

Please ask for Democratic Services

Phone (01283) 595722/ 595848

Typetalk 18001

DX 23912 Swadlincote

Democratic.services@southderbyshire.gov.uk

Our Ref

Your Ref

Date: 24 February 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, 04 March 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 note any declarations of interest arising from any items on the Agenda
- 3** To receive any questions by members of the public pursuant to Council Procedure Rule No.10.
- 4** To receive any questions by Members of the Council pursuant to Council procedure Rule No. 11.
- 5** CORPORATE PLAN 2020-24 PERFORMANCE REPORT (2020-2021 QUARTER 3 – 1 OCTOBER – 31 DECEMBER) **3 - 37**
- 6** STREET TRADING – REVISION OF STREET TRADING POLICY **38 - 57**
- 7** SAFEGUARDING TRAINING FOR PRIVATE HIRE DRIVERS **58 - 60**
- 8** COMMITTEE WORK PROGRAMME **61 - 67**

Exclusion of the Public and Press:

- 9** 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.
- 10** To receive any Exempt questions by Members of the Council pursuant to Council procedure Rule No. 11.

REPORT TO:	ENVIRONMENTAL & DEVELOPMENT SERVICES COMMITTEE	AGENDA ITEM: 5
DATE OF MEETING:	4th MARCH 2021	CATEGORY: DELEGATED
REPORT FROM:	LEADERSHIP TEAM	OPEN DOC:
MEMBERS' CONTACT POINT:	FRANK MCARDLE (EXT. 5700) FIONA PITTAM (EXT. 5735)	
SUBJECT:	CORPORATE PLAN 2020-24: PERFORMANCE REPORT (2020-2021 QUARTER 3 – 1 OCTOBER TO 31 DECEMBER)	
WARD (S) AFFECTED:	ALL	TERMS OF REFERENCE: G

1.0 Recommendations

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

2.0 Purpose of the Report

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

3.0 Executive summary

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

Our Environment

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



Our People

- *Supporting and safeguarding the most vulnerable*

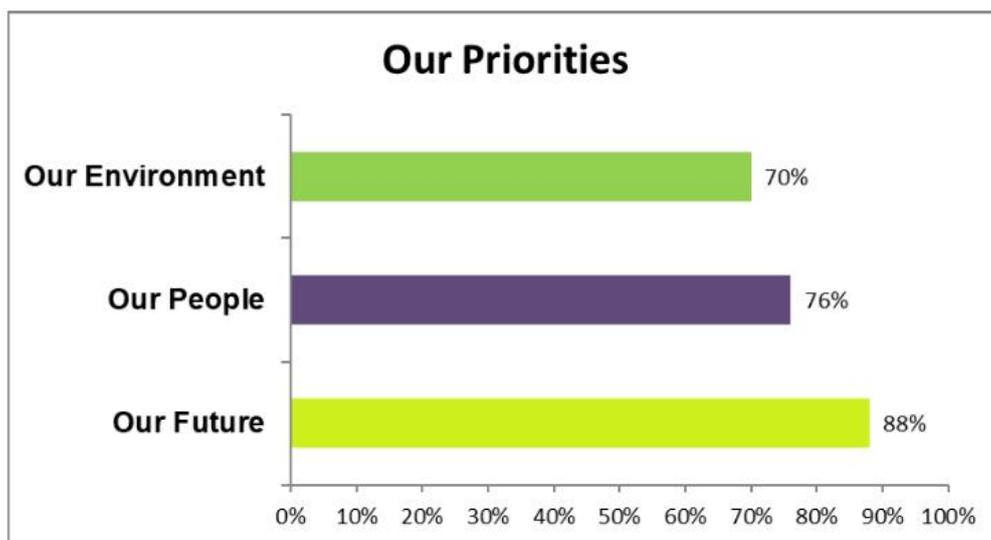
Our Future

- *Support economic growth and infrastructure*

4.0 Detail

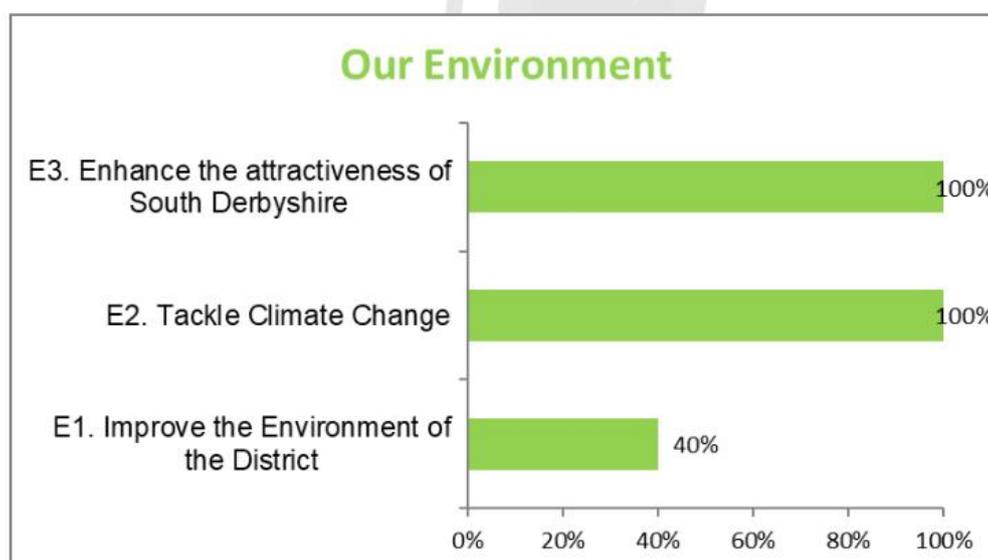
4.1 Overall Council performance against the priorities – Quarter 3 2020-2021.

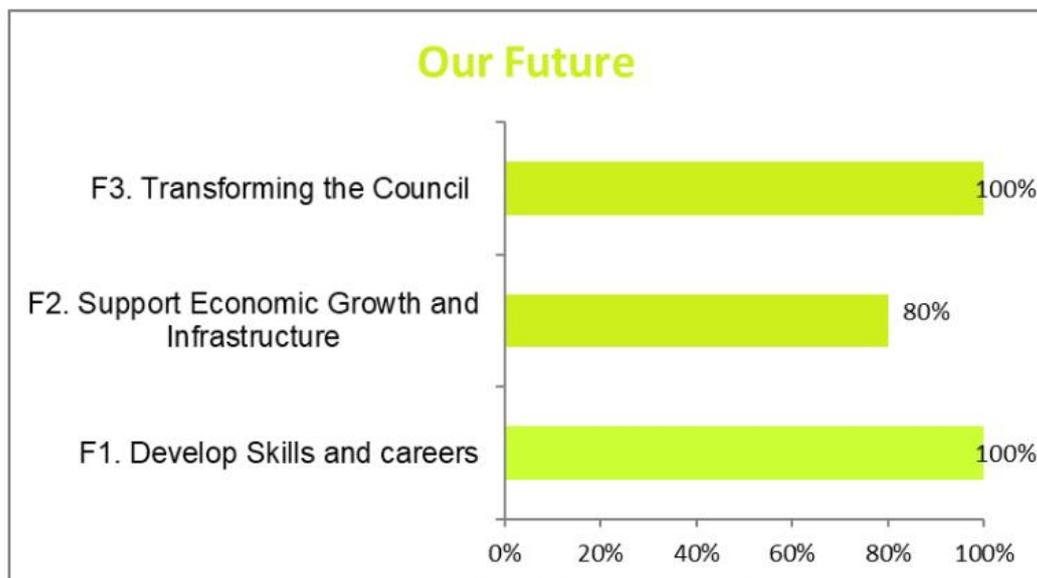
The below chart provides an overview for the % of measures that are on track to achieve the annual target.



4.2 Overall Council performance against key aims – Quarter 3 2020-2021.

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





4.3 Of the 35 measures which support the progress of the Corporate Plan 20-24, 16 are green, one is amber, eight are red and ten are grey. Overall, 77% of the key aims within the Corporate Plan are on track. 70% are on track for Our Environment, 76% are on track for Our People and 88% are on track for Our Future.

4.4 This Committee is responsible for overseeing the delivery of 12 Corporate measures.

Below outlines the five measures for this Committee that are on track (green) for the quarter:

- Reduce South Derbyshire District Council carbon emissions.
- % of new homes to meet water efficiency targets as set out in the Part G optional standard of 110 litres of potable water usage per person per day.



- Continue to undertake interventions per year to keep families out of fuel poverty.
- Speed of decision on discharging conditions on housing applications.
- % of planning applications determined within the statutory period.

4.5 Below outlines the three measures for this Committee that are not on track (red) for the quarter:

- Household waste collected per head of population.
- % of collected waste recycled and composted.
- Number of fly tipping incidents.

The targets for the Corporate performance measures were set prior to the Covid-19 pandemic and this has impacted the out turn in quarter three for each of the three measures detailed above.

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

4.6 An overview of performance can be found in the Performance Dashboard in **Appendix A**. A detailed description of each performance measure including mitigating actions and actions to sustain and improve performance is included in the detailed Performance Measure Report Index in **Appendix B**.

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

4.8 The Risk Register for the Committee's services is detailed in **Appendix C**. This includes the register and risk mitigation plans for the relevant departmental Risk Register. Each risk has been identified and assessed against the Corporate Plan aims which are considered to be the most significant risks to the Council in achieving its main objectives. The Risk Register(s) detail a risk matrix to summarise how each identified risk has been rated.

5.0 **Financial and Implications**

None directly.

6.0 **Corporate Implications**

6.1 **Employment Implications**

None directly.

6.2 **Legal Implications**

None directly.



6.3 Corporate Plan Implications

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

6.4 Risk Impact

Key risks impacting on this Committee are detailed in **Appendix C**, alongside the treatment and mitigating actions in place to manage these risks.

The following provides a summary of the risks that have changed since the last quarter for this Committee:

- SD14 Performance of kerbside recycling contractor, updated mitigating actions
- SD13 – Covid 19 pandemic outbreak, has been removed from the Service Delivery Risk Register. This risk is included in the Strategic Risk Register under item 4 - Business Continuity.

Please refer to the Service Delivery Risk Register in **Appendix C** for further detail.

7.0 Community Impact

7.1 Consultation

None required.

7.2 Equality and Diversity Impact

Not applicable in the context of the report.

7.3 Social Value Impact

Not applicable in the context of the report.

7.4 Environmental Sustainability

Not applicable in the context of the report.

8.0 Appendices

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



Priority	Key Aim	Outcome	PI Ref	How success will be measured	Frequency	(Q4) Jan 20 - Mar 20 Outturn	April 20 - June 20 (Qtr. 1)	April 20 - September 20 (Qtr. 2)	April 20- December 20 (Qtr. 3)	Annual Target 2020-2021	Head of Service	Strategic Lead	Committee
OUR ENVIRONMENT	E1. Improve the environment of the District	E1.1 Reduce waste and increase composting and recycling	E1.1A	Household waste collected per head of population	Quarterly	Cumulative (Apr-Mar) 404 kgs Q4 (Dec-Mar) 90kgs	126 kgs	250 kgs	355 kgs (estimated)	Sustain during Yr1 (404kgs)	Adrian Lowery, Head of Operational Services	Allison Thomas, Strategic Director, Service Delivery	E&DS
			E1.1B	% of collected waste recycled and composted	Quarterly	Cumulative (Apr-Mar) 45% Q4 (Jan-Mar)39%	53%	52.00%	49% (estimated)	Sustain during Yr1 (45% or >)	Adrian Lowery, Head of Operational Services	Allison Thomas, Strategic Director, Service Delivery	E&DS
		E1.2 Reduce fly tipping and litter through education, engagement and zero tolerance enforcement action where appropriate	E1.2A	Number of fly tipping incidents	Quarterly	714 (total figure for 2019/20)	Q1 - Target ≤ 179 Actual - 260	Q1-2 Target ≤ 357 Actual - 528	Q1-3 Target < 536 Actual - 732	< 714	Matt Holford, Head of Environmental Services	Allison Thomas, Strategic Director, Service Delivery	E&DS
			E1.2B	Improve the quality of the District through the Local Environmental Quality Survey	Annual	The first survey was completed in January 2020 the result was 89.67% above grade C+. Committee report being prepared. Some service PIs developed to assist overall performance.	Reported Bi-Annually in Q1 and Q3	Survey to be undertaken in Q4 20-21.	A full report will be provided in Q1 21-22.	>95%	Adrian Lowery, Head of Operational Services	Allison Thomas, Strategic Director, Service Delivery	E&DS
		E1.3 Enhance biodiversity across the District	E1.3A	% of eligible new homes and commercial developments to achieve net gain in Biodiversity by a minimum of 10% compared to the sites pre development baseline.	Annual	Not possible to provide as outputs not held in software until April 2020. Monitoring underway and baseline data to be provided Q1 and Q2.	First Report due October 2020. No qualifying decisions in Q1.	66.7%	66.70%	85%	Steffan Saunders, Head of Planning and Strategic Housing	Allison Thomas, Strategic Director, Service Delivery	E&DS
	E2. Tackle climate change	E2.1 Strive to make South Derbyshire District Council carbon neutral by 2030	E2.1A	Reduce South Derbyshire District Council carbon emissions	Annual	No update required for Q4. First update to be provided Q1 2020-21.	The three targeted C&EAP actions for Q1 are all complete	Six targeted C&EAP actions for Q1-2. Three have been completed. Three are long term projects which are all now in progress and on-track	Nine targeted C&EAP actions for Q1-3. Four have been completed. Five are long term projects which are all now in progress and on-track	Achievement of Actions contained in the South Derbyshire Climate and Environment Action Plan 2020-24 (C&EAP)	Matt Holford, Head of Environmental Services	Allison Thomas, Strategic Director, Service Delivery	E&DS
		E2.2 Work with residents, businesses and partners to reduce their carbon footprint	E2.2A	% of new homes to meet water efficiency targets as set out in the Part G optional standard of 110 litres of potable water usage per person per day.	Bi Quarterly (Q2 & Q4)	Baseline figure of 50% based on 18 qualifying decisions in Q4.	78%	88%	100%	85%	Steffan Saunders, Head of Planning and Strategic Housing	Allison Thomas, Strategic Director, Service Delivery	E&DS
	E3. Enhance the attractiveness of South Derbyshire	E3.1 Enhance the appeal of Swadlincote town centre as a place to visit	E3.1A	Increase Swadlincote Town Centre visitor satisfaction	Annual	49% of respondents would recommend Swadlincote Town Centre - May 2019. No update required for Q4. First update to be provided Q2 2020-21	Update due Q3	Update due Q3	55% of respondents would recommend Swadlincote Town Centre - Sept/Oct 2020	50%	Mike Roylance, Head of Economic Development and Growth	Frank McArdle, Chief Executive	F&M
		E3.2 Improve public spaces to create an environment for people to enjoy	E3.2A	The number of Green Flag Awards for South Derbyshire parks	Annual	2	Action planning scheduled for later in the year	Dialogue commenced about potential and preferred sites.	Swadlincote Woodlands and Newhall Park identified as most likely new sites. Management plan for Swadlincote Woodlands to be updated in Q4 to aid future submission.	Four Year Target - 4	Mary Bagley, Head of Cultural and Community Services	Allison Thomas, Strategic Director, Service Delivery	H&CS
			E3.2B	Proportion of good quality housing development schemes	Annual	92%	Reported Annually in Q4	Reported Annually in Q4	Reported Annually in Q4	90.0%	Steffan Saunders, Head of Planning and Strategic Housing	Allison Thomas, Strategic Director, Service Delivery	E&DS
OUR PEOPLE	P1. Engage with our communities	P1.1 Support and celebrate volunteering, community groups and the voluntary sector	P1.1A	Number of new and existing Community Groups supported	Quarterly	36	28	66	113	Proxy	Mary Bagley, Head of Cultural and Community Services	Allison Thomas, Strategic Director, Service Delivery	H&CS
		P1.2 Help tackle anti-social behaviour & crime through strong and proportionate action	P1.2A	Number of ASB interventions by type	Quarterly	Cumulative (Apr-Mar) 2,893 ASB reports	ASB reports in Q1: Target ≤ 849 Actual - 1776	ASB reports in Q2: Target <800 Actual - 1084. Cumulative Target <1649 Actual - 2860	ASB reports in Q3: Target <540 Actual - 960. Cumulative Target <2893 Actual - 3820	Proxy	Matt Holford, Head of Environmental Services	Allison Thomas, Strategic Director, Service Delivery	H&CS
	P2. Supporting and safeguarding the most vulnerable	P2.1 With partners encourage independent living and keep residents healthy and happy in their homes.	P2.1A	Number of households prevented from Homelessness	Quarterly	103 cases	64	127	203	Proxy	Paul Whittingham, Head of Housing	Allison Thomas, Strategic Director, Service Delivery	H&CS
			P2.1B	Continue to undertake interventions per year to keep families out of fuel poverty.	Quarterly	Numbers of interventions in 2019/20 were not recorded	Q1 Target - 125 interventions Actual - 108	Q1&2 Target - 210 interventions Actual - 216 (Data not yet complete)	Q1-3 Target - 245 interventions Actual - 247	300 interventions	Matt Holford, Head of Environmental Services	Allison Thomas, Strategic Director, Service Delivery	E&DS
		P2.2 Promote health and wellbeing across the District	P2.2A	Deliver the objectives identified in the South Derbyshire Health & Wellbeing Group.	Bi monthly	Not applicable for Q4	Draft plan tabled at H&W Group and approved by the group	Ongoing delivery of the action plan by partners	Ongoing delivery of the action plan by partners and support across partners to support the Covid response	100% of actions delivered	Mary Bagley, Head of Cultural and Community Services	Allison Thomas, Strategic Director, Service Delivery	H&CS
		P2.3 Improve the condition of housing stock and public buildings.	P2.3A	Deliver the Planned Maintenance Housing programme over four years	Quarterly	£2,717,193.80	35%	88.95%	95.60%	100% against the annual plan 2020-21	Paul Whittingham, Head of Housing	Allison Thomas, Strategic Director, Service Delivery	H&CS
			P2.3B	Develop and deliver the Public Buildings programme over four years	Quarterly	Project Plan for 2020-21 developed	Software tested and calibrated	Condition surveys on the five largest assets have been completed	Carried out further surveys on 12 more of the Public Buildings portfolio.	25% of assets to be surveyed and the planned maintenance programme for phase one to be created	Steve Baker, Head of Corporate Property	Kevin Stackhouse, Strategic Director, Corporate Resources	F&M
			P2.3C	Average time taken to re-let Council homes	Quarterly	Q4 157 days YTD 122 days	Q1 Target 21 days Q1 Actual 206 days	Q2 Target 21 days Q2 Actual 209 days	Q3 Target 21 days Q3 Actual 192 days	Median Quartile Performance (Benchmark via Housemark)	Paul Whittingham, Head of Housing	Allison Thomas, Strategic Director, Service Delivery	H&CS
	P2.4 Support social mobility to ensure people have the opportunity to access skilled jobs, higher and further education.	P2.4A	South Derbyshire's ranking in the Social Mobility Commissions Social Mobility Index increases	Annual	311	Reported Annually in Q4	Reported Annually in Q4	Reported Annually in Q4	Ranked >311 on the Social Mobility Index	Mike Roylance, Head of Economic Development and Growth	Frank McArdle, Chief Executive	F&M	
	P3.1 Ensuring consistency in the way the Council deal with service users	P3.1A	Increase the number of customers who interact digitally as a first choice	Quarterly	1,219 Covid-19 business grants forms, 1,282 council tax & benefits forms and 12,343 online web form submissions. 14,844 in total (annual figure).	4,474	10,174	16,103	Upward Trend	Elizabeth Barton, Head of Customer Services	Kevin Stackhouse, Strategic Director, Corporate Resources	F&M	

Priority	Key Aim	Outcome	PI Ref	How success will be measured	Frequency	(Q4) Jan 20 - Mar 20 Outturn	April 20 - June 20 (Qtr. 1)	April 20 - September 20 (Qtr. 2)	April 20- December 20 (Qtr. 3)	Annual Target 2020-2021	Head of Service	Strategic Lead	Committee		
Working with comi	P3. Deliver Excellent Services	P3.2 Have in place methods of communication that enables customers to provide and receive information.	P3.2A	Reduce face-to-face contact to allow more time to support those customers who need additional support	Quarterly	2,463 enquiries dealt with at Customer Services Desk. Visitors to office 4,490. Please note this was up to 20 March 2020, when offices closed due to Covid 19. Quarter 4 figures.	No visitors due to Covid-19	No visitors due to Covid-19	No visitors due to Covid-19	Downward trend in Face to Face interactions	Elizabeth Barton, Head of Customer Services	Kevin Stackhouse, Strategic Director, Corporate Resources	F&M		
		P3.3 Ensuring technology enables us to effectively connect with our communities.	P3.3A	Number of customer telephone calls answered by Customer Service	Quarterly	Total Calls 26,280 (21,350 calls handled & 4,930 automated call payments). Quarter 4 figures.	22,387	44,701	69,812	Downward Trend	Elizabeth Barton, Head of Customer Services	Kevin Stackhouse, Strategic Director, Corporate Resources	F&M		
			P3.3B	Increase digital engagement (Twitter, Instagram, Facebook)	Quarterly	Total FACEBOOK fans: 22,440, total TWITTER followers: 11,448, No Instagram account yet, total ALL SOCIAL MEDIA fans: 33,888. Social Media queries: 287	Total FACEBOOK fans:26,369 , total TWITTER followers: 7,971 , No Instagram account yet, total ALL SOCIAL MEDIA fans :34,340. Social Media queries: 182	Total FACEBOOK fans:27,919 , total TWITTER followers: 12,005, No Instagram account yet, total ALL SOCIAL MEDIA fans:39,924. Social Media queries: 190	Total FACEBOOK fans: 30,157 , total TWITTER followers: 12,566, No Instagram account yet, total ALL SOCIAL MEDIA fans:42,723. Social Media queries: 206	Upward Trend	Fiona Pittam, Head of Organisational Development & Performance	Kevin Stackhouse, Strategic Director, Corporate Resources	F&M		
		P3.4 Investing in our workforce	P3.4A	Increase the level of staff engagement	Annual	No Q4 Update. First Staff survey to take place in 20/21.	Reported annually in Q4	The employee survey has been postponed until early 2021	The employee survey has been postponed until 2021/22	No target for Yr1.Baseline Data only	Fiona Pittam, Head of Organisational Development & Performance	Kevin Stackhouse, Strategic Director, Corporate Resources	F&M		
			P3.4B	Number of apprenticeships	Annual	4 (1.2% of head count)	4 (1.2% head count) (3 vacancies currently, one advertisement active, mitigating factors updated)	4 (1.2% head count) (actions taken towards funding new apprenticeships despite Covid hardships)	5 (1.5% head count) (New Business Admin L3 in HR, planning in place for apprentice opportunity in Operation Services)	>2.3% of head count	Fiona Pittam, Head of Organisational Development & Performance	Kevin Stackhouse, Strategic Director, Corporate Resources	F&M		
			P3.4C	Average number of staff days lost due to sickness	Quarterly	3.58	3.68	4.34	11.6	Downward Trend	Fiona Pittam, Head of Organisational Development & Performance	Kevin Stackhouse, Strategic Director, Corporate Resources	F&M		
			P3.4D	% of employees that consider that the Council has a positive health and safety culture	Annual	No Q4 update for 19/20. First Staff survey to take place in 20/21.	Reported annually in Q4	Reported annually in Q4	The employee survey has been postponed until 2021/22	No target for Yr1.Baseline Data only	Fiona Pittam, Head of Organisational Development & Performance	Kevin Stackhouse, Strategic Director, Corporate Resources	F&M		
		OUR FUTURE	F1. Develop skills and careers	F1.1 Attract and retain skilled jobs in the District	F1.1A	Increase the number of employee jobs in South Derbyshire	Annual	32,000		Reported Annually in Q4	Reported Annually in Q4	More than Q4 2019/20	Mike Roylance, Head of Economic Development and Growth	Frank McArdle, Chief Executive	F&M
				F1.2 Support unemployed residents back into work											
			F2. Support economic growth and infrastructure	F2.1 Encourage and support business development and new investment in the District	F2.1A	Annual net growth in new commercial floorspace (sqm)	Annual	2885 sqm	Reported Annually in Q4	Reported Annually in Q4	Reported Annually in Q4	12,269.5 sqm	Mike Roylance, Head of Economic Development and Growth	Frank McArdle, Chief Executive	F&M
					F2.1B	Total Rateable Value of businesses in the District	Quarterly	£67,486,786	£67,528,690 (NB. This is the Total Rateable Value of premises rather than the income received through the collection of Business Rates)	£67,316,577 - Total Rateable Value fallen, arising from a change in national regulations relating to cashpoints and surgeries	£67,379,221 - Q3 is an increase on Q2, but remains below levels prior to the change in national regulations	More than Q4 2019/20	Mike Roylance, Head of Economic Development and Growth	Frank McArdle, Chief Executive	F&M
				F2.2 Enable the delivery of housing across all tenures to meet Local Plan targets	F2.2A	Speed of decision on discharging conditions on housing applications	Quarterly	80%	100%	100%	100%	90% within 8-13 weeks or as agreed with the applicant	Steffan Saunders, Head of Planning and Strategic Housing	Allison Thomas, Strategic Director, Service Delivery	E&DS
					F2.2B	% of planning applications determined within the statutory period	Quarterly	93%	94%	99%	98%	>90%	Steffan Saunders, Head of Planning and Strategic Housing	Allison Thomas, Strategic Director, Service Delivery	E&DS
			F2.3 Influence the improvement of infrastructure to meet the demands of growth.	F2.3A	Secure new facilities and contributions through Section106 to mitigate impacts of development. Achieve all necessary highway, education, healthcare, and recreation contributions	Annual	No Q4 update for 19/20. New indicator, data will be collected from April 2020 onwards as retrospective data is not possible to collect.	Reported Annually in Q4	Reported Annually in Q4	Reported Annually in Q4	90%	Steffan Saunders, Head of Planning and Strategic Housing	Allison Thomas, Strategic Director, Service Delivery	E&DS	
F3. Transforming the Council	F3.1 Provide modern ways of working that support the Council to deliver services to meet changing needs.		F3.1A	Deliver against the Transformation Action Plan	Quarterly	No Q4 update for 19/20. Transformation plan to report from Q1 onwards		All projects on track and have enjoyed some focused attention and a few large projects in particular have had major milestones reached.		Deliver 100% against action plan	Anthony Baxter, Head of Business Change and ICT	Kevin Stackhouse, Strategic Director, Corporate Resources	F&M		
	F3.2 Source appropriate commercial investment opportunities for the Council		F3.2A	Develop our approach towards the commercialisation of services which include grants, sponsorship, fees and charges and operating models and increase the income generated from these activities	Quarterly	Preliminary discussion between Operational Services and Finance have taken place, working group and action plan not yet established			See progress in detailed performance report.	Form a working group & Action Plan	Adrian Lowery, Head of Operational Services	Allison Thomas, Strategic Director, Service Delivery	F&M		

Corporate Plan 2020-2024

Performance Measure Report Index

Environmental and Development Services Committee

Team: Organisational Development and Performance

Date: March 2021

Page 10 of 67



Our Environment | Our People | Our Future

www.southderbyshire.gov.uk

Performance Measure Report Index

Corporate Plan 2020-2024

Summary

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

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

Environmental and Development Services Committee (E&DS) are responsible for 12 Corporate measures under the key aims:

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

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

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

Finance and Management Committee (F&M) are responsible for 16 corporate measures under the key aims:

- E3. Enhance the attractiveness of South Derbyshire
- P2. Supporting and safeguarding the most vulnerable
- P3. Deliver Excellent Services
- F1. Develop skills and careers
- F2. Support economic growth and infrastructure
- F3. Transforming the Council



Environmental and Development Services Committee (E&DS) are responsible for the following 12 Corporate measures

Our Environment

Measure

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

Our People

Measure

- Continue to undertake interventions per year to keep families out of fuel poverty

Our Future

Measure

- Speed of decision on discharging conditions on housing applications
- % of planning applications determined within the statutory period
- Secure new facilities and contributions through Section 106 to mitigate impacts of development. Achieve all necessary highway, education, healthcare, and recreation contributions



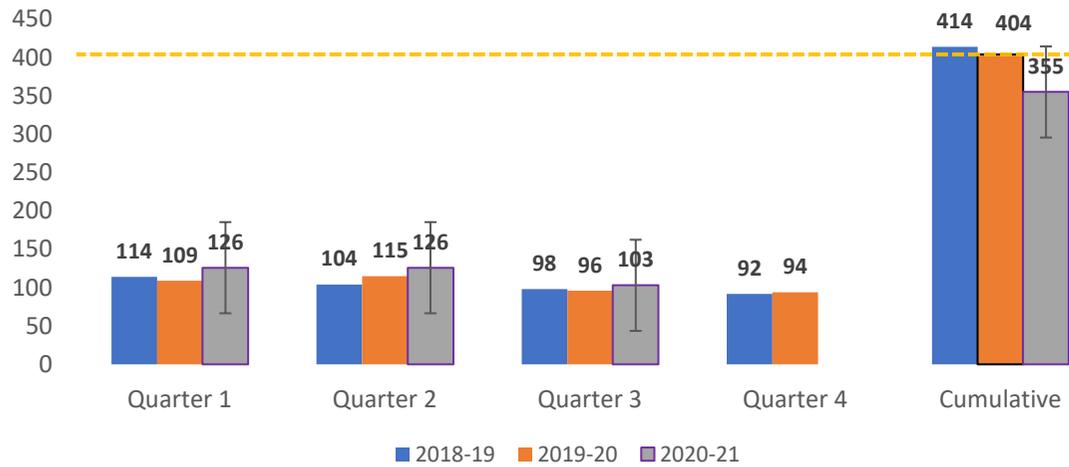
PRIORITY: OUR ENVIRONMENT

OUTCOME: E1.1 Reduce the amount of waste sent to landfill

Measure and Ref	E1.1A- Household waste collected per head of population (kg)			Committee	E&DS
Definition	This indicator is the number of kilograms of household waste collected per head of population. 'Household waste' means those types of waste which are to be treated as household waste as defined by the Environmental Protection Act 1990.			Why this is important	To measure the change in household waste disposal levels as a result of householders' waste reduction and recycling activities
What good looks like	Top performing authorities outturn <400kgs per year				
History with this indicator	The Council employs 40 staff and utilises 15 vehicles and a number of external contractors to deliver waste collection services.			Mitigating actions	A consultation is being considered to review the way the Council collects household waste, to encourage more recycling in the District.
2019/20 baseline data		The estimated figure reported in Q4 was 407 kgs. This figure has now been validated and the confirmed out turn for Q4 is 404 kgs.			
	Annual target	Q1 Outturn (Apr-June)	Q2 Outturn (Apr - Sept)	Q3 Outturn (Apr - Dec)	Q4 Outturn (Apr 20 - Mar 21)
2020/21	Sustain Current levels	126 kgs	250kgs	355kgs (estimated)	
2021/22	Sustain Current levels				
2022/23	Downward Trend				
2023/24	Downward Trend				
<u>Performance Overview – Quarterly update</u>				<u>Actions to sustain or improve performance</u>	
The estimated figure of 355 kgs is well above the figure reported this time last year. The target for 200/21 is to sustain the current levels. The increase directly relates to the lockdown measures put in place due to the Covid – 19 pandemic, in particular more waste being generated at home.				The review of waste collection services completed in quarter 2 identified a number of service delivery options and identified removal of bring banks and the Saturday freighter service to reduce the amount of waste collected.	



**E1.1A Household waste collected per head of population
(kgs)**



Benchmarking

Annual benchmarking will be provided when available through the Government's Wastedataflow reporting tool.



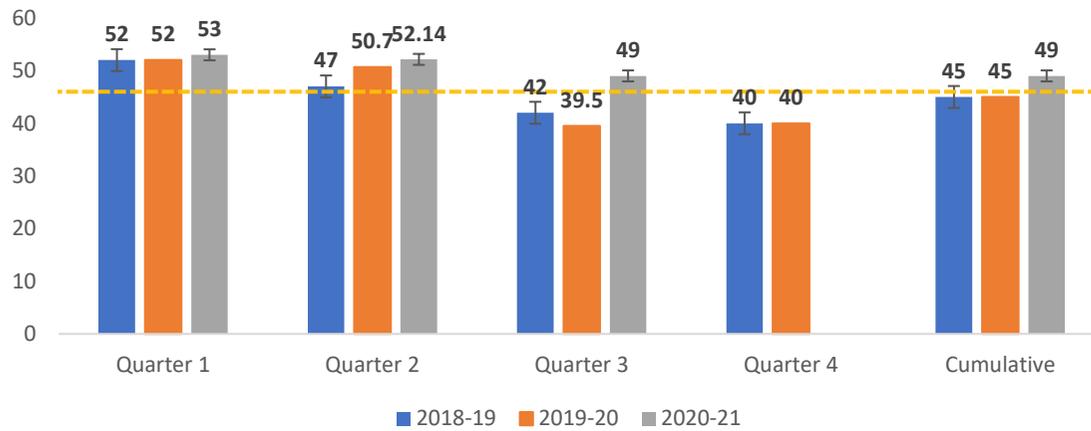
PRIORITY: OUR ENVIRONMENT

OUTCOME: E.1.1 Reduce waste and increase composting and recycling

Measure and Ref	E1.1B - % of collected waste recycled and composted			Committee	E&DS
Definition	Kerbside collected household waste is waste presented for collection by households in the black, green and brown bins and the normal alternate week collections. Recycled or composted is waste presented in the green and brown bins.			Why this is important	To establish the success of the Council's recycling scheme and to ensure the compost scheme continues to perform
What good looks like	The top performing authorities achieve >60%, the top 25% achieve >50%				
History with this indicator	Currently on a downward trend, the tonnages collected have remained stable, however increasing residual waste is pushing the percentage down.			Mitigating actions	The current contract expires in 2021 and full waste service review will be undertaken in 2020 to establish future delivery standards and delivery model.
2019/20 baseline data		The estimated figure reported in Q4 was 46%. This figure has now been validated and the confirmed out turn for Q4 is 45%.			
	Annual target	Q1 Outturn (Apr-June)	Q2 Outturn (Apr - Sept)	Q3 Outturn (Apr - Dec)	Q4 Outturn (Apr 20 - Mar 21)
2020/21	50%	53	52	49 (estimated)	
2021/22	50%				
2022/23	55%				
2023/24	60%				
Performance Overview – Quarterly update				Actions to sustain or improve performance	
The estimated outturn for Q3 of 49% is a significant increase compared with 2019/20 of 39%. This is mainly due to the increased tonnages collected on the kerbside recycling scheme during to the pandemic and further lockdowns. Unfortunately, residual waste tonnages have also risen.				The review of waste collection services completed in quarter 2 identified a number of service delivery options and identified removal of bring banks and the	



E1.1B % of collected waste recycled and composted



Saturday freighter service to reduce the amount of waste collected.

Benchmarking

Annual benchmarking will be provided when available through the Government's Wastedataflow reporting tool.



PRIORITY: OUR ENVIRONMENT

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

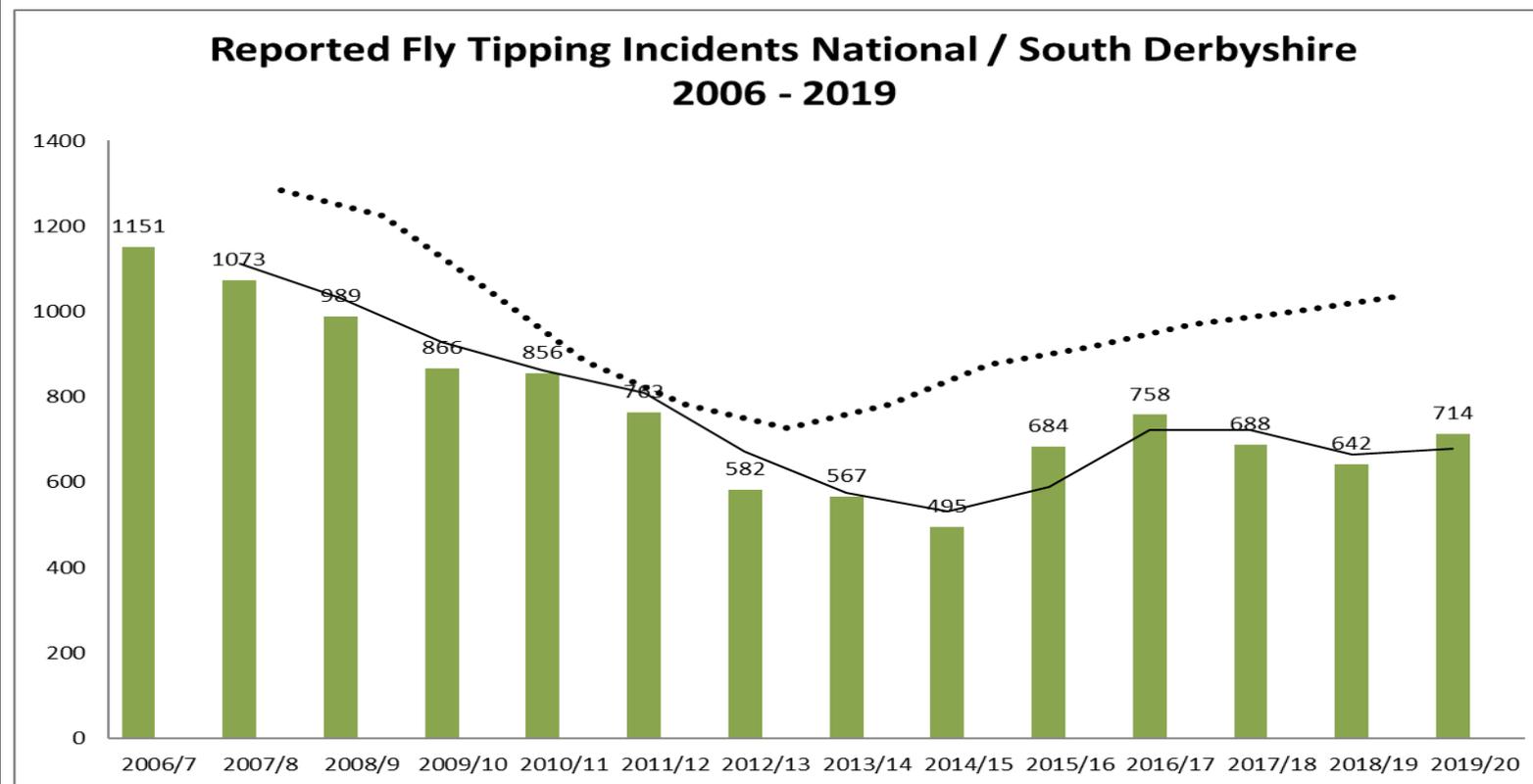
Measure and Ref	E1.2A - Number of fly tipping incidents					Committee	E&DS			
Definition	A reduction in fly-tipping incidents is defined as a numerical reduction in the sum of the number of fly tipping incidents reported to the Council, plus the number of fly tips proactively collected by Council staff while performing their duties, compared to the reference period.					Why this is important	Prevent an increase in fly-tipping incidents through education, engagement and enforcement action where appropriate			
What good looks like	The purposes of this Indicator is to see a downward trend in fly tipping incidents as a rolling average over the four-year period of the Corporate Plan.					Mitigating actions	A new gate to finally implement the PSPO at Lowes Lane, Swarkestone has now been installed.			
History with this indicator	There have been long term reductions in fly tipping incidents both nationally and locally since 2000, however this trend has reversed in very recent years. Between 2016 and 2019 fly tipping incidents nationally have increased.									
2019/20 baseline data		714 reported incidents								
	Annual target	Q1 Target (Apr-June)	Q1 Outturn (Apr – Jun)	Q2 Target (Apr - Sept)	Q2 Outturn (Apr - Sept)	Q3 Target (Apr - Dec)	Q3 Outturn (Apr - Dec)	Q4 Target (Apr 20 - Mar 21)	Q4 Outturn (Apr 20 - Mar 21)	
2020/21	Downward trend	<179 incidents	260	<357 incidents	528	<536 incidents	732	<714 incidents		
2021/22	Downward trend									
2022/23	Downward trend									
2023/24	Downward trend									
Performance Overview – Quarterly update						Actions to sustain or improve performance				
Fly tipping incidents have markedly increased during COVID-19 and anecdotally officers understand that this is a trend which has occurred across the UK. Incidents increased significantly at the start of lock-down (March 2020) and then again in September and November. Analysis of the location and type of fly tipped material has not identified any clear cause or set of causes which can be readily addressed. Based on the investigations of the						Officers have reviewed the locations and nature of fly tipping incidents over the last two years to identify locations for possible further interventions. A capital bid has been approved for the procurement of mobile surveillance equipment to assist officers with investigations. The procurement process to identify and				



Community Safety Enforcement Team an estimated 75% of fly tipping sources and offenders are from outside South Derbyshire.

acquire the most appropriate surveillance equipment has started.

There is no formal benchmarking process for fly tipping. The Council provides long-term comparisons in local fly tipping trends compared to national trends which is summarised in the graph below. Until 2016/17 fly tipping trends in South Derbyshire broadly followed the same trend line as the national data (dotted line) with a one-year lag. In 2017/18 fly tipping incidents in South Derbyshire reduced, and then again in 2018/19, which bucked the national trend. This should give the Council some confidence that the concerted efforts to address fly tipping over the course of the previous Corporate Plan has been having positive outcomes.



Benchmarking



PRIORITY: OUR ENVIRONMENT

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

Measure and Ref	E1.2B - Improve the quality of the District through the Local Environmental Quality Survey			Committee	E&DS
Definition	Percentage of inspected areas above a grade C for cleanliness as defined in the government code of Practice for Litter and refuse.			Why this is important	Gives assurance that the cleansing regimes and resources deployed are delivering the Council's service standards.
What good looks like	>95% above grade C				
	This table below provides an overview of the grading:				
	Grade A	No issues present			
	Grade B+	No formal description			
	Grade B	Predominantly free with some minor instances of the issue			
	Grade B-	No formal description			
	Grade C	Widespread with some accumulations of the issue			
	Grade C-	No formal description			
Grade D	Heavily affected by the issue				
	In order to present a fair picture plus and minus grades are used where a location is better than the lower grade but not sufficiently to attain the higher grade.				
History with this indicator	New indicator			Mitigating actions	To be determined following confirmation of baseline data
2019/20 baseline data		89.67% above grade C			
	Annual target	Q1 Outturn (Apr-June)	Q2 Outturn (Apr - Sept)	Q3 Outturn (Apr - Dec)	Q4 Outturn (Apr 20 - Mar 21)
2020/21	>95%	Reported in Q4	Reported in Q4	Reported in Q4	
2021/22					



2022/23					
2023/24					
<u>Performance Overview – quarterly update</u>				<u>Actions to sustain or improve performance</u>	
<p>The first survey completed in Jan 2020. A report to Committee recommends a survey for October and the target is increased from >90% to >95% due to outturn of first survey some service PIs have been developed to assist overall performance and have been built into the Service Plans for 2020/21.</p> <p>The October survey was unable to be undertaken due to Covid restrictions and survey will be undertaken in Q4.</p>					
Benchmarking					



PRIORITY: OUR ENVIRONMENT					
OUTCOME: E1.3 - Enhance biodiversity across the District					
Measure and Ref	E1.3A - % of eligible new homes and commercial developments to achieve net gain in Biodiversity by a minimum of 10% compared to the site's predevelopment baseline.			Committee	E&DS
Definition	Policy BNE3 of the Local Plan and Chapter 15 of the National Planning Policy Framework seeks to ensure that the impacts of development on biodiversity are minimised and preferably provide net gains. This would be negotiated during the application process.			Why this is important	It is likely that soon this will be a statutory requirement. It demonstrates that the Council is being proactive in delivering an aspiration of the Local Plan.
What good looks like	The purpose of the PI is to see the pursuit of net biodiversity gains on all eligible sites otherwise suffering a net loss.				
History with this indicator	Notwithstanding the Council's 'encouragement' of biodiversity gains in the Local Plan, this will be a new government initiative that would make it a statutory requirement.			Mitigating actions	The Council is currently investigating how best to source the expertise necessary.
2019/20 baseline data		Insufficient baseline data available			
	Annual target	Q1 Outturn (Apr-June)	Q2 Outturn (Apr - Sept)	Q3 Outturn (Apr - Dec)	Q4 Outturn (Apr 20 - Mar 21)
2020/21	85%	No data	66.7%	66.7	
2021/22	85%				
2022/23	85%				
2023/24	85%				
<u>Performance Overview – quarterly update</u>				<u>Actions to sustain or improve performance</u>	
A handful of qualifying applications were decided in Q3 (requires major application with ecology survey and not a variation of a previously approved scheme where a biodiversity impact has been previously accepted). Of these, one of the schemes can presently only be said to achieve a 'no net loss' until the detailed stage of the application is received. The other qualifying schemes cannot be assessed at this stage until the discharge of conditions has taken place i.e. full ecological mitigation schemes quantified. Still relying on Derbyshire Wildlife Trust to perform metrics calculations until ecologist is appointed in Cultural and Community Services as part of the implementation of the Service restructure.				Requires recruitment of ecologist within Cultural and Community Services to carry out assessments. Requires legislation/guidance to be issued for methodology. Derbyshire Wildlife Trust using established methodology in interim.	
Benchmarking		No data			



PRIORITY: OUR ENVIRONMENT

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

Measure and Ref	E2.1A- Reduce South Derbyshire District Council carbon emissions			Committee	E&DS
Definition	Achievement of Actions contained in the South Derbyshire Climate and Environment Action Plan 2020-24 (C&EAP)			Why this is important	To enable emissions from all relevant identified Council sources to be controlled over the Corporate Plan timeframe
What good looks like	Achievement of Actions contained in the South Derbyshire Climate and Environment Action Plan 2020-24 (C&EAP)				
History with this indicator	No previous targets to achieve carbon neutrality have been set			Mitigating actions	
2019/20 baseline data		The baseline carbon emissions from SDDC activities has been calculated as 2,500 tonnes of CO ₂ e in 2018/19			
	Annual target	Q1 Outturn (Apr-June)	Q2 Outturn (Apr - Sept)	Q3 Outturn (Apr - Dec)	Q4 Outturn (Apr 20 - Mar 21)
2020/21	9 actions complete	3 actions complete	6 actions complete	9 actions all in progress and on track	
2021/22	10 actions complete				
2022/23	10 actions complete				
2023/24	10 actions complete				
<u>Performance Overview – quarterly update</u>				<u>Actions to sustain or improve performance</u>	
<p>Nine targeted C&EAP actions for Q1-3. Four have been completed. Five are long term projects which are all now in progress and on-track.</p> <p>The Healthy Homes Assistance Fund has been launched and is progressing well. The Derbyshire Healthy Homes Programme has also been launched and is progressing well. The Housing Environmental Impact Project has been commissioned and has started. The Council’s new electricity contract is produced from 100 per cent renewable, non-nuclear sources (wind, hydro, geo-thermal and solar). Carbon neutrality has been embedded into the Civic Hub project brief. The revised Procurement Strategy and Guidance Manual 2020-24 was approved on 28/8/2020 to include improved carbon neutral questions and scoring criteria.</p>				<p>The new Climate and Environment Officer started in January and now provides additional resources to drive the delivery of the Climate and Environment Plan actions and review as necessary.</p>	



Benchmarking	Not applicable
---------------------	----------------



PRIORITY: OUR ENVIRONMENT

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

Measure and Ref	E2.2A - % of new homes to meet water efficiency targets as set out in the Part G optional standard of 110 litres of potable water usage per person per day			Committee	E&DS
Definition	Part G of the Building Regulations sets out an optional standard for potable water conservation which is reiterated in Policy SD3 of the Local Plan. A planning condition will be attached to all new permissions to pursue adherence to this standard (where relevant)			Why this is important	Local infrastructure and environmental constraints require the need for the Council to contribute to the suppression of water demand and hence waste water discharges across the District.
What good looks like	This is designed to ensure that going forward all new developments comply with the optional Part G standard				
History with this indicator	No history			Mitigating actions	Through the use of planning conditions attached to planning permissions
2019/20 baseline data		50% based on 2019/20 Q4			
	Annual target	Q1 Outturn (Apr-June)	Q2 Outturn (Apr - Sept)	Q3 Outturn (Apr - Dec)	Q4 Outturn (Apr 20 - Mar 21)
2020/21	85%	78%	89%	100%	
2021/22	85%				
2022/23	85%				
2023/24	85%				
<u>Performance Overview – quarterly update</u>				<u>Actions to sustain or improve performance</u>	
Improving approach to application of standard conditions with room for improvement particularly on minor applications. Delegated and Committee decisions are scrutinised for the existence of this condition where appropriate, with the target met in this quarter as a consequence.				Officer training combined with further software development to automate inclusion of conditions.	
Benchmarking					



PRIORITY: OUR ENVIRONMENT

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

Measure and Ref	E3.2B - Proportion of good quality housing development schemes			Committee	E&DS
Definition	The % of new residential developments that score well against the Council's quality criteria based on latest Building for Life standards and the National Design Guide, which measure several aspects of the quality of a development (including the provision and quality of public spaces).			Why this is important	This PI directly measures how good the quality of developments are and therefore whether it is more likely to result in an improvement to the quality of open and other spaces.
What good looks like	The purpose of this PI is to see an upward trend in higher quality developments and their immediate environment.				
History with this indicator	This PI will differ from the similar PI which only looked at an earlier Building for Life standard. In previous years, the 90% target was often met and where not, only marginally missed.			Mitigating actions	Through the employment of a design specialist in the Planning Delivery Teams and extra training for all development management (planning) staff.
2019/20 baseline data		Annual score of 92% based on old methodology – to be reported annually in Q4			
	Annual target	Q1 Outturn (Apr-June)	Q2 Outturn (Apr - Sept)	Q3 Outturn (Apr - Dec)	Q4 Outturn (Apr 20 - Mar 21)
2020/21	90%				
2021/22	90%				
2022/23	90%				
2023/24	90%				
<u>Performance Overview – quarterly update</u>				<u>Actions to sustain or improve performance</u>	
Continued focus towards high quality design with use of Senior Planning Design Officer in reviewing and shaping submitted and pre-application schemes. Note that the Senior Planning Design Officer post remains vacant following the leaving of the previous officer in August. This will impact upon this measure for the 4 th quarter.				Revisions to assessment methodology to allow for smaller schemes to be measured. Continued training and peer review of schemes.	
Benchmarking					



PRIORITY: OUR PEOPLE

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

Measure	P2.1B - Continue to undertake interventions per year to keep families out of fuel poverty				Committee	E&DS			
Definition	Number of interventions made by the Council (and partners over whom the Council has influence) to improve fuel efficiency in residential properties.				Why this is important	Fuel poverty is a public health observatory key performance indicator and reflects both the thermal efficiency of housing stock and the affluence of the population			
What good looks like	Increasing the numbers of fuel efficiency interventions in order to directly contribute to reductions in the numbers of families in fuel poverty.				Mitigating actions				
History with this indicator	The Council has never previously collated data on the different measures taken to take families out of fuel poverty.								
2019/20 baseline data		It is estimated that 7.9% (equivalent to 3,393 properties) of households in South Derbyshire are in fuel poverty (based on public health observatory statistics) and that in 2019/20 an estimated 90 interventions were made to help residents reduce fuel poverty							
	Annual target	Q1 Target (Apr-June)	Q1 Outturn (Apr-June)	Q2 Target (Apr - Sept)	Q2 Outturn (Apr - Sept)	Q3 Target (Apr - Dec)	Q3 Outturn (Apr - Dec)	Q4 Target (Apr 20 - Mar 21)	Q4 Outturn (Apr 20 - Mar 21)
2020/21	300 interventions	125 interventions	111 interventions	85 interventions	105 interventions	35 interventions	31 interventions	55 interventions	
2021/22	To be set at year end 2020								
2022/23	To be set at year end 2020								
2023/24	To be set at year end 2020								



Performance Overview – quarterly update

148 legal notices have been issued to private sector landlords requiring the energy performance of their properties to meet legal standards. 26 Property Level Flood Resilience Grants are being processed following the damage caused in February 2020 by Storms Ciara and Dennis. Following the launch of a new Healthy Home Assistance Fund (HHAF) in May, £49,000 has been spent in 18 properties from a budget of £100,000 making improvements to private homes occupied by vulnerable people, plus a further 18 improvements to domestic homes have been made through referrals to Derbyshire County Council’s Healthy Homes Programme. Finally, a total of 37 improvements to reduce fuel poverty have been made by Council officers using powers under the Housing Act.

Actions to sustain or improve performance

Now that the HHAF is fully operational the target of 300 interventions in 2020/21 is expected to be achieved.

Benchmarking



PRIORITY: OUR FUTURE

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

Measure and Ref	F2.2A - Speed of decision on discharging conditions for housing applications			Committee	E&DS
Definition	The purpose of the performance indicator is to measure the percentage of planning condition applications determined in the statutory period of eight or 13 weeks or as may be otherwise agreed with applicants.			Why this is important	Unnecessary delays in the determination of applications holds up the delivery of development and therefore a potential disincentive to inward investment
What good looks like	All applications determined as soon as possible without compromising quality.				
History with this indicator	New			Mitigating actions	A recent service review introduced new and improving performance management processes and software
2019/20 baseline data		80% based on Q4 (up to 85% if including first 27 days of 2020/21 Q1, following new procedure with team)			
	Annual target	Q1 Outturn (Apr-June)	Q2 Outturn (Apr - Sept)	Q3 Outturn (Apr - Dec)	Q4 Outturn (Apr 20 - Mar 21)
2020/21	90% within 8-13 weeks	100%	100%	100%	
2021/22	90% within 8-13 weeks				
2022/23	90% within 8-13 weeks				
2023/24	90% within 8-13 weeks				
<u>Performance Overview – quarterly update</u>				<u>Actions to sustain or improve performance</u>	
Despite pressures on planning delivery resources, the effect of the COVID pandemic and difficulties in obtaining timely responses from consultees, proactive dialogue with applicants has seen decisions issued in time and/or with agreed extension to determination periods.				Key staff to see indicator feature in annual Personal Development Reviews. Team Leaders regularly monitoring performance. Recruitment to the Team Leader role imperative to keep up to date monitoring in place.	
Benchmarking					



PRIORITY: OUR FUTURE

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

Measure and Ref	F2.2B - % of planning applications determined within the statutory period			Committee	E&DS
Definition	The purpose of the performance indicator is to measure the percentage of planning applications determined in the statutory period of eight or 13 weeks or as may be otherwise agreed with applicants.			Why this is important	Unnecessary delays in the determination of planning applications holds up the delivery of development and therefore a potential disincentive to inward investment
What good looks like	All applications determined as soon as possible without compromising quality.				
History with this indicator	Generally, the Council has performed well for most recent years against a notional target of 90%			Mitigating actions	A recent service review introduced new and improving performance management processes and software
2019/20 baseline data		93%			
	Annual target	Q1 Outturn (Apr-June)	Q2 Outturn (Apr - Sept)	Q3 Outturn (Apr - Dec)	Q4 Outturn (Apr 20 - Mar 21)
2020/21	90%	94%	99%	98%	
2021/22	90%				
2022/23	90%				
2023/24	90%				
<u>Performance Overview – quarterly update</u>				<u>Actions to sustain or improve performance</u>	
Performance in determining major schemes recovered to 100% in this quarter (well above national indicator of 65%) with minors slightly below at 98%. These application types capture the largest proportion of investment within the District, so this performance is very positive. The others category achieved 99%. The reduction is as consequence of 2 decisions (of an overall 161) being determined outside of the statutory or agreed timeframe Continued attainment of Corporate Performance Indicator across continuous quarters despite effects of COVID-19 continuing to cause delays beyond officer control.				Further software development to improve efficiency of processes, etc. Continued performance monitoring of individual staff and workloads. Resourcing of the development management team is noted to be an emerging issue, with staff leaving the authority at the same time as a large increase in applications being received (circa 20% more compared to the same period last year)	
Benchmarking					



PRIORITY: OUR FUTURE

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

Measure and Ref	F2.3A - Secure new facilities and contributions through Section106 to mitigate impacts of development. Achieve all necessary highway, education, healthcare, and recreation contributions			Committee	E&DS
Definition	Statute allows the Council to seek financial and other contributions from developments to mitigate the impact of the development on public infrastructure subject to viability of individual developments.			Why this is important	Without some contribution towards mitigating the impact of new developments, infrastructure would have to accommodate the extra load without direct funding to bear the burden
What good looks like	Securing all proven necessary mitigation to accommodate new developments				
History with this indicator	New			Mitigating actions	Negotiation through Section 106 agreements subject to compliance with the Community Infrastructure Levy (CIL) Regulations 2010 and Local Plan policy
2019/20 baseline data		New indicator, data will be collected from April 2020 onwards as retrospective data is not possible to collect.			
	Annual target	Q1 Outturn (Apr-June)	Q2 Outturn (Apr - Sept)	Q3 Outturn (Apr - Dec)	Q4 Outturn (Apr 20 - Mar 21)
2020/21	90%				
2021/22	90%				
2022/23	90%				
2023/24	90%				
<u>Performance Overview</u>				<u>Actions to sustain or improve performance</u>	
Benchmarking					



SERVICE DELIVERY RISK REGISTER (AS AT Q3 2020/21)

Risk	Rating and current position	Risk treatment	Mitigating actions	Change since last quarter	Risk Owner
<p>SD1 - Loss of income to the Housing Revenue Account</p>	<p>Rent reduction controls relaxed and rent increase now in place. Reduction of income through the Impact of COVID19 on Universal Credit (UC) claims is now greater.</p> <p>Likelihood is high and impact is now moderate</p>	<p>Treat the risk through continuous action and review.</p>	<p>Income policies/processes are being revised.</p> <p>The Council has invested in I.T. solutions to maximise opportunities to collect income and support those in financial difficulty.</p> <p>Increased focus on collection of rent and other housing debt.</p> <p>New dwellings mitigate revenue lost through Right to Buy (RTB). New Builds can still be purchased under (RTB) after three years for Secure Tenancies.</p> <p>The uptake of UC has risen sharply through the impact of COVID19 on Council tenants, the rate of increase slowed as lockdown was eased.</p> <p>The Housing Service and DWP have made operational changes to deal with this increase in the short-term</p>	<p>No change to rating. Mitigating actions updated</p>	<p>Housing Services</p>
<p>SD2 - Failure to collect financial contributions or to enforce the delivery of obligations within Section 106 Agreements.</p>	<p>Failure to collect financial contributions or to enforce obligations within Section 106 Agreements. Slight increase in likelihood of requests to defer payments or review viability of development schemes in response to COVID-19 impacts.</p> <p>Likelihood is unlikely but the impact is significant.</p>	<p>Treat the risk through continuous action and review.</p>	<p>Implementation of new software is now complete.</p> <p>Team Leader overseeing the process with dedicated officer monitoring and reviewing progress of agreements relating to 'live' sites.</p> <p>The Service has been recently audited and has put in place actions to address the minor recommendations.</p> <p>Continued use of District Valuer in vetting additional requests for viability review. Discretion over enforcement or payment plans can ensure collection of fees over longer period if cashflow a problem for developers.</p> <p>Page 31 of 67</p>	<p>No change to rating or mitigating actions</p>	<p>Planning and Strategic Housing</p>

			Once S106 funds are received, Planning Policy team send regular reminders to colleagues including external bodies to minimise the risk of S106 money going unspent.		
SD3 – Safety standards	<p>Failure to comply with basic safety standards in flats/blocks with communal areas.</p> <p>Work has been undertaken to put specialist fire asbestos, legionella contracts in place.</p> <p>Likelihood is medium and impact has potential to be significant.</p>	Treat the risk through continuous action and review.	<p>Process underway to update safety procedures for fire, gas, electricity, legionella and asbestos to ensure the Council has appropriate controls in place to manage risks. Progress made so far includes:</p> <ul style="list-style-type: none"> • Fire safety contractor appointed. • Gas servicing 100% compliant. • Electrical testing contractor appointed. • Legionella - sheltered schemes testing in place, void properties shower heads/dead legs removed. <ul style="list-style-type: none"> • Asbestos testing contractor appointed. • Asbestos removal contractor appointed. • Successful completion of an asbestos audit by the Health and Safety Executive. <p>Whilst the likelihood reduces as contracts are in place, works programmes to the value of £250,000 per annum are required for the next two years to achieve full compliance, so the overall likelihood remains medium. Fire safety work is now underway in communal blocks, including consultation with tenants affected by the work. Additional contractor capacity is being negotiated in order to increase volume of programme.</p> <p>Revised and updated Housing Safety policies were agreed by Housing and Community Services Committee in November 2020. A recent Internal Audit of Housing Safety has confirmed that the systems in place provide “reasonable assurance” in this area.</p>	No change to rating, mitigating actions updated	Housing Services
SD4 – Universal Credit	Loss of income to the Housing Revenue Account through full roll out of Universal Credit (UC) from November 2018.	Treat the risk through continuous action and review.	<p>Welfare Reform Group, including key internal/external partners, meets on a monthly basis to manage roll-out against an agreed action plan.</p> <p>Invested in solutions to maximise opportunities to collect income and support those in financial difficulty.</p>	No change to rating, mitigating actions updated	Housing Services

	<p>There is still uncertainty as to the financial impact of this, but the Council has plans in place working with internal/ external stakeholders to manage this process.</p> <p>Likelihood is high and the impact is moderate.</p>		<p>The Impact of COVID19 on Council tenants has seen a sharp rise in the number of UC Claimants although the rate of increase slowed as lockdown was eased.</p> <p>Delays in UC payments have led to a rise in rent arrears. The Housing Service, in partnership with DWP, has made operational changes to mitigate this risk.</p>		
<p>SD5 – Reduction in funding for Cultural and Community Services</p>	<p>Reduction of Council funding into Cultural and Community Services. Unable to source external funding to service.</p> <p>There is likely to be additional funding needed to replace income lost through Covid-19.</p> <p>Likelihood is moderate and the impact is moderate</p>	<p>Treat the risk through continuous action and review of funding streams and Cultural and Community Services Restructure.</p>	<p>Forward budget planning over a number of years. Approvals for reserve spend to secure staffing positions up to March 2021 initially for Active Communities.</p> <p>Maintain current funding contribution that the Council makes towards the Active Communities service.</p> <p>The Council is in the final year of a three-year funding agreement with the Police and Crime Commissioner (PCC) for £25,000 per year Community Safety Funding.</p> <p>The Council receives £35,000 per year Basic Command Unit funding from the Chief Superintendent. This is received annually with no long-term commitment.</p> <p>Rolls Royce new three-year sponsorship of the Environmental Education Project confirmed.</p> <p>Continually seek external funding opportunities to support service delivery. This will extend to Covid-19 new funding pots.</p> <p>Successful partnership funding has been achieved with the Green Social Prescribing Programme.</p> <p>Government Funding for the Leisure Centres has been submitted.</p> <p>Monthly assessment of income lost through Covid-19 restrictions on service.</p>	<p>No change to rating some success in mitigating actions</p>	<p>Cultural and Community Services</p>
<p>SD6 - Ageing infrastructure</p>	<p>Need to upgrade Infrastructure at Rosliston Forestry Centre.</p>	<p>Treat the risk through continuous</p>	<p>Condition survey updated as part of procurement exercise for new contractor.</p>	<p>Rating changed to green. Mitigating</p>	<p>Cultural and Community Services</p>

<p>at Rosliston Forestry Centre</p>	<p>Regular meetings held at operational and strategic levels with the Forestry Commission.</p> <p>Likelihood is moderate but the impact would be moderate.</p>	<p>action and review.</p>	<p>Focus on implementing infrastructure requirements identified in external consultant's report.</p> <p>Capital Programme bid successful with the majority of the projects needed supported.</p> <p>Project plans for the delivery of the capital projects being prepared.</p> <p>Collaboration with Head of Corporate Property on improvements to the Planned Preventative Maintenance (PPM).</p> <p>Engage tenants and keep Senior Leadership Team informed</p> <p>Covid-19 pandemic has enabled an opportunity to do some minor health and safety works whilst the site was closed to the public.</p>	<p>actions updated to include health and safety works.</p>	
<p>SD7 - Failure to meet housing delivery targets set out in the five-year supply.</p>	<p>Failure to meet housing delivery targets.</p> <p>Local Plan is in place which sets out the five-year supply. Latest monitoring for 19/20 indicates the Council was performing above target.</p> <p>Likelihood is low but could move to moderate in light of COVID-19 impacts pushing delivery back in the Plan period, but the impact would be significant.</p>	<p>Treat the risk through continuous action and review.</p>	<p>Monitoring/review of performance ongoing.</p> <p>Active pursuit of schemes and opportunities. Increased focus on facilitating prompt commencement of development.</p> <p>Develop action plan(s) where necessary.</p> <p>Current five-year housing land supply rate at 5.76 years - most sites started are building at a rate above that originally anticipated such that c.1300 were completed in 2019/20 - work to accelerate progress on two sites continues.</p> <p>Support government proposals to offer flexibility in supply and delivery requirements in light of COVID-19 effects.</p>	<p>No change to rating, five-year housing land supply amended from 5.92 to 5.76 years.</p>	<p>Planning and Strategic Housing</p>
<p>SD8 - Failure of IT infrastructure that supports Planning Systems,</p>	<p>Ongoing issues with IT infrastructure that supports Planning systems.</p> <p>Likelihood is unlikely and the impact would be significant.</p>	<p>Treat the risk through continuous action and review.</p>	<p>New system went live on 1st August 2019. Work continues towards implementing remaining 'modules' of the software, migrating data and decommissioning old systems.</p> <p>Page 34 of 67</p> <p>Monitoring performance of new system following implementation with consideration of what additional</p>	<p>No change to rating or mitigating actions</p>	<p>Planning and Strategic Housing</p>

LLPG and Land Charges.			resource is necessary to complete the project and/or fully realise the benefits of the software.		
SD9– Melbourne Sports Park	<p>Failure to deliver against external funder requirements at the Melbourne Sports Park (MSP). Ongoing discussions with national funders.</p> <p>MSP negatively affected by Covid-19 with no income generation for 3+ months. Some external grants success to support this impact but not all.</p> <p>Likelihood is low /medium, but the impact would be significant.</p>	Treat the risk through continuous action and review.	<p>Regular Artificial Grass Pitch (AGP) Steering Group meetings.</p> <p>Matter under regular review at MSP Board meetings. Key funder in attendance at AGP steering group meetings.</p> <p>MSP Board not meeting business plan income targets so close monitoring required.</p> <p>Scheme to deliver additional car parking on site completed. Elements of Drainage scheme on MSP site and adjacent landowners virtually complete. Works in road awaiting time slot from DCC. Improved rugby pitches playability should increase income generation from bar and catering.</p>	No change to rating, mitigating actions updated.	Cultural and Community Services
SD11– Tree Management	<p>Failure to manage the Council's tree stock in line with adopted Tree Management policy.</p> <p>Likelihood is low but the impact would be significant.</p>	Treat the risk through continuous action and review.	<p>Review of approved Tree Management Policy completed. New Tree Strategy and Policy planned to go to Committee early next financial year.</p> <p>Implementation of the Cultural and Community Services restructure will enable greater staff resources for tree work.</p>	No change to rating or mitigating actions.	Cultural and Community Services
SD12 –Ageing Infrastructure at Greenbank Leisure Centre	Infrastructure at Greenbank Leisure Centre including pipework to pool and roof structure needs investment.	Treat the risk through continuous action and review	<p>Building condition survey is being updated and a planned maintenance programme put in place. Head of Corporate Property.</p> <p>Complete the necessary works identified in external consultant's report.</p> <p>Work has started on site.</p> <p>Ensure that there is capital funding to complete the necessary works.</p>	No change to rating, mitigating actions updated.	Cultural and Community Services
			Page 35 of 67		

SD14- Performance of kerbside recycling contractor	Kerbside recycling contractor is failing to deliver the service on scheduled dates. Risk to change to Kerbside recycling contractor fails to deliver the service due to subcontractor going into administration.	Treat the risk through continuous action and review	Ongoing discussions are taking place with the contractor. Contingency plans have been put in place by the Council to step-in and deliver the contract at short notice. Additional vehicles hired and agency workers employed. Contingency Plans should be sufficient to deliver the service with minimal disruption for the foreseeable future. Interim arrangements beyond the current contract term are being developed as per Committee's endorsement. The uncertainty around recycle reprocessing costs could result in costs to the Council escalating. Market testing exercise will commence shortly.	Rating changed from amber to red. Mitigating actions updated	Operational Services
SD15 Leisure Centres provide	Due to the National Lockdowns and control of coronavirus measures there is a risk that our Leisure Centre providers can no longer sustain their business.	Treat the risk through continuous action and review	Apply to Government for National Leisure Recovery Fund (completed). Monthly assessment of Leisure Provider's finances and assessment of support from SDDC through monthly contract meetings. Contingency plans are also being developed should the contractor not be in a position to deliver the contract at short notice.	New Risk	Cultural and Community Services

SERVICE DELIVERY RISK MATRIX				
Likelihood				
4 High		SD1, SD4, SD15		
3 Medium		SD5, SD6	SD3, SD12,	SD14
2 Low		SD6	SD7, SD9, SD11	

1 Unlikely			SD2, SD8	
	1 Minor	2 Moderate	3 Significant	4 Catastrophic
	Impact			

Risk Description

- SD1** Loss of income to the Housing Revenue Account
- SD2** Failure to collect financial contributions/enforce obligations within S106 Agreements.
- SD3** Safety standards
- SD4** Universal Credit
- SD5** Reduction in funding for Cultural and Community Services
- SD6** Ageing infrastructure at Rosliston Forestry Centre
- SD7** Failure to meet housing delivery targets set out in the five-year supply.
- SD8** Failure of IT infrastructure that supports Planning Systems, LLPG and Land Charges.
- SD9** Melbourne Sports Park
- SD11** Tree Management
- SD12** Green Bank Leisure Centre
- SD14** Performance of kerbside recycling contractor
- SD15** Leisure Centres

REPORT TO:	ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE	AGENDA ITEM: 6
DATE OF MEETING:	4 th MARCH 2021	CATEGORY: DELEGATED/ RECOMMENDED
REPORT FROM:	CHIEF EXECUTIVE	OPEN/EXEMPT PARAGRAPH NO:
MEMBERS' CONTACT POINT:	NIGEL J MARSTON 01283 595 716 nigel.marston@southderbyshire.gov.uk	DOC:
SUBJECT:	STREET TRADING – REVISION OF STREET TRADING POLICY	REF:
WARD(S) AFFECTED:	ALL	TERMS OF REFERENCE:

1. Recommendations

- 1.1 That Members note the consultation responses received in relation to the Street Trading Policy at **Appendix 2**.
- 1.2 That Members approve the Council's Street Trading Policy.

2. Purpose of Report

- 2.1 To provide Members with the outcome of a consultation with interested parties.
- 2.2 To provide Members with the necessary information to be able to consider the recommendations contained in paragraph 1 of this report.

3. Detail

- 3.1 Under Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982, a Council has the power to adopt the Schedule enabling them to control street trading in their District. This Council adopted Schedule 4 in April 1991 and designated streets in Swadlincote as consent streets therefore any person trading in these streets would require a consent from the Council.
- 3.2 The Council passed a further resolution and updated the Street Trading Policy in 2016. The effect of this policy change was to increase the number of designated consent streets to include all streets within the boundary of the Town Centre as detailed on the map contained at **Appendix 2** of the policy.

- 3.3 It is considered best practice to review policies at least every 5 years, as this policy has been in place since September 2016 the policy has been reviewed in line with this requirement.

Consultation

- 3.3 A 12-week consultation took place between the 28th of October 2020 and the 28th of January 2021. Copies of the Policy were sent to the following:

The Highways Agency
The Chief Officer of Derbyshire Constabulary
Derbyshire Fire & Rescue Service
Swadlincote Chamber of Trade
All Parish Council's in South Derbyshire
South Derbyshire Councillors'
Environmental Health
Economic Development
Existing license holders an

The Policy was also placed on the Council's website.

- 3.4 3 responses were received during the consultation period. A summary of the points raised in relation to these responses received can be found at **Appendix 2**. The amended draft Policy is attached as **Appendix 1**.

4. Financial Implications

- 4.1 There are no financial implications to the Council.
- 4.2 Recommendation 1.1 and 1.2 will have no financial implications on existing licence holders.

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 protection of residents, children, and vulnerable adults from the potential harms of licensing seriously, 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 all relevant bodies.

Equality and Diversity Impact

6.2 None

Social Value Impact

6.3 The proposals will protect all residents in South Derbyshire from the potential harms of inadequate licensing controls.

Environmental Sustainability

6.4 None

7. Background Papers

Street Trading Policy 2016

Local Government (Miscellaneous Provisions) Act 1982

Street Trading Policy

Licensing
2021 - 2026

Table of Contents

Version Control.....2

Approvals.....2

Associated Documentation3

1. Introduction3
2. Purpose of the Policy3
3. Consultation4
4. Review of the Policy4
5. Legislation and Current Provision.....4
6. Delegation of Functions.....5
7. General Principles5
8. Applications for the Grant of a Street Trading Consent.....6
9. Applications to Renew a Street Trading Consent7
10. Transfer of a Street Trading Consent.....7
11. Variation of a Street Trading Consent.....7
12. Revocation of a Street Trading Consent7
13. Markets.....8
14. Special Event Consent8
15. Fees8
16. Conditions9
17. Compliance and Enforcement.....9
18. Contacts9

Appendix 2 Map & Sample Conditions 11

Version Control

Version	Description of version	Effective Date

Approvals

Approved by	Date



--	--

Associated Documentation

Description of Documentation	

1. Introduction

- 1.1 Under Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982 (“the Act”), a Council has the power to adopt the Schedule enabling them to control street trading within their District. Once this Schedule has been adopted, a Council may choose to designate any street within its areas as a prohibited, licence or consent street.
- 1.2 South Derbyshire District Council adopted Schedule 4 in April 1991. The Council choose to designate the streets within the street trading area as consent streets.

2. Purpose of the Policy

- 2.1 This Policy sets out the Council’s framework for the management of street trading in the District. Through the street trading scheme, the Council aims to regulate the location and number of street traders. The scheme also aims to prevent the obstruction of the streets of Swadlincote by street trading activities. In doing so, the Council recognises the importance of licensed businesses to the local economy and the character of the area whilst trying to ensure that the activities do not cause nuisance or annoyance to the people in the area.
- 2.2 This Council will have regard to this Policy when determining street trading applications. Each application or enforcement measure will be considered on its own merits. Where it is necessary for the Council to depart substantially from this Policy, clear and compelling reasons will be given for doing so.



2.3 This Policy will also assist applicants and existing permit holders with the application process and advising how applications will be determined.

2.4 The Council undertakes to avoid duplication with other statutory provisions and our commitment to work in partnership with other relevant enforcement agencies.

3. Consultation

3.1 In determining this Policy, the Council has consulted with the following people and bodies:

- Derbyshire Constabulary;
- Derbyshire Fire and Rescue Service;
- Derbyshire County Council Highways;
- All current consent holders;
- Members of the public.

3.2 The following departments within the Council have also been consulted:

- Economic Development;
- Community;
- Planning;
- Environmental Health;
- Legal and Democratic Services.

3.3 The views of all appropriate bodies and organisations have been considered and taken into account.

4. Review of the Policy

4.1 This Policy will be reviewed every 5 years. At the time of review, the Council will consult with the list of people detailed above. In addition to the 5 yearly review, the Council will continue to evaluate the Policy and may update it at any time. Any minor changes to the Policy have been delegated to the Legal and Democratic Services Manager.

5. Legislation and Current Provision

5.1 In 1991, the Council resolved to designate the streets in Swadlincote Town Centre as 'consent streets' therefore any person trading in these streets would require a consent from the Council.

5.2 In 2016, the Council resolved to increase the streets designated as consent streets to include all streets within the boundary of the Town Centre as detailed on the map attached at Appendix 1 of this Policy and as detailed below:

Civic Way, walkway to Toulmin Drive leading to Rowley Court to back of Belmont Street Industrial Estate to Belmont Street to Civic Way to back of Church Street to Hill Street to Sir Herbert Wragg Way to Coppice Side to back of Pipeworks Retail Park to back of Rink Road



to Alexandra Road to back of West Street to Heathcote Road to back of Sainsburys to William Nadin Way to Darklands Lane to Darklands Road.

5.3 Any street trading that takes place in any of the areas within the boundary as marked on the map will require a street trading consent from the Council. Please note that in addition to a street trading consent, other permissions may be required from the Council in order to trade in the town centre.

5.4 Street trading is defined as 'the selling or exposing or offering for sale of any article (including a living thing) in a street.' The following are not street trading for the purposes of this Policy:

- (a) Trading as a pedlar under the authority of a pedlar's certificate granted under the Pedlars Act 1971;
- (b) Any trade in a market or fair, the right to hold which was acquired by virtue of a grant (including a presumed grant) or acquired or established by virtue of an enactment or order;
- (c) Trading as a news vendor;
- (d) Trading at or adjoining a shop business as part of the business of the shop;
- (e) Offering or selling things as a roundsman. A roundsman does not include ice cream sellers or mobile catering vehicles.

5.5 A street is defined as 'any road, footway, beach or other area to which the public have access without payment and a service area as defined in section 329 of the Highways Act 1980.'

6. Delegation of Functions

- 6.1 Applications for a consent will be determined by Officers unless representations have been received against the application or there are concerns in relation to the applicant.
- 6.2 In these circumstances, the application will be considered by the Licensing and Appeals Sub-Committee. The applicant will be provided with the opportunity to present oral and/or written evidence to Members for consideration.

7. General Principles

- 7.1 No consent will be issued for market days except for consents already in place at the time the Policy comes into force. Market days are Tuesday, Thursday, Friday and Saturday. Any consent granted will state the times and days that a licence holder is permitted to trade.
- 7.2 Trade of general products would normally be expected to be a part of the market.
- 7.3 No new applications for hot or ready to eat food will be granted a street trading consent except for special events consent.
- 7.4 A consent will be held by the Economic Development Department on behalf of South Derbyshire District Council to cover events arranged for or on behalf of the Council.



8. Applications for the Grant of a Street Trading Consent

- 8.1 An application for a consent must be made on the Council's application form which can be found on the Council's website. The relevant fee and supporting documentation detailed on the application form must be submitted with the application form. Applications can also be submitted online via the Council's website.
- 8.2 On receipt of the application, the Licensing Department will send a copy of the application form via email to the following consultees:
- Derbyshire Constabulary;
 - Derbyshire County Council Highways;
 - Environmental Health;
 - Economic Development Department;
 - Cultural Services Department;
 - Current holder of the market contract;
 - Ward Councillors.
- 8.3 There will be a 28 day representation period for any representations to be received in relation to the application.
- 8.4 If no representations are received, the application will be granted as applied for subject to the standard conditions.
- 8.5 If any representation is received in relation to an application for consent, the application will be referred to the Licensing and Appeals Sub-Committee for determination. The Council will endeavour to hold the Licensing and Appeals Sub-Committee within 28 days of the end of the representation period.
- 8.6 Each application will be decided on its own merits. Members will determine the application based on all the information received in support of the application and representation(s).
- 8.7 In considering an application, the Council will have regard to the following matters:
- Number, nature and type of traders already in the area;
 - Public safety;
 - Public order;
 - Avoidance of public nuisance;
 - Size and appearance of the stall or vehicle;
 - Needs of the area;
 - Impact on market and town centre retailers;
 - Impact on any planned events;
 - Suitability of the applicant;
 - Environmental credentials.
- 8.8 Following the determination of the application, the applicant and person(s) making representations will be notified of the decision and the reasons in writing within 5 working days of the date of the hearing.

8.9 There is no statutory right of appeal against the refusal to issue a consent.



8.10 Until an application has been determined, it is an offence to trade without a consent.

9. Applications to Renew a Street Trading Consent

9.1 Consents are issued for a period of up to one year.

9.2 Applications to renew a consent must be submitted at least 6 weeks before the expiry of the current consent. Once the renewal application has been received, the Council may consult further to determine if the consent holder is a cause for concern or has been subject to any complaints.

9.3 If a renewal application is not made before the expiry of the current consent, a new application will be required. The effect of this will be that no street trading will be permitted until the new application has been determined.

9.4 If a renewal application has been received prior to the expiry of the current consent, the consent holder will be able to continue to trade whilst the application is being determined.

9.5 In relation to the determination of the renewal application, if there have been no justifiable complaints, enforcement issues or no change in circumstances in the town centre affecting the trader and the fee has been paid, the consent will be renewed.

10. Transfer of a Street Trading Consent

10.1 A street trading consent cannot be transferred or sold to another person except that the consent may be transferred to a member of the consent holder's immediate family in the event of the consent holder's death or incapacity.

10.2 The sub-letting of a pitch is prohibited.

11. Variation of a Street Trading Consent

11.1 Any variation to the details of the consent holder must be notified to the Council in writing. The Council will issue an amended consent on payment of the relevant fee. The original consent must be returned to the Council.

11.2 Any variation to the range of goods for sale, days and/or hours of trading must be notified to the Council in writing. The Council will consider the request taking into consideration the request and the number of existing traders and retailers already offering the proposed goods for sale. Payment of the relevant fee is required. The original consent must be returned to the Council.

12. Revocation of a Street Trading Consent

12.1 If there are any concerns about the consent holder through justified complaints or evidence of breach of conditions, the Licensing Department may refer the consent holder to the Licensing and Appeals Sub-Committee for consideration.



- 12.2 The consent holder will be provided with the opportunity to present oral and/or written evidence to Members for consideration.
- 12.3 There is no right of appeal against the decision to revoke a street trading consent.
- 12.4 Where a consent is revoked, there will be no refund of the application fee.

13. Markets

- 13.1 Swadlincote Market as a Chartered Market is outside the scope of the street trading regime.

14. Special Event Consent

- 14.1 In order to remove the requirement for each individual trader to obtain their own consent, the Council will issue a Special Event Consent that facilitates multi-user street trading for community events.
- 14.2 The application form for a Special Event Consent must be accompanied by permission in principle from the Cultural Services Department.
- 14.3 The consent will be issued for the duration of the specified event only and will be to a named individual. Where the application is made by an organisation, they must nominate a named individual who will be responsible for managing the use of the consent.
- 14.4 The consent holder will be responsible for ensuring compliance with the conditions attached to the consent at all times whilst the consent is being used to facilitate street trading.
- 14.5 The consent holder will be required to keep records of all traders that use the Special Event Consent including the date, trading location, name and company name, address, vehicle registration, contact telephone numbers and items for sale.
- 14.6 Special Event Consents provide exclusive control over trading in the designated area. Individuals are still able to apply direct to the Council for a consent. Licence holders of an annual consent will not be able to trade during a special event unless written permission has been granted from the Council.

15. Fees

- 15.1 Fees will be set and reviewed annually on a full cost recovery basis. Details of the current fees can be found on the Council's website.
- 15.2 The initial application fee for the grant of a consent is payable on application. Arrangements can be put in place to enable the renewal fee to be paid quarterly in advance.
- 15.2 Where trading ceases during the term of a consent, written notice must be provided to the Council. The consent must be returned with the notification. Any refund due will be issued on a pro rata basis for the number of whole months remaining on the consent.



16. Conditions

- 16.1 On the grant of a consent, the standard conditions will apply to the consent. The standard conditions are not exhaustive and other conditions may be attached to individual consents where appropriate. A copy of the standard conditions can be found at Appendix 2 of this Policy.
- 16.2 Street trading can only be carried out from the stall or vehicle authorised on the consent. Any changes to or replacement of the stall or vehicle must be approved by the Council.

17. Compliance and Enforcement

- 17.1 Each consent holder must comply with the standard conditions at all times. To ensure compliance with the conditions, the Licensing Officer may visit traders during the term of the licence.
- 17.2 The Council is committed to enforcing the provisions contained within the relevant legislation and to work in partnership with all enforcement agencies to provide consistent enforcement on licensing issues.
- 17.3 Where unlicensed street trading takes place or conditions attached to a consent are breached, the Council will gather evidence and take the necessary enforcement action in line with the Corporate Enforcement Policy.
- 17.4 Consent holders selling hot food and/or beverages between 11pm and 5am must be authorised by way of a premises licence under the Licensing Act 2003.

18. Contacts

- 18.1 The Licensing Department can be contacted on the following details:

In writing: South Derbyshire District Council
Council Offices
Civic Way
Swadlincote
Derbyshire
DE11 0AH

Telephone: 01283 221000

Email: licensing@southderbyshire.gov.uk



Appendix 2

Conditions attached to a Street Trading Consent

1. Street trading can only be carried out from the stall or vehicle authorised under the consent. Any changes to or replacement of the stall or vehicle must be approved by the Licensing Authority.
2. The consent holder shall not be the cause of any nuisance, obstruction or annoyance to any other user of the highway, the occupier of any land or building or the Council. Consent holders shall have special regard to and must take positive action to prevent excessive noise.
3. The consent holder shall ensure refuse originating from their trade is disposed of by a licensed waste carrier and shall leave the site clear of refuse at the completion of trading. No water or waste material shall be discharged on to the highway or any adjacent property.
4. The consent holder shall ensure that the area in the vicinity of the stall or vehicle is kept clear of all refuse at all times.
5. The consent holder's stall or vehicle shall be kept in a clean, safe and well maintained condition and be of a presentable appearance.
6. The street trading consent bearing the name of the consent holder shall be prominently displayed on the stall or vehicle so that that it is clearly visible to members of the public during trading hours.
7. The consent holder's vehicle shall be maintained in a roadworthy condition with continuous insurance, tax and MOT certificate.
8. Adequate fire-fighting equipment shall be provided in the stall or vehicle at all times.
9. Where gas cylinders are used, an annual gas safety certificate is required to ensure the safety of all gas cooking and heating equipment.
10. All stalls or vehicles selling hot food or drinks are required to carry a first aid kit.
11. All staff involved in the preparation of food shall hold a current Level 2 Food Safety Certificate.
12. A street trading consent cannot be transferred or sold to another person except that the consent may be transferred to a member of the consent holder's immediate family in the event of the consent holder's death or incapacity.
13. Sub-letting of pitches is prohibited.
14. The consent holder must be the principal operator and have day to day control of the stall or vehicle. The consent holder may employ any other person to assist in the operating of the stall or vehicle and shall notify the Licensing Authority of the name and address of that person.
15. The consent holder shall have and maintain an insurance policy against public liability and third party risks. The insurance certificate should be produced to the Authorised Officer on request.

16. The consent holder shall at all times obey all tariff regulations in force in the consent area.

DRAFT



Appendix 2 – Street Trading Consultation Responses

Response Received from:	Response	Suggested Action to be Taken
<p>Matt Holford – Environmental Health</p>	<p>If possible, we'd like to use the policy to positively influence the food hygiene standards and environmental credentials of the traders.</p> <p>A suggestion on food hygiene is to include the following condition in the Appendix 2 list of standards conditions;</p> <p>All street traders selling food or drink shall be registered as a food business. It is the expectation of the Council that all such businesses shall maintain a food hygiene rating score of 4 or 5. Where the traders fails to maintain such a score then the local authority may refuse to renew (under section 9 of the Policy) or seek to revoke (under section 12 of the Policy) the license. These will be determined on a case by case basis.</p>	<p>New condition to be added to schedule of conditions. Condition to read as follows:</p> <p>The holder of a street trading consent shall hold a four- or five-star food hygiene rating for the food unit; should that rating fall below four star, the consent holder shall ensure that at least a four star rating is obtained within 3 months of receiving a lower score; should this not be obtained; the consent shall be revoked.</p>
<p>Matt Holford – Environmental Health</p>	<p>I'm conscious that, by necessity, the conditions in the Policy are all framed as 'shall' (i.e. mandatory), whereas our environmental aspirations are substantively about influencing where we don't have the legal powers to compel.</p> <p>I've added in a proposed condition 17 which you're welcome to amend if you don't think it fits. I'm not particularly happy with my wording of "Consent holders shall seek to continually reduce their environmental impact" because it's pretty subjective, so any suggestions which provide wording which is more enforceable but remains within the boundaries of what the LG(MP) Act allows for inclusion in a consent is welcome.</p> <p>South Derbyshire District Council meets the ISO14001 environmental management standard and consent holders shall ensure that they comply with all relevant environmental law while operating under the terms of this consent. Consent holders shall</p>	<p>See suggested new condition below.</p>

	<p>seek to continually reduce their environmental impact in accordance with the Councils Environmental Policy through steps including more local sourcing of products, reducing energy consumption, minimising waste and reduced carbon emissions.,</p>	
<p>Heather Foster – Environmental Protection</p>	<p>Further to Matt’s comments thank you so much for sending this over, its great to see the enthusiasm for environment shining through</p> <p>A few notes:</p> <ul style="list-style-type: none"> • Section 8.7 – Like that environmental credentials are there! No changes just some questions for ISO: <ul style="list-style-type: none"> ○ How do we track traders on their environmental credentials? Do we have a form that I could review to see what we ask? Waste, Water, fuel, sourcing of produce etc (as assuming they are small businesses). Then this could help with point scoring in future. ○ Some ideas - We could give them some great resources to things they could do environmentally and link in with Matts comment? ○ Do they have to re-apply for licences? Could ask them what they are doing differently to support environmental aims? • Appendix 2 – Love that waste is captured 😊 including waste water – maybe we add it to the below: <ul style="list-style-type: none"> ○ As per the line in contention at the moment could we reword to the below? And maybe put elements into a table? ○ As per the line in contention at the moment could we reword to the below? And maybe put elements into a table? 	<p><i>New Suggested Condition to read as follows:</i></p> <p><i>The consent holder is to be aware of the Council’s commitment to protecting our environment and asks all consent holders to understand their impact on the environment from their activities, what it purchases/sells, including the impact of waste and emissions to the district. We ask consent holders to support:</i></p> <ul style="list-style-type: none"> • <i>Reducing their emissions</i> <ul style="list-style-type: none"> ○ <i>Supply chain from local businesses</i> ○ <i>Use electric or renewable power sources including vehicles to travel to or moving items</i> ○ <i>Ask your supply chain how they are reducing their impact or choose ‘greener’ option</i> ○ <i>For food businesses - Use ‘in season’ local ingredients, as a first choice and offer/ expand plant based alternative meals.</i> • <i>Reduce their waste and others waste:</i> <ul style="list-style-type: none"> ○ <i>Review food portion size and ingredients to support human health, less food waste and save business money.</i> https://lovefoodhatewaste.com/ ○ <i>support people using reusable containers/cups</i>

	<p>17. The consent holder is to be aware of the Council’s commitment to protecting our environment and asks all consent holders to understand their impact on the environment from their activities, what it purchases/sells, including the impact of waste and emissions to the district. We ask consent holders to support:</p> <ul style="list-style-type: none"> • Reducing their emissions <ul style="list-style-type: none"> ○ Supply chain from local businesses ○ Use electric or renewable power sources including vehicles to travel to or moving items ○ Ask your supply chain how they are reducing their impact or choose ‘greener’ option ○ For food businesses - Use ‘in season’ local ingredients, as a first choice and offer/ expand plant based alternative meals. • Reduce their waste and others waste: <ul style="list-style-type: none"> ○ Review food portion size and ingredients to support human health, less food waste and save business money. https://lovefoodhatewaste.com/ ○ support people using reusable containers/cups ○ ban single use plastics – look at compostable alternatives ○ look for alternatives that are compostable or 100% made from recycled materials or can be recycled without having an plastic inner lining etc ○ Left over food – join with food banks or OLIO scheme to share food - https://olioex.com/ 	<ul style="list-style-type: none"> ○ ban single use plastics – look at compostable alternatives ○ look for alternatives that are compostable or 100% made from recycled materials or can be recycled without having an plastic inner lining etc ○ Left over food – join with food banks or OLIO scheme to share food - https://olioex.com/ <ul style="list-style-type: none"> • Help spread the word – South Derbyshire declared a climate emergency to be carbon neutral before 2050 <ul style="list-style-type: none"> ○ Tell customers how they should dispose of their packaging and/or promote them bring re-usable cups/ containers (prior COVID restrictions) ○ Tell customers what you are doing which is positive for the environment ○ Speak to your suppliers to see how we can all work towards reducing our impact on the environment and reducing our emissions <p>New Suggested condition to read as follows:</p> <p><i>The consent holder shall ensure that they comply with all relevant environmental law while operating under the terms of this consent</i></p>
--	---	---

Appendix 2 – Street Trading Consultation Responses

	<ul style="list-style-type: none"> • <i>Help spread the word – South Derbyshire declared a climate emergency to be carbon neutral before 2050</i> <ul style="list-style-type: none"> ○ <i>Tell customers how they should dispose of their packaging and/or promote them bring re-usable cups/ containers (prior COVID restrictions)</i> ○ <i>Tell customers what you are doing which is positive for the environment</i> ○ <i>Speak to your suppliers to see how we can all work towards reducing our impact on the environment and reducing our emissions</i> <p><i>18. The consent holder shall ensure that they comply with all relevant environmental law while operating under the terms of this consent</i></p> <p><i>17. a - The consent holder shall ensure refuse originating from their trade is disposed of by a licensed waste carrier and shall leave the site clear of refuse at the completion of trading. No water or waste material shall be discharged on to the highway or any adjacent property.</i></p>	<p><i>New Suggested condition to read as follows:</i></p> <p><i>The consent holder shall ensure refuse originating from their trade is disposed of by a licensed waste carrier and shall leave the site clear of refuse at the completion of trading. No water or waste material shall be discharged on to the highway or any adjacent property.</i></p>
<p>Cllr Amy Wheelton</p>	<p>I have read your email and policy with interest and I note under 8.7 Environmental credentials is mentioned, whilst this is in no way my area of expertise if it possible please to ensure the regulations are worded widely enough to include future changes such as the Environmental Bill detail in line with the Corporate Plan keeping the Environment at the heart of the Council, noise, litter and environmentally friendly do appear to be very much at the heart of my and our residents thoughts.</p>	<p>Amended conditions above address this request</p>

Appendix 2 – Street Trading Consultation Responses

Linton Parish Council	No Comments	

REPORT TO:	ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE	AGENDA ITEM: 7
DATE OF MEETING:	4th MARCH 2021	CATEGORY: DELEGATED/ RECOMMENDED
REPORT FROM:	CHIEF EXECUTIVE	OPEN/EXEMPT PARAGRAPH NO:
MEMBERS' CONTACT POINT:	NIGEL MARSTON nigel.marston@southderbyshire.gov.uk	DOC:
SUBJECT:	SAFEGUARDING TRAINING FOR PRIVATE HIRE DRIVERS	REF:
WARD(S) AFFECTED:	ALL	TERMS OF REFERENCE:

1. Recommendations

- 1.1 That the Council amend the wording of the Private Hire Licensing Policy 2021 – 2026 as per the table contained at paragraph 3.6 of this report

2. Purpose of Report

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

3. Detail

- 3.1 In July 2020, the Department of Transport issued the Statutory Taxi and Private Hire Standards (“the Standards”). The Standards include recommendations on exercising the taxi and private hire licensing functions to protect children and vulnerable adults in addition to all users of the trade. The Standards require that the recommendations be implemented by each Licensing Authority unless there is a compelling local reason not to do so. The Standards require all licensing authorities to publish their consideration of the recommendations detailed in the Standards.
- 3.2 This authority considered the standards and adopted a new Private Hire Licensing Policy. This report seeks to amend the section of that policy that refers to Child Sexual Exploitation awareness training.
- 3.3 Child Sexual Exploitation (CSE) which our policy refers to is rightly a concern for local authorities, however it is just one aspect of a wider concept known as “safeguarding”. Safeguarding encompasses issues including county lines, sexual and physical abuse, child sexual exploitation, modern slavery, radicalisation etc. It is therefore proposed that references within the policy to CSE should be removed and replaced with “Safeguarding”.

3.4 The current policy requires that the training be provided by officers of the council and free of charge to drivers. This is not a sustainable model and it is proposed that the Council adopt a more modern approach to delivering this training.

3.5 It is therefore proposed that the Council select an external provider to provide this training.

3.6 Proposed Changes to Policy Wording

Current Paragraph & Wording	Proposed
Current section heading at page 27 is Child Sexual Exploitation Awareness Training	This is about so much more than just child sexual exploitation. Suggest amending heading to "Safeguarding" which is more encompassing
3.48 The Council requires all drivers to undertake child sexual exploitation awareness training. The training will be arranged by the Council. No fee will be payable. If a driver has undertaken an equivalent training course, they will not need to complete the training if a certificate has been provided to the Council.	3.48 The Council requires all drivers to undertake safeguarding training. The training will be provided by the Council's approved training partner. The cost for the training to be paid directly by the applicant.
3.49 Existing drivers will have until 1 st November 2019 to complete the child sexual exploitation training. If a driver has not completed the training by this date, their private hire driver's licence will be suspended until the training has been completed.	Remove this paragraph completely, it is historic and no longer required.
3.50 For all new applicants, the training must be completed prior to the grant of a private hire driver's licence.	For all new applicants, the training must be completed prior to making an application for the grant of a private hire driver's licence. A copy of the certificate confirming the training has been completed must be supplied with the application.
3.51 Every licence holder will have to complete refresher training every 3 years in line with the renewal of their private hire driver's licence. An application to renew the private hire driver's licence will not be determined until the refresher training has been completed.	Every licence holder will have to complete refresher training every 3 years in line with the renewal of their private hire driver's licence. An application to renew the private hire driver's licence will not be determined until the refresher training has been completed. A copy of the certificate confirming that the training has been completed must be submitted with the renewal application

4.1 There are no direct financial implications to the Council. It will release officers from providing this training and free them up to undertake an increased number of inspections, which is a target within the service plan.

4.2 There are financial implications to private hire drivers, although these are offset by the fact that the training is a legitimate business expense and can therefore be claimed as a tax expense.

5. **Corporate Implications**

Employment Implications

5.1 None

Legal Implications

5.2 The training will ensure that the Council is meeting the requirements of the Secretary of States Statutory Guidance

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 None required.

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 Private Hire Licensing Policy 2021-2026

REPORT TO:	ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE	AGENDA ITEM: 8
DATE OF MEETING:	4th March 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 – 4th March 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
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

Provisional Programme of Reports To Be Considered by Committee		
Corporate Plan 2020 - 2024: Performance Report Q3	4 th March 2021	Clare Booth Corporate Performance & Policy Officer (01283) 595788
Street Trading – Revision of Street Trading Policy	4 th March 2021	Nigel Marston Senior Licensing Officer (01283) 595716
Safeguarding Training for Private Hire Drivers	4 th March 2021	Nigel Marston Senior Licensing Officer (01283) 595716
Waste Interim Service Proposals	21 st April 2021	Adrian Lowery Head of Operational Services (01283) 595764
S106 Developer Contributions Protocol	21 st April 2021	Karen Beavin Planning Policy Team Leader (01283) 595749
S106 Monitoring Officer Post	21 st April 2021	Karen Beavin Planning Policy Team Leader (01283) 595749
Air Quality Strategy	21 st April 2021	Matt Holford Head of Environmental Services (01283) 595856

Climate and Environmental Action Plan Annual Review	21 st April 2021	Matt Holford Head of Environmental Services (01283) 595856
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
---	---------------	--