located in Newhall. ³
Built and Natural Environment Policies				
Number of sites granted full or Reserved matters permission within the monitoring period with Building for Life Assessments of: <ul style="list-style-type: none"> • 16 or more • 14-15 • 10-13 • Less than 10 	BNE1	Design Excellence	LPP1	Land at Woodland Road, Stanton (Site B)– 11 M.J. Car Sales, Park Road, Church Gresley - 13 Askew Lodge, Repton - 14 Hilton Depot, Hilton (Phase 2) - 14 Land at Acresford Road, Overseal – 14 The Mandarin, Hilton – 14 Former Methodist Church, West Street, Swadlincote - 14 Land to the rear of 33 to 59 Court Street, Woodville – 14.5 Land at William Nadin Way, Swadlincote (Site C) – 14.5 Rosliston Road South, Drakelow – 14.5 Boulton Moor (Phase 1C) – 14.5 Broomy Farm, Land at Woodville Road, Hartshorne, Swadlincote (Phase 2A) – 15 Hilton Depot, Hilton (Phase 3) - 15 Land at Derby Road, Hilton – 15.5 Land at Milton Road, Repton – 15.5 Moor Lane, Aston-on-Trent – 15.5 Broomy Farm, Land at Woodville Road, Hartshorne, Swadlincote (Phases 1A and 1B) – 15.5 Land at Staley Close, Swadlincote – 15.5 South of land at Derby Road, Hatton – 15.5

³ Data from <https://www.gov.uk/government/collections/renewable-energy-planning-data>

				Boulton Moor (Phase 1E) – 15.5 The west of Coppice Side, Swadlincote – 15.5 Newhouse Farm, Mickleover (Phase 3) – 16.5 Land east of Station Road, Melbourne (Phase 1 and 2) – 16.5 Land at Court Street, Woodville – 17
Number of heritage assets at risk within the District	BNE2	Heritage Assets	LPP1	There are 17 entries on the Heritage at Risk Register in the District. This includes ten buildings and structures, four places of worship, two archaeological assets and one Historic Park and Garden. On the local at risk register (including buildings/structures from grade I-II) there are 53 entries.
Number of Listed Buildings, Conservation areas, Historic Park and Gardens, Schedule Ancient Monuments within the District	BNE2	Heritage Assets	LPP1	There are 712 listed buildings and structures in the District of which 48 are grade I, 48 are grade II* and 616 are grade II There are 22 Scheduled monuments and 22 Conservation Areas in the District There are five historic parks and gardens in the District of which one is grade I, three are grade II* and one is grade II.
Number of Conservation Areas with up-to-date Conservation Area Appraisals.	BNE2	Heritage Assets	LPP1	All 22 Conservation Areas in the District have up to date conservation area appraisals, although some will shortly require review
Change on areas and populations of biodiversity importance including: <ul style="list-style-type: none"> • Change in priority habitats and species (by type) and • Change in areas designated for their intrinsic environmental value including sites for international, national, regional and sub regional importance. 	BNE3	Biodiversity	LPP1	No change in areas designated for their intrinsic environmental value
Number of applications (full or outline on major sites) for market housing granted consent outside of the settlement boundaries	BNE5	Development in the Countryside	LPP2	No full or outline applications for market housing on major sites outside of

				settlement boundaries (and contrary to the development Plan) were consented in the monitoring period.
Number of agricultural schemes (excluding losses to other use classes) granted and refused in monitoring period	BNE6	Agricultural Development	LPP2	One application or prior notification for new agricultural buildings were consented in the monitoring period.
Number of Tree Preservation Orders (TPOs) made in monitoring period	BNE7	Trees, Woodland and Hedgerows	LPP2	There were 23 provisional orders made within the monitoring period, the most recent being number 530.
Number of TPOs lost in monitoring period	BNE7	Trees, Woodland and Hedgerows	LPP2	There were 11 TPOs where the felling of trees was permitted within the monitoring period
Adoption of Local Green Space Development Plan Documents	BNE8	Local Green Space	LPP2	Modification Consultation took place February 2020. See main text for further information.
Number of advertisement applications granted and refused in monitoring period	BNE9	Advertisements and Visual Pollution	LPP2	17 applications for advertisement consent were determined in the monitoring period; of these 16 were approved.
Number of Listed Building consents	BNE10	Heritage	LPP2	24 listed building consents were recorded in the monitoring period.
Number of applications granted for shopfronts in Swadlincote Town Centre in monitoring period	BNE11	Shopfronts	LPP2	No applications for changes to existing shopfronts in Swadlincote Town Centre were granted in the monitoring period.
Number of applications on the site against the framework documents for Willington and Drakelow Power Station	BNE12	Former Power Station Land	LPP2	No applications recorded - Development Framework Documents for Power Station sites remain to be prepared.
Retail Policies				
Amount of retail floor space within Swadlincote Town Centre (Use Class A1)	RTL1	Retail Hierarchy	LPP2	32,682m ² recorded at February 2019
Amount of completed floor space in new local centres	RTL1	Retail Hierarchy	LPP2	No retail floor space was completed in new local centres within the 19/20 monitoring period. The Local Centres at Highfields Farm (1,012 sqm) and Chellaston Fields (1,724sqm) were completed in the previous monitoring period (2018/19)

Loss of retailing facilities to other uses	RTL1	Retail Hierarchy	LPP2	Five retail units have been lost to other uses. These comprised changes to: beautician (SG) at West Street, Swadlincote; sunbed salon (SG) at Chellaston; beautician at Highfields local centre, Findern; to dog grooming parlour at Derby Road Melbourne (mixed use A1/SG); and to dwelling (C3) at High Street, Woodville.
Preparation of design briefs for the redevelopment sites	RTL2	Swadlincote Town Centre Potential Redevelopment Locations	LPP2	No design briefs to guide comprehensive development of sites were prepared within the monitoring period.
Infrastructure Policies				
Length of journeys to work – proportion of population travelling more than 20km to work	INF2	Sustainable Transport	LPP1	15.8% of the District Population travels in excess of 20km to work
Mode of travel to work	INF2	Sustainable Transport	LPP1	Car/van 65.7%; work from home 10.4%; on foot 8.8%; bus/minibus 4.7%
Implementation of transport infrastructure schemes in the Plan Period.	INF4	Transport Infrastructure Improvement Schemes	LPP1	No transport infrastructure schemes identified in INF4 have been implemented in the period.
Number of planning applications approved with outstanding objection by the Civil Aviation Authority (CAA)	INF5	East Midlands Airport	LPP1	No applications approved with outstanding objection from the CAA
Number of applications for new halls or built recreation facilities annually (excludes extensions or alterations to existing facilities)	INF6	Community Facilities	LPP1	No applications for new halls or built recreations facilities granted.
Change in areas of biodiversity importance	INF7	Green Infrastructure	LPP1	18 metre (net) increase of native hedgerows
New National Forest Planting within the District annually	INF8	The National Forest	LPP1	<i>Awaiting data from National Forest Company</i>
Number of planning applications approved with outstanding objections from Sport England	INF9	Open Space, Sport and Recreation	LPP1	No applications have been identified as consented with an outstanding objection from Sport England in Monitoring period
Net increase/ decrease in playing pitches within the District	INF9	Open Space, Sport and Recreation	LPP1	There was one sport pitch granted in the monitoring period at a secondary school.

Number of new self-catering holiday units and pitches	INF10	Tourism Development	LPP1	Three applications were consented for holiday lets. No camping or caravanning pitches were consented in the monitoring period.
Number of applications granted for telecommunications	INF11	Telecommunications	LPP2	No telecommunications applications were received and consented in the monitoring period.

A large, stylized green leaf graphic that curves from the top left towards the bottom right, partially obscuring the text on the right side of the page. The leaf is composed of several overlapping, semi-transparent green shapes.

South Derbyshire District Council

Authority Monitoring Report: 1st April 2019 - 31st March 2020

**Published by South Derbyshire District Council, Civic Offices, Civic Way,
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SOUTH DERBYSHIRE AUTHORITY MONITORING REPORT APPENDIX 2: HOUSING POSITION PAPER

Introduction

1. This report is published as the most up to date housing position for South Derbyshire District Council. The Local Plan Parts 1 & 2 sets out the housing sites required in order to meet the housing target in the Local Plan of 12,618. This target includes a contribution of 3,013 dwellings towards meeting some of Derby City's unmet housing need. The period covered by the Plan is 2011 to 2028.

National Policy and Guidance

- 2 National Planning Policy Framework (NPPF), paragraph 59, states the Government objective to significantly boost the supply of homes. It sets out the requirement for Local Planning Authorities to identify a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old (paragraph 73).
- 3 The importance of the five-year supply and Housing Delivery Test is outlined in paragraph 11 of the NPPF. This states that where a supply of deliverable sites cannot be demonstrated, or where the Housing Delivery Test (HDT) indicates that the delivery of housing was less than 85% of the housing requirement over the previous three years, the Council's housing policies would be considered out-of-date (NPPF Annex 1 sets out transitional arrangements, setting the HDT results threshold at 25% for November 2018, 45% for November 2019 and 75% for November 2020). In this situation housing development should be determined against a presumption in favour of sustainable development.
- 4 National Planning Practice Guidance (NPPG) indicates that all local authorities will need to carry out an annual assessment of their five-year land supply in a robust and timely fashion, based on up to date and sound evidence. This paper includes completions on sites for the 2019/20 monitoring period, and up to date information on the progress of each housing site within the housing supply.

Derby Housing Market Area

- 5 South Derbyshire has worked alongside Derby City and Amber Valley as part of the Derby HMA since 2009. A considerable amount of work has been undertaken and subsequently examined on setting a housing target for the three authorities. This target was split across the three authorities taking account of Derby not being able to meet all of its housing needs.
- 6 It has been agreed collectively by the HMA Authorities that Derby City cannot provide more than 11,000 dwellings in the period up to 2028. Derby adopted its Local Plan Part 1 on 25th January 2017 and is currently working on a Part 2.

- 7 Amber Valley withdrew its emerging Plan in May 2019 and is now working towards adoption in 2023.

South Derbyshire

- 8 The selection of sites for allocation in the Local Plan was undertaken using the Strategic Housing Land Availability Assessment (SHLAA). All sites submitted were assessed and the information is held on Derbyshire County Council's website at: <https://www.derbyshire.gov.uk/environment/planning/planning-policy/land-availability/derby-hma/districts/south-derbyshire/south-derbyshire.aspx>
- 9 The District Council is in the process of reviewing its evidence base in preparation for a Local Plan review and, as part of this, is undertaking a Strategic Housing and Economic Land Availability Assessment (SHELAA). As the first stage in this exercise a 'Call for Sites' was launched on 3rd October 2019, with a request for responses to be received by 12th December 2019. Submitted responses are in the process of being assessed and are currently expected to be published in late Spring 2021.

Past Housing Delivery & Buffers

- 10 The net number of completed dwellings from the start of the plan period in 2011 can be seen in Table 1 below. A total of 6,270 dwellings have been built over the 9-year period to 31st March 2020, which is an average of 696 dwellings per year. Table 2 sets out gross completions by dwelling type per monitoring year.

Table 1: Net completions by year

Year	Net Completions
2011/12	378
2012/13	274
2013/14	385
2014/15	420
2015/16	569
2016/17	820
2017/18	921
2018/19	1218
2019/20	1285
TOTAL	6270

Table 2: Gross completions by Dwelling Type per Monitoring Year

	Dwelling Type					
Monitoring period	Market	Social Rented	Intermediate	Affordable Rent	Discount Low Cost	Total
2011-12	364	24	9	0		397
2012-13	248	25	8	0		281
2013-14	376	23	0	0		399
2014-15	341	10	23	64		438
2015-16	477	51	12	44		584
2016-17	648	123	6	30	26	833
2017-18	754	84	52	44		934
2018/19	1005	99	43	83		1230
2019/20	1001	112	75	104		1292

- 11 In order to help boost supply, the NPPF (para. 73) requires the inclusion of an additional buffer of at least 5% to ensure choice and competition in the market for land, or 20% if there has been significant under delivery over the previous three years.

- 12 The Housing Delivery Test Measurement Rule Book, published by MHCLG, sets out the formula to be applied as follows:

Housing Delivery Test (%) = $\frac{\text{Total net homes delivered over three-year period}}{\text{Total number of homes required over three-year period}}$

- 13 The combined number of homes delivered over monitoring years 17/18 (921), 18/19 (1,218) and 19/20 (1,285) in South Derbyshire is **3,437**. The total of number of homes required per year in South Derbyshire as an annual average, based upon the strategic requirement identified in the Local Plan Part 1 Policy S4, is 742, which over a three-year period of the HDT is **2,226**.

Thus the Housing Delivery Test percentage = $\frac{3424}{2226} \times \frac{100}{1} = 153.8\%$

Windfalls

- 14 Windfalls are sites which have not been specifically identified as available in the Local Plan process, but which have come forward through planning applications.
- 15 To arrive at an annual windfall completion assumption the average number of homes completed on brownfield sites within settlement boundaries with planning permission for ten dwellings or more over the past five years has been calculated, as shown in Table 3.

Table 3. Completions on unallocated brownfield sites within settlement boundaries with planning permission for ten dwellings or more 1 April 2015 – 31 March 2020

Site	Number of homes completed
Bretby Pottery, Woodville	27
Calder Aluminium, Willington	30
Moirs Road, Overseal	2
Eureka Lodge, Swadlincote	13
Former Dilkes Garage, Swadlincote	15
The Woodlands, Swadlincote	9
Kathglow, Dominion Road, Swadlincote	6
York Road, Church Gresley	13
Yard Close, Swadlincote	22
Rose Hill, Swadlincote	17
Total	154
Five-year average	30.8 (30)

- 16 To avoid any overlap with home completions from this source already accounted for, the average completion rate of 30 per annum has only been applied for years three, four and five of the five-year period, the point beyond which any current unimplemented reserved matters planning consent, as at 31 March 2020, would lapse.

Non-implementation rate on small sites

- 17 It is expected that not all smaller sites will be built, therefore a non-implementation rate has been applied to those sites under 10 dwellings.
- 18 It is assumed that anything that is under construction will be completed within a five-year period but that any sites without a start will have a 25% reduction applied to account for non-implementation on some sites.

Table 4: Non-implementation totals

Small Sites	Not started	Under construction	
	174	130	
Total to be counted	130	130	260

- 19 This equates to 43 dwellings a year over a six-year period arising from completions on small sites.
- 20 A non-implementation rate is not applied to the larger sites as more detailed site delivery information is known, and it is recognised in the housing trajectory that only a proportion will come forward in the five-year supply. Local Plan Part 1 indicates that on three allocations: Wragley Way (Policy H15), Drakelow (H6) and Land West of Mickleover (H19), not all of the dwellings are expected to be built within the Plan Period.

Losses

- 21 An assumption of the loss of 14 dwellings per annum is made in the trajectory based on the average number of losses recorded per annum since the 2011/12 monitoring year, as set out in Table 5.

Table 5: Losses

Year	Losses
2011/12	19
2012/13	7
2013/14	14
2014/15	18
2015/16	15
2016/17	13
2017/18	13
2018/19	12
2019/20	7

Deliverable & Developable Sites

- 22 The NPPF glossary states that to be considered deliverable, sites “*should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years.*”
- 23 It goes on to say that in particular:
- a) “*sites which do not involve major development and have planning permission, and all sites with detailed planning permission, should be considered deliverable until permission expires, unless there is clear evidence that homes will not be delivered within five years (for example because they are no longer viable, there is no longer a demand for the type of units or sites have long term phasing plans).*”

b) *“where a site has outline planning permission for major development, has been allocated in a development plan, has a grant of permission in principle, or is identified on a brownfield register, it should only be considered deliverable where there is clear evidence that housing completions will begin on site within five years.”*

- 24 Table 6 summarises the current position regarding all major housing sites within the District. In response to requests from the Local Planning Authority many site promoters and developers have kindly provided forecasts to assist in the preparation of the housing trajectory. These have been taken into account, although in a number of cases the Local Planning Authority has taken a more cautious view of delivery timescales and this is reflected in the forecasts set out in Table 8.
- 25 Table 7 indicates the current position regarding commitments and completions for small sites (fewer than 10 dwellings) by parish.

Table 6: Site Status

Site	Current Status	Total commitments/ capacity	Total completions 2011-2020	Completions 19/20	Under construction at 31 March 2020	Progress Commentary	Any Required Interventions
Local Plan Part 1 sites with full or reserved matters planning permission							
Policy H2: Land at Burton Road, Stanton, Site B	Under construction	132	19	19	20	Development being delivered by Taylor Wimpey. Completion rate lower than had been anticipated in HPP Feb 2020.	None
Policy H2: Land to the north of William Nadin Way (Site C)	Under construction	400	0	0	40	Development being delivered by Avant Homes. Although no completions were recorded as at 31 March 2020, many homes were under construction.	None
Policy H4: Broomy Farm, Woodville Road, Woodville	Under construction. Reserved matters application granted for phase 1 (182 dwellings) and phase 2a (70 dwellings). Reserved matters applications for phase 3 (148 dwellings) and full application for phase 4 (196 dwellings) currently under consideration. If approved, the latter would raise the number of homes permitted on the site above 400.	400	13	13	20	Development being delivered by Bellway Homes. Bellway has provided completions forecast.	Timely determination of remaining reserved matters planning applications.
Policy H5: Council Depot, Darklands Lane, Swadlincote	Under construction	158	157	31	1	William Morris Homes on site. Close to completion	None
Policy H6: Drakelow Park	Phase 1a complete and Phase 1b under construction	2239	162	52	6	David Wilson Homes on site. Completion rate higher than had been anticipated in HPP Feb 2020. Development of the site is currently capped at 400 dwellings pending the completion of the Walton Bypass, needed for transport mitigation. The Council, site promoter and developers are working to secure the completion of the bypass to allow the balance of the site to be developed. The site promoter has provided a completions forecast, although the trajectory at Table 10 reflects a more cautious view of delivery timescales.	Continued liaison with site promoter and developers to secure timely completion of the Walton Bypass. Timely determination of reserved matters planning applications.
Policy H7: Hilton Depot, The Mease, Hilton	Under construction	481	192	58	54	Completion rate lower than had been anticipated in HPP Feb 2020. Phase 1 complete. St Modwen on site developing phase 2. Persimmon on site developing phase 3. Persimmon has provided completions forecast for phase 3.	None
Policy H8: Former Aston Hall Hospital, Aston on Trent	Completed	38	38	11	0	Completed	None
Policy H10: Willington Road, Etwall	Under construction.	217	204	28	13	Bloor Homes on site. Close to completion.	None

Site	Current Status	Total commitments/ capacity	Total completions 2011-2020	Completions 19/20	Under construction at 31 March 2020	Progress Commentary	Any Required Interventions
Local Plan Part 1 sites with full or reserved matters planning permission (cont.)							
Policy H11: Land NE of Hatton	Under construction.	385	0	0	0	Developer, Bellway, on site. There are to be two outlets, one accessing off Station Road starting first and the other six months later, owing to the need to first build a new roundabout access from Derby Road. Bellway has provided completions forecast.	None
Policy H12: Highfields Farm	Under construction.	1056	872	252	107	Miller Homes, Barratt Homes and David Wilson Homes on site. Completion rate far higher than had been anticipated in HPP Feb 2020. No known impediment to the timely completion of the development.	None
Policy H13: Boulton Moor Phase 1	Reserved matters consent granted for 901 dwellings. Under construction.	1058	543	108	0	Persimmon Homes on site. Various re-plans have taken place, involving substitution planning applications. Reserved matters applications for remaining phases anticipated shortly. Persimmon has provided completions forecast.	Determine remaining reserved matters planning applications in a timely manner.
Policy H14: Chellaston Fields	Under construction.	450	276	91	51	Persimmon Homes on site. Delivering completions at much faster rate than had been anticipated in the HPP Feb 2020. Persimmon has provided completions forecast.	None
Policy H17: Holmleigh Way, Chellaston	Under construction.	108	32	32	13	Bellway Homes on site. Delivery at a slightly slower pace than had been anticipated in HPP Feb 2020. Bellway has provided completions forecast.	None
Policy H18: Hackwood Farm, Mickleover	Reserved matters consent granted.	290	0	0	0	This is part of a larger cross-boundary site, the greater part lying within Derby City. Site expected to be delivered by Miller Homes and Bellway Homes. Phases within Derby are under construction and first completions within South Derbyshire expected by March 2022.	None
Policy H19: Land West of Mickleover, Phase 1	Under construction	288	219	112	23	Site being delivered by Barratt Homes and David Wilson Homes. Delivery rate higher than had been anticipated in HPP Feb 2020. Developers have provided completions forecast.	None
Policy H19: Land West of Mickleover, Phase 2	Under construction	252	103	61	38	Bloor Homes on site. Delivery rate higher than had been anticipated in HPP Feb 2020. Bloor Homes has provided completions forecast.	None
Policy H19: Land West of Mickleover, Phase 3a	Under construction	317	18	18	38	Avant Homes on site. Two outlets anticipated on site in this initial phase. Site promoter has provided completions forecast, accompanying application DMPA/2020/0543 (see Policy H19 Land West of Mickleover Phase 3b, below) , although the trajectory shown in Table 10 reflects a more cautious view of delivery timescales.	Timely determination of application DMPA/2020/0543 to vary condition 39 of planning consent 9/2017/0349 and reserved matters applications

Site	Current Status	Total commitments/ capacity	Total completions 2011-2020	Completions 19/20	Under construction at 31 March 2020	Progress Commentary	Any Required Interventions
Local Plan Part 1 sites with outline planning permission							
Policy H2: Land north of William Nadin Way, Swadlincote: Park Road, Newhall. Site A	Outline planning permission	68	0	0	0	Site has been marketed with strong developer interest. Reserved matters planning application expected to be submitted in Summer 2021. Site promoter has provided a completions forecast.	Timely determination of reserved matters application.
Policy H3: Land at Church Street/Bridge Street/Moat Street, Swadlincote	Outline planning permission. Reserved matters application under consideration.	306	0	0	0	The site is under contract to Seven Homes and a reserved matters planning application has been submitted.	Timely determination of reserved matters application.
Policy H16: Primula Way, Stenson	Resolution to grant outline planning permission for 145 dwellings pending completion of S106 agreement.	500	0	0	0	Site survey work progressing to inform the master planning of the whole site. Progression of the current planning application has been delayed due to concerns with site drainage mitigation measures. Site promoter has provided completions forecast, although the trajectory shown in Table 10 reflects a more cautious view of delivery timescales.	Liaise with site promoter to assist in progressing pre-application work on any substitute outline application for the whole site.
Policy H19: Land West of Mickleover, Phase 3b	Outline permission granted. S106 agreement completed.	789	0	0	0	Condition 39 of planning consent 9/2017/0349, for phase 3, restricts occupation to no more than 317 dwellings (see Phase 3) prior to the completion of grade separation works by Highways England of the A38 Kingsway junction, expected to be to take place over the period 2021-2024. A further planning application has been submitted to vary this condition to allow occupation of no more than 317 dwellings prior to <i>commencement</i> of the A38 grade separation works (DMPA/2020/0543). The site promoter has provided a completions forecast with this application, although the trajectory shown at Table 10 reflects a more cautious view of delivery timescales.	Timely determination of application DMPA/2020/0543 and reserved matters applications to allow continuous development following completion of phase 3a.
Policy H13: Boulton Moor Elvaston, Phase 2	Outline planning permission.	550	0	0	0	S106 agreement completed. Land agent has provided completions forecast.	None

Site	Current Status	Total commitments/capacity	Total completions 2011-2020	Completions 19/20	Under construction at 31 March 2020	Progress Commentary	Any Required Interventions
Local Plan Part 1 Allocations with outline planning application pending							
Policy H15: Wragley Way (Phase1)	Outline application pending. Section 106 work underway to cover this and all later phases.	100	0	0	0	Site forms part of Infinity Garden Village, with funding from Government. Single developer anticipated for this phase. Site promoter has provided completions forecast although the trajectory shown in Table 10 reflects a more cautious view of delivery timescales.	Well advanced liaison and governance structure for delivery. S106 agreement to be completed
Policy H15: Wragley Way, (Phase 2)	Outline planning application under consideration, Section 106 work underway.	1850	0	0	0	Site forms part of Infinity Garden Village, with funding from Government. Single developer anticipated for this phase. Site promoter has provided a completions forecast although the trajectory shown in Table 10 reflects a more cautious view of delivery timescales.	Site forms part of Infinity Garden Village, with funding from Government. Planning application for the South Derby Integrated Transport Link and new A50 junction, which will support the delivery of this site, has been submitted by Derbyshire County Council. S106 agreement to be completed.
Policy E6: Woodville Regeneration Area	Resolution to grant outline planning permission, S106 agreement pending.	300	0	0	0	Awaiting submission of reserved matters planning applications. Site promoter has provided a completions forecast.	Site is dependent upon the completion of the Woodville Regeneration Route, which is currently under construction and expected to be complete by mid-2021.
Local Plan Part 1 Allocations without planning permission							
Policy H13: Boulton Moor, Elvaston, Phase 3	Awaiting outline planning application	190	0	0	0	Highway mitigation under phase 2 agreed through S106 agreement, which also addresses the phase 3 highway mitigation requirements. Land agent has provided a completions forecast.	Awaiting submission of outline planning application.

Site	Current Status	Total commitments/ capacity	Total completions 2011-2020	Completions 19/20	Under construction at 31 March 2020	Progress Commentary	Any Required Interventions
Local Plan Part 2 allocations with full or reserved matters planning permission							
Policy H23A: Moor Lane, Aston on Trent	Under construction	41	33	33	8	Progressing more rapidly than had been anticipated in the HPP Feb 2020	None
Policy H23E: Acresford Road, Overseal	Under construction	70	17	17	6	Progressing in accordance with forecast in HPP Feb 2020	None
Policy H23C: Derby Road, Hilton	Under construction	45	0	0	2	Progressing in accordance with forecast in HPP Feb 2020. Developer has provided completions forecast.	None
Policy H23G: Milton Road, Repton	Under construction	25	0	0	25	Progressing in accordance with forecast in HPP Feb 2020	None
Policy H23D: Station Road, Melbourne	Reserved matters planning permission	46	0	0	0	Developer has provided completions forecast.	None

Site	Current Status	Total commitments/ capacity	Total completions 2011-2020	Completions 19/20	Under construction at 31 March 2020	Progress Commentary	Any Required Interventions
Local Plan Part 2 allocations with outline planning permission							
H23B: Jacksons Lane, Etwall	Outline planning permission	50	0	0	0	Section 106 agreement signed. Developer secured and pre-application discussions at an advanced stage. Site promoter has provided completions forecast.	Timely determination of reserved matters planning application
Local Plan Part 2 allocations with pending outline application							
Policy H23L: Scropton Lane, Scropton	Outline planning application submitted.	10	0	0	0	Outline application under consideration	Determine outline planning application.
Policy H23J: Oak Close, Castle Gresley	Outline planning application under consideration	55	0	0	0	Outline application submitted for 70 affordable dwellings.	Determine outline planning application.
Local Plan Part 2 allocations without outline planning consent or application							
Policy H23I: Kingfisher Way, Willington	Awaiting submission of planning application.	50	0	0	0	Site currently not expected to proceed during the five-year trajectory period.	Liaise with site owner.
Policy H23M: Montracon, Swadlincote	Site being marketed for development	95	0	0	0	Site clearance and remediation required. Still in employment use. Not currently expected to come forward during the five-year trajectory period.	Liaise with site promoter and any site purchaser to assist in progressing pre-application work.
Policy H23N: Stenson Fields	Pre-application discussions continuing.	50	0	0	0	Site owned by Derby City Council. Active discussions with the City Council continue concerning options for disposal/development. City Council has provided a completions forecast, although the trajectory shown in Table 10 reflects a more cautious view of delivery timescales.	Liaise with Derby City Council and any site purchaser to assist in progressing pre-application work.

Site	Current Status	Total commitments/ capacity	Total completions 2011-2020	Completions 19/20	Under construction at 31 March 2020	Progress Commentary	Any Required Interventions
Non-allocated sites with full or reserved matters planning consent							
47-51 Alexandra Road, Swadlincote	Under construction	12	9	0	3	Site being constructed on a gradual basis. Planning permission for 3 remaining plots to be constructed approved December 2019.	None
Kathglow, Dominion Road, Swadlincote	Under construction	12	8	0	0	Site being constructed on a gradual basis.	None
High Street, Linton	Complete	84	84	6	0	Complete.	None
Yard Close, Swadlincote	Under construction	38	22	22	16	Trent and Dove Housing Association on site. Site progressing more rapidly than had been anticipated in HPP Feb 2020.	None
Rosliston Road South, Drakelow	Under construction	71	21	21	2	Lioncourt Homes on site. Site progressing more slowly than had been anticipated in HPP Feb 2020. Developer has provided completions forecast.	None
Newton Road, Winshill	Under construction	100	70	32	30	Barratt Homes on site. Site progressing in accordance with forecast in HPP Feb 2020.	None
Cadley Hill, Burton Road, Swadlincote	Under construction	171	170	38	1	St Modwen on site. Site progressing in accordance with forecast in HPP Feb 2020.	None
Linton Heath, Linton	Under construction	26	16	16	6	Walton Homes on site. Site progressing in accordance with forecast in HPP Feb 2020.	None
Ashby Road, Woodville	Under construction	10	7	0	3	Site being constructed on a gradual basis.	None
Court Street, Woodville	Reserved matters planning consent	14	0	0	0	No known impediment to the timely delivery of the development.	None
Former Bretby Art Pottery, Woodville	Complete	27	27	10	0	Complete.	None
Calder Aluminium, Willington	Under construction	39	30	18	9	Fairgrove Homes on site. Site progressing in accordance with forecast in HPP Feb 2020.	None
Moirs Road, Woodville	Under construction	45	24	24	3	Taylor Wimpey on site. Development has come forward far sooner than had been anticipated in HPP Feb 2020.	None

Site	Current Status	Total commitments/ capacity	Total completions 2011-2020	Completions 19/20	Under construction at 31 March 2020	Progress Commentary	Any Required Interventions
Non-allocated sites with full or reserved matters planning consent (cont.)							
Eureka Lodge, Newhall Road, Swadlincote	Complete	13	13	13	0	Complete.	None
Former Dilkes Garage, Hill Street, Swadlincote	Complete	15	15	15	0	Development came forward sooner than had been anticipated in the HPP Feb 2020.	None
The Woodlands, Cadley Hill Road, Swadlincote	Under construction	10	9	9	1	Development progressing more rapidly than had been anticipated in the forecast in HPP Feb 2020.	None
Coppice Side, Swadlincote	Part implemented (access). Reserved matters planning consent.	18	0	0	0	Certificate of Lawfulness demonstrates that previous construction of access, as permitted under 9/2010/0036, has been lawfully implemented. Construction expected to commence shortly.	None
Mandarin, Egginton Road, Hilton	Under construction	34	0	0	0	Owl Homes on site. Developer has provided a completions forecast.	None
Court Street, Woodville	Under construction	72	0	0	69	Jessops and East Midlands Housing on site. Although no completions have yet been recorded, development has been rapid, with many homes under construction.	None
Park Road, Church Gresley	Under construction	14	0	0	14	Development progressing in accordance with the forecast in HPP Feb 2020.	None
Staley Close, Swadlincote	Complete	22	22	22	0	Complete	None
Askew Lodge, Milton Road, Repton	Reserved matters planning consent	13	0	0	0	Maplevale Developments Ltd. identified to deliver site. Site promoter has provided completions forecast.	None
Moir Road, Overseal	Under construction	10	2	2	8	Development progressing in accordance with the forecast in HPP Feb 2020.	None
Castle Hotel, Hatton	Full planning consent	13	0	0	0	AC Construction identified to deliver site. Delivery forecast provided by developer.	None
Orchard Street, Newhall	Reserved matters planning consent	25	0	0	0	Bowsall Developments Ltd. and Trent and Dove Housing identified to deliver site. Architect has provided completions forecast.	None
West Street, Swadlincote	Full planning consent	13	0	0	0	No known impediment to delivery of the development	None
Burton Road, Rosliston	Under construction	10	0	0	0	Being delivered by Lychgate Homes Ltd. Developer has provided completions forecast.	Timely determination of current planning application.
Woodville Road, Hartshorne	Full planning consent	11	0	0	0	To be delivered by Dealmead Ltd	None

Site	Current Status	Total commitments/ capacity	Total completions 2011-2020	Completions 19/20	Under construction at 31 March 2020	Progress Commentary	Any Required Interventions
Non-allocated Sites with outline or pending planning consents							
Woodville Road, Hartshorne	Outline planning consent. Reserved matters planning application submitted.	14	0	0	0	Reserved matters planning application under consideration.	Timely determination of reserved matters applications.
Findacar and Easylease, Castle Road, Castle Gresley	Outline planning consent	14	0	0	0	Reserved matters planning application awaited.	Timely determination of any reserved matters applications.
Lucas Lane, Hilton	Outline planning consent	57	0	0	0	Awaiting submission of reserved matters planning application. A developer has been secured and now wishes to engage in pre-application consultation with the local planning authority. The site promoter has provided a completions forecast, although the trajectory at Table 10 reflects a more cautious view of delivery timescales.	Timely determination of any reserved matters applications.
Micklemeadow Farm, Rykneld Road	Outline planning consent	14	0	0	0	Awaiting submission of reserved matters planning application. Architect has provided completions forecast.	Timely determination of any reserved matters applications.

Table 7: Small Sites by Parish

Parish Name	Dwellings on small sites under construction	Dwellings on small sites not started	Completions 2019/20
Ash	6	0	0
Aston on Trent	0	1	1
Barton Blount	6	0	0
Bearwardcote	0	2	0
Bretby	0	10	1
Burnaston	0	3	1
Castle Gresley	1	7	0
Church Broughton	0	8	1
Coton in the Elms	0	3	1
Dalbury Lees	2	0	3
Drakelow	0	1	0
Egginton	2	2	2
Elvaston	1	9	0
Etwall	2	0	0
Findern	1	2	1
Foston & Scropton	5	4	3
Hartshorne	4	8	1
Hatton	2	3	8
Hilton	8	6	3
Linton	3	0	0
Lullington	1	0	0
Melbourne	6	20	6
Netherseal	2	3	2
Newton Solney	2	0	2
Osleston & Thurvaston	2	1	0
Overseal	1	2	9
Repton	9	11	1
Rosliston	3	1	0
Shardlow & Great Wilne	4	0	0
Stanton by Bridge	0	3	0
Sutton on the Hill	2	0	1
Swarkestone	3	0	0
Ticknall	1	1	0
Trusley	0	1	1
Walton on Trent	0	1	0
Weston upon Trent	7	8	5
Willington	7	1	1
Woodville	5	4	0
Swadlincote (unparished)	32	48	16
Total for District	130	174	131

Five-year supply

26 Table 8 calculates a five-year supply based on the period 2011 – 2028.

Table 8: Five-Year Supply based on the Plan Period 2011 – 2028

a. Plan Period Requirement 2011 – 2028	12,618
b. Annualised Requirement [a/17 years]	742
c. Dwellings Completed 2011/12 to 2019/20	6270
d. Estimated Net Completions 2020/21	851
e. Dwellings left to be built [a - (c + d)]	5497
f. Shortfall [b x 10 years – (c+d)]	299
g. Shortfall if met over 5 years (per annum) [f/5]	60
h. 5% buffer to 5-year requirement, including shortfall, to allow choice and competition in the market for land [f + (b x 5)/ 20]	201
i. 5% buffer per annum if met over 5 years [h/5]	41
j. Adjusted Requirement (per annum) [b + g+ i]	843
k. Projected gross Completions 2021/22 to 2025/26	4923
l. Losses (calculated as 14 per year)	-70
m. Net Projected Completions 2021/22 to 2025/26 [k - l]	4853
n. Five-Year Supply [m/j]	5.76

Summary

- 27 As can be seen from the calculations above, a five-year supply is demonstrable. The estimated net completions for 2019/20 in the February 2020 Housing Position Paper was 1,112, which was confirmed as 1,285 dwellings following the annual survey. It is expected that the 2020/21 completions will be considerably lower as a consequence of the COVID 19 pandemic, before rising again in the years to follow. There is only one Local Plan Part 1 site and three Part 2 sites without an approval or a pending application.

Supply of Sites

- 28 The starting point from 1st April 2021 is that 299 dwellings have to be built in order to catch up on the shortfall. This shortfall, along with the actual requirement, is subject to a 5% buffer (as required by the NPPF) which must be delivered in the five-year supply period, all of which has been taken into account in assessing the housing supply. This quantum is the minimum that has to be achieved. The current housing land supply position is set out in Table 9: Housing Trajectory.

Table 9: Housing Trajectory

	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	TOTAL left to be built in the plan period
										Current year	Yr1	Yr2	Yr3	Yr4	Yr5			
Total net past completions	378	274	385	420	569	820	921	1218	1285									
Allocations																		
Land to N of William Nadin Way/West of Depot, Swadlincote (Park Road, Newhall) (H2) Site A												30	38					68
Land to N of William Nadin Way/West of Depot, Swadlincote (H2) Site B										20	35	35	23					113
Land to N of William Nadin Way/West of Depot, Swadlincote (Burton Road, Stanton) (H2) Site C										70	107	105	105	13				400
Land in vicinity of Church Street/Bridge Street/Moat Street, Swadlincote (H3)											10	30	30	30	30	30	30	190
Broomy Farm, Woodville (H4)										66	113	60	60	60	28			387
Depot housing site, Darklands Road, Swadlincote (H5)										1								1
Drakelow Power Station, Drakelow (H6)										31			52	77	78	78	78	394
Land at Hilton Depot, The Mease, Hilton (H7)										60	78	74	66	11				289
Willington Road, Etwall (H10)										13								13
Land to NE of Hatton (H11)										39	59	78	78	78	53			385
Highfields Farm, Findern (H12)										100	50	34						184
Boulton Moor, Elvaston (H13 – Phase 1)										70	70	70	100	100	100	5		515
Boulton Moor, Elvaston (H13 – Phase 2)												40	60	65	70	70	70	375
Boulton Moor, Elvaston (H13 – Phase 3)														25	40	40	45	150
Chellaston Fields (H14 – Phase 1)										45	57	30	30	12				174
Wragley Way (H15) Phase 1													25	50	25			100
Wragley Way (H15) Phase 2														40	100	100	100	340
Primula Way (H16)																50	50	100
Holmleigh Way, Chellaston (H17)										38	38							76
Hackwood Farm (H18)											58	58	58	58	58			290
Land west of Micklegate (H19 – Phase 1)										35	34							69
Land west of Micklegate (H19 – Phase 2)										33	70	46						149
Land west of Micklegate (H19 – Phase 3a)										39	60	100	100					299
Land west of Micklegate (H19 – Phase 3b)														100	100	100	100	400
Woodville Regeneration Area (E6)												36	50	72	72	53	17	300

Local Plan Part 2 allocations																		
Moor Lane, Aston (H23 A)										8								8
Jacksons Lane, Etwall (H23 B)													10	10	10	10	10	50
Derby Road, Hilton (H23 C)										5	21	19						45
Station Road, Melbourne (H23 D)											40	6						46
Acresford Road, Overseal (H23 E)										27	26							53
Milton Road, Repton (H23 G)											25							25
Off Kingfisher Way, Willington (H23 I)																25	25	50
Oak Close, Castle Gresley (H23 J)																25	30	55
Land north of Scropton Road, Scropton (H23 L)														5	5			10
Montracon, Woodville (H23 M)																25	25	50
Stenson Fields (H23 N)																25	25	50
Large Sites 10 dwellings or more																		
Cadley Hill, Burton Road, Swadlincote										1								1
47-51 Alexandra Road, Swadlincote										3								3
Kathglow, Dominion Road, Swadlincote										4								4
Yard Close, Swadlincote										10	6							16
Burton Road, Rosliston											10							10
Rosliston Road South, Drakelow										21	29							50
Moira Road, Overseal											10							10
Newton Road, Winshill										25	5							30
Linton Heath, Linton										10								10
Ashby Road, Woodville										3								3
Mandarin, Hilton											34							34
Calder Aluminium, Willington										7	2							9
Court Street, Woodville (14)											14							14
Court Street, Woodville (72)										30	30	12						72
Woodville Road, Hartshorne (14)												14						14
Woodville Road Hartshorne (11)												11						11
Moira Road, Woodville										7	14							21
Milton Road Repton (Askew Lodge)											13							13
Coppice Side, Swadlincote											18							18
The Woodlands, Cadley Hill Road, Swadlincote										1								1
Park Road, Church Gresley											14							14
Findacar, Castle Road, Castle Gresley																14		14
Orchard Street, Newhall												25						25
West Street, Swadlincote												13						13
Lucas Lane, Hilton												7	25	25				57
Castle Hotel, Hatton												13						13
Micklemeadow Farm, Rykneld Road												14						14
Small Sites 1 – 9 dwellings										43	43	43	43	43	43	43	43	344

Windfall Allowance													30	30	30	30	30	150
Cumulative Past Completions	378	652	1037	1457	2026	2846	3767	4985	6270									
Projected Completions										865	1191	1003	983	904	842	723	678	7189
District Losses										-14	-14	-14	-14	-14	-14	-14	-14	-112
Total Net Completions										851	1177	989	969	890	828	709	664	

REPORT TO:	ENVIRONMENT AND DEVELOPMENT SERVICES COMMITTEE	AGENDA ITEM:8
DATE OF MEETING:	21st JANUARY 2021	CATEGORY: DELEGATED
REPORT FROM:	STRATEGIC DIRECTOR (SERVICE DELIVERY)	OPEN
MEMBERS' CONTACT POINT:	STEFFAN SAUNDERS, 07971604326, steffan.saunders@southderbyshire. gov.uk	DOC:
SUBJECT:	INTRODUCTION OF PRE-PLANNING APPLICATION CHARGING	REF:
WARD(S) AFFECTED:	ALL	TERMS OF REFERENCE: FM05

1.0 Recommendations

- 1.1 That the Committee endorses the proposed Model 2 scheme in the appendix for charging for planning pre-application advice to be provided by the Planning Service.
- 1.2 That the Committee grants delegated authority to the Head of Planning and Strategic Housing to produce, finalise and refine supporting guidance, detailed fees schedule, required documentation for submissions and application forms to deliver the scheme.
- 1.3 That proposals for how the potential income generated by the adoption of pre-application charging could be reinvested in the Planning Service, be the subject of separate reports to Environment and Development Services and Finance and Management Committee.

2.0 Purpose of Report

- 2.1 To seek the Committee's approval for the introduction of charging for pre-application advice.

3.0 Executive Summary

- 3.1 Following the Review of the Planning Service in 2018, a report on the possibility of the introduction of charging for pre-application enquiries was promised to explore whether such a service could be viable and in the best interests of the customer. This report sets out the various options available.

- 3.2 The importance of striking the appropriate balance between recovering the costs of providing a pre application charging service whilst not imposing any disproportionate burden on individuals or businesses is reflected in the recommendations.

4.0 Detail

- 4.1 At the meeting of Environment and Development Services Committee on 31 May 2018, officers reported that consultants advising the Council on the review of Planning Services had recommended the Council investigated commercial opportunities to boost income streams to enhance the Service. Pre-application charging was cited as an activity practiced commonly by other Councils which the Council might wish to explore. Work has been undertaken since then to investigate options that provide good value for money whilst not disincentivising investment in the District. This is consistent with the Council's approach to look for additional opportunities for income generation through the commercialisation strategy without negatively impacting of service delivery.
- 4.2 Charging for planning applications has been required for many decades now. The rates are set nationally. Apart from some limited exceptions (such as listed building consent or a "free go" if a first application is refused), all applicants for which an application needs to be made must pay the relevant fee (which varies depending on the application's type and size).
- 4.3 The Local Government Act 2003 provides authorities with a power to charge for discretionary services, including the provision of pre-application planning advice and therefore allows authorities to recover at least some of these costs incurred before an application is submitted. The income raised must not exceed the costs of providing the service (i.e. it cannot be a profit-making service). Although engagement/discussions prior to the submission of a planning application is not a statutory requirement, it is good practice for potential applicants to seek such advice. This is particularly pertinent on larger or potentially controversial schemes, which can reveal the main issues the potential scheme could face and a potential steer (in principle) as to how the Local Planning Authority (LPA) might view such an application. This is key to unblocking obstacles to delivery to schemes, which can be acceptable but need refinement to make them so. An effective and targeted pre-application charging service can include the interests of other parties to the planning process to be highlighted, such as the County Highway Authority or the Environment Agency. This allows the applicant to seek further technical advice from those parties before progressing with an application. Pre-application engagement can also improve the quality of development, from its design to ensuring that it is furnished with adequate facilities for any residents or workers which would use it. The Council currently makes no charge for pre-application enquiries of any kind.
- 4.4 For the same reasons, there can be additional benefits to the LPA for engaging too, as it can contribute to higher quality development (i.e. some unacceptable schemes could not be made acceptable with amendments, and other applicants may have dealt with issues which may have caused delays and taken more officer time later on in the process). Like all other LPAs, the Council still has difficulties with poor-quality applications being made, with key information missing or incorrect, more

often than is ideal, despite regular reminders from officers. A pre-application fee can also help reduce this particularly if it included an element of “application checking”. The Council incurs costs in dealing with invalid applications even if they can be made valid later.

- 4.5 There are currently a number of exemptions from paying planning fees: applications for those with disabilities relating to access and extension to dwellings houses; Listed Buildings consent; and for the resubmission of an application within 12 months of the refusal decision (or, in the case of an appeal, the final date of the appeal being dismissed).
- 4.6 Through reducing risk and uncertainty for developers/applicants, pre-application discussions can, therefore, help promote understanding of the scheme, increase the speed of decision making by cutting down on the number of incomplete applications and therefore potentially increase certainty leading to growth and inward investment. They can also lead to consents which are implementable and implemented. This is key to maintaining the Council’s five-year housing supply.
- 4.7 The practice of pre-application engagement is firmly encouraged in the National Planning Policy Framework (NPPF). Relevant pre-application engagement is considered to be very important for both LPAs and applicants/developers, in order to help secure developments that improve the economic, social and environmental conditions of an area, as well as saving time through adding clarity and reducing uncertainty which can be a financial saving for both parties. Currently, pre-application advice is given as resources allow because ‘paying customers’ must be prioritised. To fund the service through a pre-application charging schedule will allow this issue to be addressed.
- 4.8 Guidance on the value of pre-application engagement, and more specifically charging for the service is also provided by national Planning Practice Guidance (PPG). The PPG recognises the importance of pre-application engagement by prospective applicants in improving the efficiency and effectiveness of the planning application system. It recognises that pre-application engagement needs to be tailored to the nature of the proposed development, the issues to be addressed and that LPAs may charge for planning advice. However, councils are increasingly charging for the provision of this advice, to recover at least some of the cost of providing the service in advance of submission of an application and to help ensure better quality applications are submitted.
- 4.9 Primary legislation, set out in section 303 of the Town and Country Planning Act 1990 (“TCPA 1990”), establishes that pre-application fees must be set at a level which ensures that, taking one financial year with another, the income from fees charged for pre-application advice does not exceed the cost of providing that service. In other words, it does not have to be demonstrated that the income from each and every chargeable pre-application would not make a “profit” but that overall no undue charges are made.

- 4.10 To ensure transparency, the PPG advises that, where local planning authorities opt to charge for pre-application services, they are strongly encouraged to provide clear information online about:
- the scale of charges for pre-application services applicable to different types of application (e.g. “minor” or “major” or “other”);
 - the level of service that will be provided for the charge, including: the scope of work and what is included (e.g. duration and number of meetings or site visits); the amount of officer time to be provided (recognising that some proposed development may usefully have input from officers across the local authority and/or from other statutory and non-statutory bodies); the outputs that can be expected (e.g. a letter or report) and firm response times for arranging meetings and providing these outputs; it is also helpful for LPAs to provide links to any charges that statutory consultees (such as the Highway Authority and Environment Agency) may levy for pre-application advice, where this is known.
- 4.11 The PPG also explains that pre-application engagement should be a two-way process and the level of information required by the LPA should be proportionate to the development proposed.
- 4.12 The advice within the PPG is itself recognition of the acceptance of charging for pre-application advice. This is intended to improve the quality of submissions and a better built environment whilst working proactively at an early stage in the planning process. Today, charging for pre-application advice is therefore common amongst LPAs. In considering the setting of the rules and charging rates, there are, therefore, a number of examples (model schemes) to draw on.
- 4.13 Within Derbyshire, the majority of councils have a system of pre-application charging in place, albeit there are differences and variations in the charging systems. Some employ a very simple scheme where everyone pays the same in any particular category of development. Others ensure that the scheme of charging is more responsive to the complexity of the advice required and therefore the time and effort involved. Some Nottinghamshire Councils have a pre-application charge based on the percentage of the full application fee.
- 4.14 Some of the main benefits of charging have been covered in the preceding paragraphs. However, more specific to the Planning Service in South Derbyshire is the issue of resourcing a free service when in competition with targeting resources towards the service to customers who have paid for a planning application. Currently, planning applicants will always be prioritised which tends to mean that pre-application enquiries take longer to deal with and only provide limited feedback. This service is effectively supplied at the local Council taxpayer’s expense largely to the benefit of the developer. However, if the service incurred a cost to the developer, the funds raised could contribute to further investment in the planning service with sufficient capacity for the Service to deal with the enquiries, also bringing in critical advice from other agencies as available, and not being at the expense of timely decisions on planning applications. There would be a clear response time with more comprehensive feedback to the developer which would take some of the uncertainty out of the process and reduce the risk to the investor.

Thus, the benefit would largely be an enhancement of the service to the customer as well as better quality of applications submitted. Reducing the risk of the unknown, especially in the area of technical compliance, should then encourage greater developer participation and so inward investment.

4.15 More specifically, the Committee needs to be aware of the potential risks involved in introducing such a scheme:

- Charging could deter inward investment.
- Charging could discourage people from seeking pre-application advice.
- The quality of submitted applications could fall.
- Customer expectations regarding the quality and detail of advice could increase on the basis they have paid for it.
- Customer expectations that the advice provided will have greater weight or will secure an approval.
- Customers expect paid advice to be provided by a senior officer.
- Third parties could perceive that decisions have been made behind closed doors and prior to their input.
- Such a service could be seen as an alternative to using a professional planning agent which could harm good working relationships.

4.16 The response to such risks is given below and follows the same order:

- Charging would not deter inward investment if tailored appropriately. Commercial job creating schemes are recommended to be excluded from the pre-app charge. Not only will there be no pre-application fee but there will be an enhanced service to progress such schemes more rapidly and address any issues earlier. Residential developers expect a pre-application fee to be levied and there is no evidence from anywhere that has a scheme of pre-application charging that this has a negative bearing on inward investment. Anecdotal evidence is that the opposite is true.
- The greatest disincentive to applicants engaging in pre-application advice appears to be the time and quality of the advice given, and not the charging for it. An appropriately targeted pre-application charge is anticipated to lead to greater use of this service. In this regard it is recognised that individual householders should only be charged a small fee for any advice offered and this is reflected in the recommended charging schedule.
- The quality of submitted applications would be very likely to increase for reasons summarised above.
- The quality of advice will be high and expectations in this regard are realistic. To approve schemes is also part of the Council's approach to being 'open for business' and clearly the aim of pre-application advice is to look for ways to address issues at the earliest stage, that may otherwise have led to a refusal. Unacceptable schemes contrary to policy would still be refused.
- The charging schedule enables officers of the necessary seniority to be involved in the provision of advice.
- Part of the pre-application process for major schemes would include advice on pre-application publicity which is always good practice to undertake. An

example of this is with regard to the amended Drakelow proposals which have received extensive pre-application input from officers.

- Such a service would be in addition to any input from a planning agent and would enhance good working relationships given the service improvements.

4.17 Evidence from around the country would tend to suggest that for those who have adopted a charging regime and been through a review are positive and in focus groups, given the option to retain or revert back, a retention would be favoured. There has been a general acceptance from professional agents/developers and the majority of householders of the charges when the level of the service has been explained. The feedback from customers has been that the formalised system has been more consistent and helpful and customers value the advice offered.

4.18 The Derbyshire districts and boroughs that have introduced charging anecdotally report that:

- generally speaking, none report any adverse issue with the service
- some have cited that the key is about timeliness.
- customers feel they will get something and therefore accept the charge.
- charges made the enquirer think first and so there are less spurious enquiries.

4.19 The timeliness of a response is also important to most developers, particularly those wish to secure smaller improvements such as householder extensions. Presently, it is difficult to meet the aspirational target of 21 days for advice but this is due to the lack of resource and lesser priority presently given to the service. The charging of a fee would incentivise the Planning Service to treat pre-application enquiries as a standard application, with a fixed deadline for a response. However, it should be recognised that 21 days is often impractical for larger and more complex schemes where input is required from across the Council. It is also impractical if a meeting with the developer is to be held, counting towards this timeframe. Other authorities within the County generally work to a longer timeframe for residential and commercial schemes but retaining a quicker turnaround for householder and simpler enquiries. It is crucial that the most appropriate timescales are established in due course so that expectations are clear for all at the implementation of a new service.

The Proposed Charging Regime

4.20 There are a number of options available. Attached at Appendix 1 are three 'models' of charging with different exemptions. It shows that notwithstanding the scale of charges chosen, all three show sufficient funds for offering a comprehensive and timely service whilst minimising the potential risks set out in paragraph 4.16. The option preferred - model 2, allows an exemption for all commercial applications which would usually attract the greatest inward investments and job creation. Of the applications listed, those linked to disability in particular would logically also not be charged for pre-application advice. Further suggested exemptions are set out below. The householder element is only charged where an opinion is sought where it has been established that planning permission is required. Determining whether

a development would need planning permission or not can be ascertained fairly easily utilising very straightforward online advice.

Notwithstanding this proposal, the free web-based advice service offering an alternative self-service option would remain available and would continue to be enhanced.

4.21 Annexe B shows the effect of the charging scheme if applied to pre-application enquiries over three recent years. As can be seen, more than sufficient funds would be raised to cover the essential cost of providing the service. It is envisaged that enough capacity exists in the team to cover for short-term absences such as leave and any other authorised absence.

4.22 It is also proposed to monitor the implications of this proposal to ensure that this does not impose any impediments to inward investment in the District. The money raised is intended to be directly re-invested into the Planning Service. It is necessary to firstly approve the principle of pre-application charging and then the details of how this money will be used will be reported to future Environmental and Development Services and Finance and Management Committee meetings.

5.0 Financial Implications

5.1 There are positive financial implications from the new charging regime (see Appendix 2). The potential income generated from the introduction of a pre-application charging regime could support future investment in the Planning Service which will be the subject of a future report to both Environmental and Development Services and Finance and Management Committee in due course.

6.0 Employee Implications

6.1 Being able to charge for pre-application enquiries would free up time for case officers to dedicate towards application case work but also contributing their expertise to pre-application work to secure a better outcome.

7.0 Corporate Implications

7.1 The change in arrangement could help to ensure that developments can be delivered more efficiently in alignment with the priority actions within the Council's Corporate Plan. The process will, therefore, have a direct positive impact on the Council's ability to deliver actions against the key objectives of:

- Working to attract inward investment
- Enhancing understanding of the planning process
- Maintaining customer focus

It is recognised that great care needs to be taken with the economic recovery from the Covid-19 pandemic, and that unaffordable measures are not imposed on individuals or business at time when investment in the District is to be encouraged. The recommended steps are consistent with these aims and will be kept under review to check that they are working as intended.

8.0 Community Impact

8.1 **Consultation:** None

8.2 **Equality and Diversity Impact:** The more efficient and economic delivery developments will assist in meeting the diverse needs of all established and future residents and non-residents across the District.

8.3 **Social Value Impact:** Enhancement of the process will assist in securing high quality developments going forward; the provision and enhancement of sustainable developments will enhance public health and well-being.

8.4 **Environmental Sustainability:** Better performance management will contribute toward the achievement of economic, social and environmental objectives.

9.0 Conclusions

9.1 Following the Review of the Planning Service in 2018, a report on the possibility of the introduction of charging for pre-application enquiries was promised to explore whether such a service could be viable and in the best interests of the customer. This report sets out the advantages of the proposal in that it would offer a more timely thorough service to developers whilst adding greater certainty to both sides.

Pre application charging

All rates charged per proposal per property unless otherwise stated.

Multiple proposals submitted at the same time will attract highest applicable fee plus 50%.

Revised proposals from same applicant pursuant to previous pre-application advice attract 50% of the fee.

Meetings only possible for major proposals (more than 10 dwellings, 1,000sqm floorspace or more, or 1 hectare or greater) and those affecting listed buildings (£100 unless otherwise stated).

If proposal involves works to a listed building, written response increases by £50 for domestic proposals, £100 for non-domestic proposals (except for employment floorspace).

Employment = B1, B2 and B8 uses and those which, at the Council's discretion, are broadly similar in nature although not within a use class.

Shopping uses = A1, A2, A3, A4 and A5 uses and those which, at the Council's discretion, are broadly similar in nature although not within a use class.

Dwellings include creation of flats, apartments, maisonettes as well as dwellings falling within class C3. This includes tourism accommodation by way of lodges, cabins or park/holiday homes/caravans.

Fees for changes of use are determined on the basis of the proposed use and the floorspace/site area/number of dwellings created.

Parish Councils receive 50% discount on written response.

Disabled adaptations for householders exempt on written response fee. Proof of disability required and whole proposal must be to facilitate easier access/bespoke living or sleeping accommodation.

Model 1: Minimal charge for employment proposals with one free meeting

Additional meetings charged at normal rate. First meeting for employment proposals free before flat rate of £100 applies for subsequent meetings.

Cat.		Written response	Meeting (optional)
Q1	Do I need to make an application	£50	Not available
H1	Householder	£50	Not available
H2	Householder (listed building)	£100	£100
A	Advertisements	£75	Not available
D1	Dwellings (1-3)	£150	Not available
D2	Dwellings (4-9)	£400	Not available
D3	Dwellings (10-99)	£650	£250
D4	Dwellings (100-199)	£850	£250
D5	Dwellings (200+)	£1,000	£250
E1	Employment (Less than 500sqm)	£100	Not available
E2	Employment (500 to 999sqm)	£100	Not available
E3	Employment (1,000 to 4,999sqm)	£100	£100
E4	Employment (More than 5,000sqm)	£100	£100
S1	Shopping (Less than 500sqm)	£100	Not available
S2	Shopping (500 to 999sqm)	£100	Not available
S3	Shopping (1,000 to 4,999sqm)	£100	£100
S4	Shopping (More than 5,000sqm)	£100	£100
O1	Other proposals (Less than 1,000sqm)	£125	Not available
O2	Other proposals (More than 1,000sqm)	£400	£250
T	Telecommunications	£150	Not available
V	Vehicular access (to non-domestic properties)	£50	Not available
C1	Variation of conditions	£150	Not available
M2	Material and non-material amendments (householder)	£25	Not available
M2	Material and non-material amendments (all other)	£150	Not available

Model 2: Zero charge for employment proposals with one free meeting

Additional meetings charged at normal rate. First meeting for employment proposals free before flat rate of £100 applies for subsequent meetings.

Cat.		Written response	Meeting (optional)
Q1	Do I need to make an application	£50	Not available
H1	Householder	£50	Not available
H2	Householder (listed building)	£100	£100
A	Advertisements	£75	Not available
D1	Dwellings (1-3)	£150	Not available
D2	Dwellings (4-9)	£400	Not available
D3	Dwellings (10-99)	£650	£250
D4	Dwellings (100-199)	£850	£250
D5	Dwellings (200+)	£1,000	£250
E1	Employment (Less than 500sqm)	Free of charge	Not available
E2	Employment (500 to 999sqm)	Free of charge	Not available
E3	Employment (1,000 to 4,999sqm)	Free of charge	£100
E4	Employment (More than 5,000sqm)	Free of charge	£100
S1	Shopping (Less than 500sqm)	Free of charge	Not available
S2	Shopping (500 to 999sqm)	Free of charge	Not available
S3	Shopping (1,000 to 4,999sqm)	Free of charge	£100
S4	Shopping (More than 5,000sqm)	Free of charge	£100
O1	Other proposals (Less than 1,000sqm)	£125	Not available
O2	Other proposals (More than 1,000sqm)	£400	£250
T	Telecommunications	£150	Not available
V	Vehicular access (to non-domestic properties)	£50	Not available
C1	Variation of conditions	£150	Not available
M2	Material and non-material amendments (householder)	£25	Not available
M2	Material and non-material amendments (all other)	£150	Not available

Model 3: Only residential and selected other proposals chargeable

Additional meetings charged at normal rate. First meeting for employment proposals free before flat rate of £100 applies for subsequent meetings.

Cat.		Written response	Meeting (optional)
Q1	Do I need to make an application	£50	Not available
H1	Householder	£50	Not available
H2	Householder (listed building)	£100	£100
A	Advertisements	£75	Not available
D1	Dwellings (1-3)	£150	Not available
D2	Dwellings (4-9)	£400	Not available
D3	Dwellings (10-99)	£650	£250
D4	Dwellings (100-199)	£850	£250
D5	Dwellings (200+)	£1,000	£250
E1	Employment (Less than 500sqm)	Free of charge	Not available
E2	Employment (500 to 999sqm)	Free of charge	Not available
E3	Employment (1,000 to 4,999sqm)	Free of charge	£100
E4	Employment (More than 5,000sqm)	Free of charge	£100
S1	Shopping (Less than 500sqm)	Free of charge	Not available
S2	Shopping (500 to 999sqm)	Free of charge	Not available
S3	Shopping (1,000 to 4,999sqm)	Free of charge	£100
S4	Shopping (More than 5,000sqm)	Free of charge	£100
O1	Other proposals (Less than 1,000sqm)	Free of charge	Not available
O2	Other proposals (More than 1,000sqm)	Free of charge	£100
T	Telecommunications	£150	Not available
V	Vehicular access (to non-domestic properties)	£50	Not available
C1	Variation of conditions	£150	Not available
M2	Material and non-material amendments (householder)	£25	Not available
M2	Material and non-material amendments (all other)	£150	Not available

Appendix 2

	Model 1	Model 1 Meetings	Model 2	Model 2 Meetings	Model 3	Model 3 Meetings	Average response
2017	£62,750.00	£8,900.00	£61,750.00	£8,250.00	£51,775.00	£6,500.00	44 days
2018	£50,850.00	£5,650.00	£49,950.00	£5,250.00	£42,500.00	£4,750.00	40 days
2019	£56,150.00	£10,000.00	£55,050.00	£9,000.00	£46,475.00	£8,000.00	44 days

REPORT TO:	ENVIRONMENTAL AND DEVELOPMENT SERVICE COMMITTEE	AGENDA ITEM: 9
DATE OF MEETING:	21st JANUARY 2021	CATEGORY: DELEGATED/ RECOMMENDED
REPORT FROM:	CHIEF EXECUTIVE	OPEN/EXEMPT PARAGRAPH NO:
MEMBERS' CONTACT POINT:	NIGEL MARSTON 01283 595 716 nigel.marston@southderbyshire.gov.uk	DOC:
SUBJECT:	REVIEW OF PRIVATE HIRE FEES	REF:
WARD(S) AFFECTED:	ALL	TERMS OF REFERENCE:

1. Recommendations

- 1.1 That the proposed fees for private hire drivers, vehicles and operators are approved.
- 1.2 That the fees take effect from 1st March 2021

2. Purpose of Report

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

3. Detail

- 3.1 Recent case law relating to fees for the taxi and private hire licensing regime has clarified what costs can be included in each type of fee therefore a review of the private hire fees has been carried out to ensure compliance with the legislation and relevant case law. In addition, as the private hire licensing function must operate on a cost recovery basis, the deficit and/or profit from 2019/2020 has been included in the relevant fees except private hire operator fees.
- 3.2 With regards to private hire operators, there was one set fee for an operator's licence regardless of the actual size of the company therefore it is proposed to amend the fees in line with the number of vehicles operated by an operator to reflect the true cost to the Licensing Authority.
- 3.3 Currently, there is a fee for a one year and three-year licence for private hire driver's licence therefore it is proposed to introduce a two year licence fee.
- 3.4 Members will recall that the following fees were approved at the November meeting of E & DS Committee: [Page 97 of 118](#)

Type of Licence	Current Fee	Proposed Fee
Private Hire Driver: One year Two year Three year	£98 - £180	£150 £235 £331
Private Hire Vehicle	£273	£215
Private Hire Operator	£495	0-5 cars - £382 6-20 cars - £505 21-50 cars - £684 50 plus cars - £893

- 3.4 The Council advertised the reviewed fees in a local newspaper and at the Council Offices for a period of 28 days from 1st December 2020 as required by the 1976 Act. A copy of the notice is attached as Appendix 1.
- 3.5 A total of 3 written objections and one petition to the proposed fees were received. These are attached as Appendix 2 and Appendix 3
- 3.6 As objections were received then the Council need to consider the objections. Once the objections have been considered there are 2 options available. These are to modify the fees in light of the objections received or introduce the fees as originally proposed within 2 months of the original date. The original date being 5th January 2021.

4. Financial Implications

- 4.1 There are no financial implications to the Council.
- 4.2 There are financial implications to some of the private hire licensing trade.

5. Corporate Implications

Employment Implications

- 5.1 None

Legal Implications

- 5.2 None

Corporate Plan Implications

- 5.3 These proposals will continue to demonstrate to members of the public that the Council takes the private hire licensing seriously in accordance with legislation and

case law which contributes to the value of taking pride in our place and striving for excellence in all we do.

Risk Impact

5.4 None

6. Community Impact

Consultation

6.1 Consultation has taken place with the trade. All driver's operator's and proprietors were written to in relation to the proposed fees.

Equality and Diversity Impact

6.2 None

Social Value Impact

6.3 The proposals will protect all residents in South Derbyshire from subsidising the private hire licensing regime.

Environmental Sustainability

6.4 None

6. Background Papers

Local Government (Miscellaneous Provisions) Act 1976

South Derbyshire District Council

The Local Government (Miscellaneous Provisions) Act 1976

Private Hire Fees

Notice is hereby given that South Derbyshire District Council proposes the undermentioned fees as from 5th January 2021

Type of Licence	Current Fee	Proposed Fee
Private Hire Driver:		
One year	£98	£150
Two year	-	£235
Three year	£180	£331
Private Hire Vehicle	£273	£215
Private Hire Operator	£495	0-5 cars - £382 6-20 cars - £505 21-50 cars - £684 50 plus cars - £893

Any person who wishes to object to the proposed fees may do so in writing to the Senior Licensing Officer, South Derbyshire District Council, Civic Offices, Civic Way, Swadlincote, DE11 0AH. Objections must be received at these offices by 5pm on 29th December 2020.

Please contact Nigel Marston at South Derbyshire District Council on 01283 595716 or via email nigel.marston@southderbyshire.gov.uk

Dated 1st December 2020

Response Received	Comment
<p>Hi</p> <p>In response to the new proposed fee's due to commence in January 2021 i am disappointed with this in especially to the Private Hire Driver fee's which is a significant increase in fee's in short notice.</p> <p>Given the current climate when the economy is struggling & the trade has seen a massive decrease in trade now was not the right time to increase fee's when drivers & operators are struggling financially as Travel has been extensively impacted by the virus as a whole.</p> <p>This news will come at a time when drivers are already looking to leave the industry!</p> <p>Very disappointed & saddened that the local authority has not yet again understood the current economical situation</p>	<p>Change in driver's fees is a necessity due to case law. The enforcement fees which were included in vehicle licence fees on an annual basis now need to be accounted for against the driver's fees. The vehicle fees have decreased as a result and the driver's fees have increased.</p>
<p>I am writing in effect about the unfairness shown to a certain class of private hire driver. ie: those that do not have the finances to obtain their own private hire vehicles and therefore work for companies that supply the cars they use. These drivers, of whom I am one, and am currently employed by Bloor's Private hire. Though I have been on furlough since March this year, And due to the fact that I have a 19 yr old son at Confetti college in Nottingham and have to take him several times a week, I can only work partime,16hrs per week. As such I receive only £95 per week in furlough pay. I still have a house to keep and bills to pay including council rates which pay council employees THEIR FULL RENUMERATION despite people like me who earn a pittance in comparison.</p> <p>Now Fees are to be reduced for the benefit of those Owners who can afford vehicles used by non owner drivers from which they derive a good income at the expense of those less fortunate. I would humbly suggest that the court officials whose incomes far exceed mine should try paying their council tax on £95 per week.</p> <p>I have already lost the use of my licence to earn a wage since March and we do not know how long it will be before I can again start work. And now I will be faced with more than double to renew it.</p> <p>How fair is that.</p>	<p>Change in driver's fees is a necessity due to case law. The enforcement fees which were included in vehicle licence fees on an annual basis now need to be accounted for against the driver's fees. The vehicle fees have decreased as a result and the driver's fees have increased.</p>
<p>In relation to you email in reference to the revised Licensing Fees South Derbyshire District Council. The main concern is the dramatic raise in the Drivers License. In the Current pandemic we are reduced to less then 50% of the work. With</p>	<p>Change in driver's fees is a necessity due to case law. The enforcement fees which were included in vehicle licence fees on</p>

a large amount of uncertainty in the near future the licensee at South Derbyshire District Council feel that true increase is not justly as the trade does not have much financial support. We feel by doing such actions that we are not being supported by the council in such uncertainty and crisis timeline. We make a humble request for you to reconsider your current proposed actions.

The other point we have concerns is the privacy glass policy. We are finding it difficult to source vehicles under the current policy. We feel that if a vehicle comes with factory fitted privacy glass it should be allowed as 90% vehicles that are MPV are factory fitted with privacy glass. The government has no set guidelines regarding the privacy glass in requirement to licensed vehicles. We can understand that are done aftermarket and don't meet Vosa guide lines. It also makes it disadvantage to do executive work and a part a requirement will be privacy glass. We cannot at this point in time rely on just one type of work. We ask you to reconsider the consider the tinted window policy as it is causing distress in the industry. Surrounding have no tinted window policy and gives them an advantage in a very competitive market.

I am also attaching signed petition in regards to the above from a drivers that are licensed by SDDC.

an annual basis now need to be accounted for against the driver's fees. The vehicle fees have decreased as a result and the driver's fees have increased. The enforcement fee was included in the vehicle licence which was payable annually. It now appears in the drivers fee which is for a 3 year licence.

The privacy glass issue is not part of this consultation but is noted for any future reviews of policy.

Attached as appendix 3

[illegible]

name	badgeno	company	Signature
Syed Hyder	131	Alphacars	SH
AMIR GHULAM	099	ALPHA CARS	AY
ASHFAQ AHMED	017	ALPHA CARS	ASH
MOHAMMAD AMRAZ	041	ALPHACARS	M.A
Rashid Mahmud	197	ALPHA CARS	Rashid
Gurcharan Singh	347	ALPHACARS	GS
ASIF IQBAL	134	ALPHACARS	A.I
M-IFTIKHAR	132	ALPHA CARS	M-I
PAUL SANGHRA	275	ALPHA CARS	PS
AZHAR		ALPHA CARS	AZ
SHAHID PERVAIZ	236	ALPHA CARS	SH
ABDUL REHMAN	252	ALPHACARS	AR
SIKANDAR ALI	035	ALPHA CARS	SA
ASHIQ HUSSAIN	123	ALPHA CARS	AH
RASAB HUSSAIN	127	ALPHA CARS	RA
SAIN MASKEEN	193	ALPHA CARS	SM
MOHAMMED SAGHIR		ALPHA CARS	MS
ABDUL MAJID	186	ALPHACARS	A.M
HARPREET SINGH		ALPHACARS	HS
IMTIAZ AHMAD	0114	ALPHA CARS	IA
ZIAD AKRAM		ALPHACARS	ZA
NAUMAN ABBASI	335	ALPHA CARS	NA
RAKESH GOPAL	383	ALPHACARS	RG
HARPREET SINGH		ALPHA CARS	HS
ABID HUSSAIN	122	ALPH	AH

Name	No- Badge	Company	Sign.
SOHAIL MAHFOOZ	176	iCARS LTD	
BARKAT ALI	PHD030	iCARS LTD	
AFTAB KHATTI	056	iCARS LTD	
SYED HASSAN ALI	036	iCARS LTD	
MUSTAFA	240	iCARS LTD	
M. ASHFAQ	043	iCARS LTD	
ASIF HUSSAIN	005	iCARS LTD	
Raees Saeed	266	iCARS LTD	
SYED Qasim ALI	037	iCARS LTD	
ABID HAMID	384	iCARS LTD	
ABDUL HAFEEZ	083/05	iCARS LTD	
BARKAT ALI	088	iCARS LTD	
MUHAMMAD YOUSAF	0328	iCARS LTD	
SALEEM MALIK	0306	iCARS LTD	
YASIR SAEED	267	iCARS LTD	
EMRE ACUN	390	iCARS LTD	
Talat Baseer	051	iCARS LTD	
H. S. DHANJA	082	iCARS LTD	
SYED SHAHAD	220	iCARS LTD	
VHAID RAJA	246	iCARS LTD	
FAISAL NAUVEDMEH	200	iCARS LTD	
MUNAWAR HUSSAIN	124	iCARS LTD	
TARSEM SINGH	302	iCARS LTD	
ZUBAIR MAHMOOD	185	iCARS LTD	
J. S. AEWAL	357	iCARS	
FAISAL MEHR	200	iCARS LTD	
Razaqat Hussain	371	iCARS LTD	
Abdul Motin	070	iCARS LTD	

REPORT TO:	ENVIRONMENT & DEVELOPMENT SERVICES COMMITTEE	AGENDA ITEM:10
DATE OF MEETING:	21st January 2021	CATEGORY: RECOMMENDED
REPORT FROM:	ALLISON THOMAS, STRATEGIC DIRECTOR – SERVICE DELIVERY	Open
MEMBERS' CONTACT POINT:	MATT HOLFORD, 01283 595856 matthew.holford@southderbyshire.gov.uk	DOC:
SUBJECT:	ENVIRONMENT POLICY	REF:
WARD(S) AFFECTED:	All	TERMS OF REFERENCE: EDS01

1. Recommendations

- 1.1 That the Committee approves a revised Environment Policy (**Appendix 1**).

2. Purpose of Report

- 2.1 To advise Committee of the proposed changes to the Corporate Environment Policy.

3. Background

- 3.1 South Derbyshire District Council has been certified to the ISO14001 Environmental Management Standard since 2010.
- 3.2 In 2016 the Council became one of the first public bodies in the world to achieve certification to the new ISO14001:2015 version which gave more focus on the improvement of environmental performance rather than the improvement of the management system itself. This version also aimed at making environmental management more comprehensive and relevant to the supply chain. One of the main updates required the Council to consider environmental impact during the entire life cycle. Additionally, the commitments of top management and the methods of evaluating compliance have also been strengthened.
- 3.3 In order to maintain certification, the Council is subject to an annual external audit. The next external audit is expected in spring 2021.
- 3.4 A central requirement of the ISO14001 standard is that the Council has an Environment Policy. The purpose of the Policy is to provide a framework for the setting the organisations primary environmental objectives. The standard also requires that the Policy is “*appropriate to the purpose and context of the organisation*”.
- 3.5 The Council’s adoption of a new Corporate Plan 2020-2024 is considered within the context of the ISO14001 standard to be a significant change and therefore the Environment Policy needs to reflect the purpose and context of this change. If it fails to

do so, then it is very likely that the external auditor will identify this as a 'non-conformity' at the time of the next audit.

- 3.6 The Policy has been updated to accommodate the corporate priorities as they relate to the environment within the Corporate Plan. The revised Policy shows how the Council's environmental aspirations are guided by the principles of continued improvement and how these have been successfully embedded into the Corporate Plan. The Policy also contains direct reference to the environmental priorities which have been highlighted in the Corporate Plan 2020-24.
- 3.7 The January 2021 version of the Environment Policy is contained as Appendix 1 to this report.

4. Financial Implications

- 4.1 There are no direct financial implications to changing the Environmental Policy. However, suppliers and contractors will need to have regard to the content of the Policy when doing business with the Council and there may be some indirect costs as a consequence.
- 4.2 The presence of a robust Environment Policy puts the Council in a good position to deliver fee earning services to other organisations who require their suppliers to have high environmental standards.

5. Corporate Implications

Employment Implications

- 5.1 None.

Legal Implications

- 5.2 None.

Corporate Plan Implications

- 5.3 The proposals align with the "Our Environment" priority of the Corporate Plan.

Risk Impact

- 5.4 None.

6. Community Implications

Consultation

- 6.1 The content of the Environment Policy has been reviewed by a third party consultant.

Equality and Diversity Impact

- 6.2 None.

Social Value Impact

- 6.3 Beneficial.

Environmental Sustainability

6.4 Beneficial.

7. Conclusion

7.1 That the Committee approves the updated Environment Policy.

8. Background Papers

None

South Derbyshire District Council Environmental Policy

Date: January 2021



Version Control

Version	Reason for review (review date/legislation/process changes)	Effective Date	Review date
1.0	Revised Policy following the adoption of the 2020 - 24 Corporate Plan	21/01/2021	January 2023

Approvals

Approved by (Committee/Leadership Team)	Date
Environment & Development Services Committee	21/01/2021
Senior Leadership Team	06/01/2021

1.0 Introduction

South Derbyshire District Council (SDDC) understands it plays a significant direct and indirect role in achieving sustainability.

The Council's direct impact is through ensuring that sustainability is embedded in all of its operational policies, decisions and procedures.

The Council's indirect impact is through its ability to influence others such as residents, businesses and partners.

2.0 Purpose

The Council is committed to delivering all its public services in a sustainable manner. This will not just reduce its impacts on the environment but lead to environmental enhancement. It will also lead to improvements in health, wellbeing and the economy both within and beyond the Council's administrative borders.

SDDC's Corporate Plan's key priorities support the reality of South Derbyshire becoming a sustainable District, through understanding "How to meet the needs of today differently, to support the needs of future generations".

The Council has a Sustainability Transformation Environmental Management System (STEMS) accredited by ISO 14001:2015 to establish leadership commitment and environmental performance, which is managed to ensure continued sustainable improvement.

3.0 Objectives

SDDC is committed to leading environmental improvement and embedding this across its services and the District through:

- Its Leadership commitment. This sets an example by continually seeking to improve the Council's performance through Environmental Objectives, Strategies and Plans.



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- Assessing the impact of Council activities and seeking to manage risk and reduce their impact on the environment.
- Ensuring that competent persons are resourced to support environmental performance across all services. Through the STEMS processes to support Council staff to comply with relevant obligations and where possible, support best practice.
- Communicating and Training. To raise awareness of the environment and encourage environmental best practice among employees, elected members and local communities.
- Protecting, conserving and enhancing South Derbyshire's natural, historic and cultural surroundings and enhancing biodiversity.
- Preventing pollution. Through reducing energy consumption, improved water management, minimising waste, reducing staff travel and taking climate emergency interventions.
- Ensuring its services are resilient to extreme weather and a changing climate.
- Working with suppliers, contractors and tenants to lessen their environmental impacts.
- Ensuring the environmental impact of goods and services is considered within its procurement decisions by review of life cycle thinking.
- Working with partners, neighbouring authorities to work towards wider sustainable goals.

4.0 Associated Documentation

Description of Documentation	Document Reference
SDDC Policy Framework	SDDC-POL-00
SDDC Training Matrix	AWAITING
SDDC Corporate Plan	2020-2024
Committee Report for approval of policy	January 2020



REPORT TO:	ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE	AGENDA ITEM: 11
DATE OF MEETING:	21 st JANUARY 2021	CATEGORY: DELEGATED
REPORT FROM:	STRATEGIC DIRECTOR (SERVICE DELIVERY)	OPEN
MEMBERS' CONTACT POINT:	DEMOCRATIC SERVICES 01283 595848/5722 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 – 21st January 2021 Work Programme

Work Programme Area	Date of Committee meetings	Contact Officer (Contact details)
Reports Previously Considered by Last Three Committees		
Licensing Act 2003 – Statement of Licensing Policy	24 th September 2020	Emma McHugh Senior Licensing Officer (01283) 595716
Q1 Corporate Plan Performance 2020-24	24 th September 2020	Clare Booth Corporate Performance & Policy Officer (01283) 595788
Consultation on Planning White Paper: Planning for the Future	24 th September 2020	Steffan Saunders Head of Planning Services and Strategic Housing
Adoption of Local Green Spaces Plan	24 th September 2020	Karen Beavin Planning Policy Team Leader (01283) 595749
Changes to the Current Planning System' Ministry of Housing, Communities and Local Government Consultation	24 th September 2020	Karen Beavin Planning Policy Team Leader (01283) 595749

Trial of Pool Car Arrangements with the NHS	24 th September 2020	Matt Holford Head of Environmental Services (01283) 595856
Bid for Electric Vehicle Recharge Points	24 th September 2020	Matt Holford Head of Environmental Services (01283) 595856
Licensing KPI Report	24 th September 2020	Emma McHugh Senior Licensing Officer (01283) 595716
Consideration of Statutory Taxi and Private Hire Standards	12 th November 2020	Emma McHugh / Nigel Marston Senior Licensing Officer (01283) 595716
Review of Private Hire Fees	12 th November 2020	Emma McHugh / Nigel Marston Senior Licensing Officer (01283) 595716
Corporate Environmental Sustainability Group	12 th November 2020	Matt Holford Head of Environmental Services (01283) 595856
Corporate Plan 2020 - 2024: Performance Report Q2	12 th November 2020	Clare Booth Corporate Performance & Policy Officer (01283) 595 788
Waste Delivery Review Outcome Report	12 th November 2020	Adrian Lowery Head of Operational Services 01283 595764

Waste and Minerals Plan Consultation from the County Council	12 th November 2020	Karen Beavin Planning Policy Team Leader (01283) 595749
Approval of the Infrastructure Funding Statement	12 th November 2020	Karen Beavin Planning Policy Team Leader (01283) 595749
Service Base Budgets 20020/21	4 th January 2021	Victoria Summerfield Head of Finance Victoria.summerfield@southderbyshire.gov.uk
Provisional Programme of Reports To Be Considered by Committee		
Pictorial Wildflower Planting Trial-Outcomes and Next Steps	21 st January 2021	Allison Thomas Strategic Director (Service Delivery)
Authority Monitoring Report	21 st January 2021	Karen Beavin Planning Policy Team Leader (01283) 595749
Planning Pre-Application Charging Report	21 st January 2021	Steffan Saunders Head of Planning and Strategic Housing
Review of Private Hire Fees	21 st January 2021	Nigel Marston Senior Licensing Officer (01283) 595716

Environment Policy	21 st January 2021	Matt Holford Head of Environmental Services (01283) 595856
Corporate Plan 2020 - 2024: Performance Report Q3	4 th March 2021	Clare Booth Corporate Performance & Policy Officer (01283) 595788
Air Quality Strategy	4 th March 2021	Matt Holford Head of Environmental Services (01283) 595856
Climate and Environmental Action Plan Annual Review	4 th March 2021	Matt Holford Head of Environmental Services (01283) 595856
S106 Developer Contributions Protocol	4 th March 2021	Karen Beavin Planning Policy Team Leader (01283) 595749
S106 Monitoring Officer Post	4 th March 2021	Karen Beavin Planning Policy Team Leader (01283) 595749
Street Trading Policy	4 th March 2021	Nigel Marston Senior Licensing Officer (01283) 595716
East Midlands Airport Airspace Redesign Consultation (changing the flight paths)	21 st April 2021	Karen Beavin Planning Policy Team Leader (01283) 595749

Derbyshire Strategic Planning Framework Statement of Common Ground	21 st April 2021	Karen Beavin Planning Policy Team Leader (01283) 595749
Local Development Scheme	21 st April 2021	Karen Beavin Planning Policy Team Leader (01283) 595749
Gypsy and Traveller Accommodation Assessment Report	21 st April 2021	Karen Beavin Planning Policy Team Leader (01283) 595749
Statement of Community Involvement	21 st April 2021	Karen Beavin Planning Policy Team Leader (01283) 595749
Enforcement & Regulatory Annual Report	June 2021	Matt Holford Head of Environmental Services (01283) 595856
Environmental Services - commercialisation business plan	October 2021	Matt Holford Head of Environmental Services (01283) 595856
Corporate Environmental Sustainability Group Activity	November 2021	Matt Holford Head of Environmental Services (01283) 595856