

OVERVIEW AND SCRUTINY COMMITTEE

4th September 2019

PRESENT:-

Conservative Group

Councillors Hewlett (Chairman), Brady (Vice-Chairman), Atkin, and Dawson

Labour Group

Councillors Bambrick, and Mrs Stuart

In Attendance

Councillor Mrs Brown

OS/11 **APOLOGIES**

Apologies were received from Councillor Corbin (Conservative Group) and Councillor Gee (Labour Group).

OS/12 **DECLARATIONS OF INTEREST ARISING FROM ITEMS ON AGENDA**

The Committee was informed that no declarations had been received.

OS/13 **QUESTIONS RECEIVED BY MEMBERS OF THE PUBLIC PURSUANT TO COUNCIL PROCEDURE RULE NO. 10**

The Committee was informed that no questions from members of the Public had been received.

OS/14 **QUESTIONS RECEIVED BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NO. 11**

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

OS/15 **REGULATION OF INVESTIGATORY POWERS ACT 2000 (RIPA) – QUARTERLY REPORT ON USAGE**

The Strategic Director (Corporate Resources) outlined the report to Committee, noting that no authorisations had been sought.

RESOLVED:-

The Committee noted the internal report on the Council's use of the Regulation of Investigatory Powers Act 2000.

OS/16 **SECTION 106 HEALTH ALLOCATIONS**

The Planning Delivery Team Leader provided a verbal update to the Committee highlighting that a central contact at the Clinical Commissioning Group (CCG) had been appointed and was working collaboratively with officers. Noting that the CCG are currently developing a strategy to ensure their requests for funding are appropriately targeted.

Councillor Bambrick raised comment in relation to pooling Section 106 funding, seeking clarification on any potential implications. The Planning Delivery Team Leader advised that whilst the restrictions on pooling had been lifted Section 106 funding still needs to be allocated to locations directly related and relevant to any development sites.

The Chairman requested clarification on the role of the Clinical Commissioning Group in relation to unspent Section 106 funding for healthcare. The Planning Delivery Team Leader advised that the Planning Policy team were working with the Clinical Commissioning Group in allocating the available healthcare funding and that a spreadsheet containing current information would be circulated to the Committee. This was welcomed by the Committee.

Councillor Atkin enquired if it could be possible to identify medical centres and GP surgeries by location to assist in viewing which Section 106 funding could relate to which medical centre. The Planning Delivery Team Leader advised that the strategy being developed by the CCG due for delivery by the end of the month would assess the existing stock and should identify the facilities in South Derbyshire. The Planning Delivery Team Leader informed the Committee that a training session on Section 106 Agreements would be scheduled for all Members in October.

RESOLVED:-

The Committee reviewed and noted the content of the report.

OS/17 **AFFORDABLE HOUSING**

The Strategic Housing Manager provided Members with a visual and verbal presentation which included how this Council delivers affordable housing. The Strategic Housing Manager advised that affordable housing for 2019/2020 with 250 new homes to be completed by end of March 2020 were on target. The presentation included a breakdown of affordable housing by Ward and dwelling type and the Strategic Housing Manager advised that challenges to delivery had been identified in the procurement process which could be addressed additional staffing.

The Chairman sought clarification on the provision of affordable housing in relation to the size of a development. The Planning Delivery Team Leader responded that developments with more than fifteen units are required to include affordable housing provision. The Strategic Housing Manager advised Members that where a developer is unable to provide the required quota of affordable housing then a financial contribution is likely to be incurred by the developer on the number of units that have not been delivered.

The Strategic Housing Manager informed the Committee that viability issues including flood risk, contamination, and other on-site complexities have resulted in requests of reduction of affordable housing from developers. The Strategic Housing Manager noted that in circumstances where sites are deemed unsuitable, a commuted sum would be sought.

Councillor Mrs Brown, who was in attendance, sought clarification on the role and appointment of the District Valuer. The Planning Delivery Team Leader advised the District Valuer is part of the Valuation Office Agency, an independent accountable body that works with local authorities and that further information would be provided at the training session in October.

Councillor Bambrick queried the Council's provision of affordable housing seeking clarity on whether some areas within South Derbyshire had a high amount of affordable housing in one location. The Strategic Housing Manager advised that some areas of South Derbyshire were saturated with affordable housing.

Councillor Bambrick raised a query regarding the price of affordable housing across South Derbyshire to which the Strategic Housing Manager responded that it varied in line with market trends. The Strategic Housing Manager updated the Committee that a Strategic Housing Market report would provide a wider assessment of housing needs by Ward and would be aligned to the Older Persons Strategy.

RESOLVED:-

The Committee noted the verbal update on Affordable Housing.

OS/18 **BALANCING PONDS**

The Planning Delivery Team Leader provided a verbal update with advice to the Committee that there could be adoption and maintenance guidance available for Sustainable Urban Drainage Systems (SUDS) from Derbyshire County Council by next year. The guidance could provide this Council with the required standards for balancing ponds.

The Chairman raised concern in relation to the safety and the cost of future maintenance of balancing ponds and SUDS seeking clarity on whether sufficient funding had been made available from developers. The Interim Open Space and Facility Manager responded that the lack of design guidance for balancing ponds and SUDS meant that each site would be assessed on a

case by case basis. An example was provided where one local authority had adopted a Natural Hazard policy similar to that for a canal, river or road where there was no fencing. The Planning Delivery Team Leader responded that in relation to the safety and future maintenance of SUDS, the guidance and specifications of the Construction Management Association and the Royal Society for the Prevention of Accidents are important considerations as is the industry Construction Industry Research and Information Association (CIRIA) recommendations. The importance of District specific guidance and an adoptions policy was also highlighted in order to enable the Council to set standards of design and maintenance that would be required prior to the adoption of a SUDS scheme, as the current system of adoptions was being considered on a case by case basis.

Councillor Brown raised concerns on the risk of flooding in South Derbyshire and suggested a study should cover balancing ponds and SUDS focusing on their safety, maintenance, funding, design, and location and to look into best practices and climatic implications.

In conclusion, a proposal was carried by the Committee to recommend to the Environmental and Development Services Committee for a further study of balancing ponds and SUDS.

RESOLVED:-

The Committee approved to recommend the further study of balancing ponds and SUDS by the Environmental and Development Services Committee.

OS/19 **COMMITTEE WORK PROGRAMME**

The Chairman updated the Committee that, following guidance received; any Task and Finish Group set up by this Committee would need to be composed of Members of the Overview and Scrutiny Committee.

The Committee was advised Digital Derbyshire had been invited to provide further information about Rural Broadband to this Committee.

RESOLVED:

The Committee considered and approved the updated work programme including Annexe 'A'.

OS/20 **LOCAL GOVERNMENT ACT 1972 AS AMENDED BY THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

RESOLVED:-

That, in accordance with Section 100(A)(4) of the Local Government Act 1972 (as amended), the press and public be excluded from the remainder of the Meeting as it would be likely, in view of the nature of

the business to be transacted or the nature of the proceedings, that there would be disclosed exempt information as defined in the paragraphs of Part 1 of the Schedule 12A of the Act indicated in brackets after each item.

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

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

The Meeting terminated at 7.40 pm.

COUNCILLOR J HEWLETT

CHAIRMAN