

ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE

4th March 2004

PRESENT:-

Labour Group

Councillor Southerd (Chair), Councillor Taylor (Vice-Chair) and Councillors Carroll, Isham, Jones, Shepherd, Stone and Whyman, M.B.E.

Conservative Group

Councillors Atkin, Bladen, Ford, Mrs. Hall and Martin.

In Attendance

Councillors Dunn and Southern (Labour Group).

EDS/71. **MINUTES**

The Open Minutes of the Special Meeting held on 6th January and of the Meeting held on 29th January 2004 were taken as read, approved as true records and signed by the Chair.

MATTERS DELEGATED TO COMMITTEE

EDS/72. **MEMBERS' QUESTIONS AND REPORTS – REMOVAL OF PAYPHONES**

Councillor Isham referred to the consultation by British Telecommunications plc on the removal of payphones within South Derbyshire. She reminded Members of the representations made by a local ward Member with regard to payphones on the Goseley Estate in Hartshorne. It was suggested that the Company remove a payphone within the Estate, rather than that proposed at the entrance to the Estate. She was concerned that the Company had recently removed the latter payphone and problems were still being experienced with young people vandalising the remaining payphone. Other Members echoed these concerns as it seemed that the representations had been ignored. The Deputy Chief Executive agreed to research this matter and suggested a meeting with British Telecommunications plc to seek a solution. Councillor Taylor commented that contradictory correspondence had been received from the Company with regard to payphones in the Woodville area.

RESOLVED:-

That a meeting be sought with British Telecommunications plc to raise Members' concerns with regard to the removal of payphones.

EDS/73. **LAND CHARGES FEES**

The Committee was asked to set fees for the Land Charges Service for the financial year 2004/05. Members were reminded of the service provided, the current level of fees and the issues to be taken into consideration when setting the revised fees.

There were a number of marketing considerations to be taken into account. The report identified trends in the number of Searches processed by the Section. The Council had a statutory duty to make information available, so that Personal Searches could be carried out. Previously, councils could only charge a fee of £10 for this service, which was significantly lower than the Full Search fee, currently £100. However, the Local Land Charges (Amendment) Rules 2003 provided for an inflation linked increase in the cost of Personal Searches. It was proposed that from 1st April 2004 the cost of a Personal Search be increased to £11. Over the last three years, there had been a dramatic increase in the number of Personal Search requests and statistics were provided. Information was submitted on other factors which could affect the number of Full Searches and Personal Searches requested, together with a schedule of the Search Fees charged by neighbouring local authorities.

The report then looked at e-government considerations and the Section had committed to the National Land Information Service. This electronic service sought to enable conveyances to be completed more quickly. Progress on this initiative was reported. It was envisaged that by 2005, all Searches would be received and returned electronically. It was recommended that the Full Search Fee be increased in line with inflation to £102 for 2004/05.

The Legal and Democratic Services Manager confirmed the Section's performance in relation to its Best Value Performance Indicator and this was congratulated by Members.

RESOLVED:-

- (1) That the Land Charges fee be increased in line with inflation to £102.00 from 1st April 2004.***
- (2) That the personal search fee be increased to £11.00 in compliance with the Local Land Charges (Amendment) Rules 2003, from 1st April 2004.***

EDS/74. **CONSULTATION PAPER ON DRAFT PLANNING POLICY STATEMENT 6: PLANNING FOR TOWN CENTRES**

The Committee's views were sought on a consultation document from the Office of the Deputy Prime Minister on Planning Policy Statement (PPS) 6: Planning for Town Centres. The Government proposed to revise its policy on town centres, as currently set out in Planning Policy Guidance Note 6. The existing guidance required rigorous tests to be applied to proposals for out-of-centre developments. It encouraged local planning authorities to be proactive in identifying and bringing forward suitable town centre sites for development and implementing town centre management.

The revised policy refined this approach by seeking to channel investment, via regional strategies, to appropriate smaller town centres which had traditionally lost out to larger towns and cities. The revision also sharpened the requirement for local authority research into the development potential of their centres and the preparation of strategies for their conservation and enhancement. The document sought to address a number of serious inconsistencies in the way that the policy had been applied in the past.

Whilst the draft revised policy was generally supportive of this Council's own practice in relation to town centres, it was short on detail in key areas and a response to the ODPM was recommended.

The detail of the report gave further background on the Government's existing policy through PPG6. The need for a revised policy was explained and further information was provided on the proposals under draft PPS6. The document set out planning requirements at the regional and local levels. To assist local bodies and local planning authorities, the Government proposed to issue companion guides on the following topics:-

1. Assessing Need and Impact of New Retail and Leisure Development
2. Applying the Sequential Approach
3. Strategies for Smaller Centres
4. Managing the Evening Economy
5. Planning for Tourism

A suggested response was provided for Members consideration. This included a number specific points and the Chair commented on the planned exemption to allow extension of existing out-of-centre stores. It was felt that the Government should amend the draft PPS to remove this provision. To add weight to this representation, it was suggested that letters be sent to the Local Government Association, to Derbyshire County Council and to all other Derbyshire local authorities, to encourage similar responses and seek to remove this loophole within the policy.

In response to a question from Councillor Ford, information was provided on the determination of town boundaries. Guidance was provided within the Structure Plan and the Local Plan. Councillor Dunn referred to the Swadlincote Town Centre Masterplan and felt that there was a need for additional evening entertainment venues within the Town Centre. The Leader of the Council sought further information about developments away from town centres where the existing facility had a historic interest. He enquired whether guidance would be provided to planning authorities to resist such developments. Councillor Bladen felt that this PPS would be of benefit to South Derbyshire. He referred to recent and planned town centre developments and questioned whether the Council had a business plan of the types of stores and entertainment venues it wished to attract to the Town. A comparison was made to the City of Derby, where a private management company undertook this role. In South Derbyshire, the Council sought to make suitable sites attractive to potential developers. The Leader added that external consultants had been appointed to look at the Town Centre Masterplan.

RESOLVED:-

- (1) That the contents of the Draft Planning Policy Statement 6 be noted***
- (2) That Officers respond to the Office of the Deputy Prime Minister on the basis set out within the report and including the comments raised by Members.***

- (3) That the Council writes to the Local Government Association, Derbyshire County Council and other Derbyshire Local Authorities to request that these representations are supported.**

EDS/75. REPLACEMENT VEHICLE FOR THE DOG WARDEN

It was reported that the vehicle used by the Dog Warden had reached the end of its useful life. It was proposed to replace it with a similar vehicle that was suitable for the collection and transport of stray dogs. It was planned to procure the vehicle through an open tendering procedure, together with other vehicles required for the Direct Services Unit.

The Vice-Chair enquired about the procurement of vehicles that were more “environmentally friendly”. The Direct Services Manager reminded that the Council had previously sought to attract tenders for the supply of alternate fuel vehicles. If such vehicles were to be acquired, it would be prudent to seek tenders for the supply of a number of vehicles, rather than this vehicle alone. The Chair noted that this would require a change of policy. The Deputy Chief Executive felt that if a protocol could be agreed within a few months, it would be possible to put current planned vehicle procurements on hold. The Deputy Leader of the Council supported this suggestion and commented on Dog Warden service delivery issues in some parts of the District. In response to a question from Councillor Ford, it was confirmed that the Council purchased fuel in bulk. The Deputy Chief Executive confirmed that a high proportion of fuel was used by the refuse freighters, particularly to compact the waste.

RESOLVED:-

- (1) That the Committee approves in principle, the replacement of the vehicle used by the Dog Warden.**
- (2) That the Council investigates the feasibility of procuring “environmentally friendly” vehicles.**
- (3) That the Deputy Chief Executive, in consultation with the Chair of the Committee, be authorised to pursue this procurement and to select the most economically advantageous tender received via the open tendering procedure.**

EDS/76. LOCAL AUTHORITY WASTE MANAGEMENT PERFORMANCE REWARD GRANT CONSULTATION PAPER

The Chair introduced this item and asked the Direct Services Manager about the recommencement of the Compost Scheme. The Officer confirmed that the Scheme had commenced that week and as in previous years, a few problems had been experienced. He explained the publicity arrangements and other measures taken to inform residents of the recommencement of the Scheme. Councillor Bladen praised the clarity of information circulated. This was echoed by Councillor Carroll, but she was also mindful that some households in Melbourne had not received the literature. The Officer commented on leaflet distribution and feedback was being sought in order that the documents could be improved even further in the future.

In the Budget Statements of 9th April 2003, the Government signalled its intention to reform the Waste Minimisation and Recycling Fund into a Waste Management Performance Reward Fund. The start-up costs of the Council's scheme for the kerbside collection of "dry recyclables" was financed through the current Challenge Fund. A further bid had been submitted for the start-up costs of extending the scheme across the rest of the District, but regrettably DEFRA had advised that this bid had been unsuccessful.

The reform of the Challenge Fund was intended to shift the emphasis of Central Government incentives on waste away from support for specific projects. A new Performance Reward Grant would aim to provide incentives to local authorities, by rewarding them on the basis of the outcomes they achieved. Local authorities would be free to determine the best way to meet the criteria for reward under this grant. The Government intended to provide £90 million from 2006/07 onwards, one third of which would be allocated for pump priming grants, with the remainder allocated on the basis of performance.

The Consultation Paper sought feedback to a number of questions concerning the funding. The questions and suggested responses were submitted for Members' consideration.

The Leader of the Council sought further information about the unsuccessful grant application, the options available, the budgetary implications for the current Dry Recyclables Scheme and the likely impact for recycling targets. The Direct Services Manager confirmed that the current year's target of 14% would be met and planned extensions to the Composting Scheme would achieve the 2005/06 target of 21% of waste recycled. The earlier grant had provided funds to purchase the boxes and to provide publicity. The District Council was meeting the ongoing revenue costs and there was a budget of £40,000 per annum to service the 12,000 properties on this scheme. Officers were exploring with DEFRA why the recent grant bid had failed. A further bid would be submitted with the Committee's consent, in light of the information received from DEFRA. Councillor Ford recalled that the previous grant was awarded because of a lack of take-up and he questioned whether there was the potential for this to be repeated.

Consideration was given to the proposed consultation response. Councillor Taylor agreed broadly with the suggested response to the question on grants distribution, based on performance criteria and particularly population. He felt that there was evidence that rural districts were more suited to composting schemes and suggested that this comment be added to the response. The Leader asked about the potential for penalties if councils failed to achieve their recycling targets. The Deputy Chief Executive confirmed that there were several Best Value Performance Indicator (BVPI) standards and whilst there were no specific penalties, the Government had given a clear message on the requirement for all local authorities to achieve these BVPIs.

RESOLVED:-

That Members' views be amalgamated to form a response to the Consultation Paper.

EDS/77. **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 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 paragraphs of Part 1 of the Schedule 12A of the Act indicated in brackets after each item.

MINUTES

The Exempt Minutes of the Meeting held on 29th January 2004 were received.

SWADLINCOTE MARKET – FINANCIAL REGULATIONS D2.4(B) – WRITE-OFFS (Paragraph 8)

The Committee recommended the write-off of a debt under the provisions of this Financial Regulation.

EMPLOYMENT OF CONSULTANTS FOR NOISE NUISANCE INVESTIGATION (Paragraph 4)

The Committee decided not to employ consultants to undertake a Noise Nuisance Investigation.

FLOOD ALLEVIATION WORKS, HATTON – CONTRACTOR SHORTLIST (Paragraph 8)

The Committee approved a shortlist of contractors to be invited to Tender for Flood Alleviation Works.

T. SOUTHERD

CHAIR