

ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE

12<sup>th</sup> 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.

<b>Committee</b>	<b>Date</b>	<b>Minute References</b>
Environmental and Development Services	6 <sup>th</sup> 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