



**F B McArdle**  
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Our Ref  
Your Ref

Date: 2 November 2022

Dear Councillor,

### **Environmental and Development Services Committee**

A Meeting of the **Environmental and Development Services Committee** will be held at **Council Chamber**, Civic Offices, Civic Way, Swadlincote on **Thursday, 10 November 2022** at **18:00**. You are requested to attend.

Yours faithfully,

Chief Executive

To:- **Labour Group**

Councillor Taylor (Chair), Councillor Pegg (Vice-Chair) and  
Councillors Heath, M. Mulgrew, Singh and Southerd

**Conservative Group**

Councillors Brown, Dawson, Fitzpatrick, Haines, Lemmon and Redfern

**Non-Grouped**

Councillor Wheelton



## 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 (2022-2023 QUARTER 2 – 1 APRIL TO 30 SEPTEMBER) **4 - 43**
- 6 PUBLIC SPACES PROTECTION ORDERS **44 - 49**
- 7 APPROVAL OF THE INFRASTRUCTURE FUNDING STATEMENT 2021-22 **50 - 69**
- 8 PROPOSED BAN ON RELEASE OF BALLOONS ON SDDC LAND **70 - 77**
- 9 COMMITTEE WORK PROGRAMME **78 - 81**

### Exclusion of the Public and Press:

- 10 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.
- 11 To receive any Exempt questions by Members of the Council pursuant to Council procedure Rule No. 11.
- 12 COMMERCIALISATION RESTRUCTURE OF ENVIRONMENTAL SERVICES
- 13 SHARED PROSPERITY FUND



<b>REPORT TO:</b>	<b>ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE</b>	<b>AGENDA ITEM: 5</b>
<b>DATE OF MEETING:</b>	<b>10 NOVEMBER 2022</b>	<b>CATEGORY: DELEGATED</b>
<b>REPORT FROM:</b>	<b>LEADERSHIP TEAM</b>	<b>OPEN DOC:</b>
<b>MEMBERS' CONTACT POINT:</b>	<b>FRANK MCARDLE (EXT. 5700)</b>	
<b>SUBJECT:</b>	<b>CORPORATE PLAN 2020-24 PERFORMANCE REPORT (2022-2023 QUARTER 2 – 1 APRIL TO 30 SEPTEMBER)</b>	
<b>WARD (S) AFFECTED:</b>	<b>ALL</b>	<b>TERMS OF REFERENCE: G</b>

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## **1.0 Recommendations**

- 1.1 That the Committee approves 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*

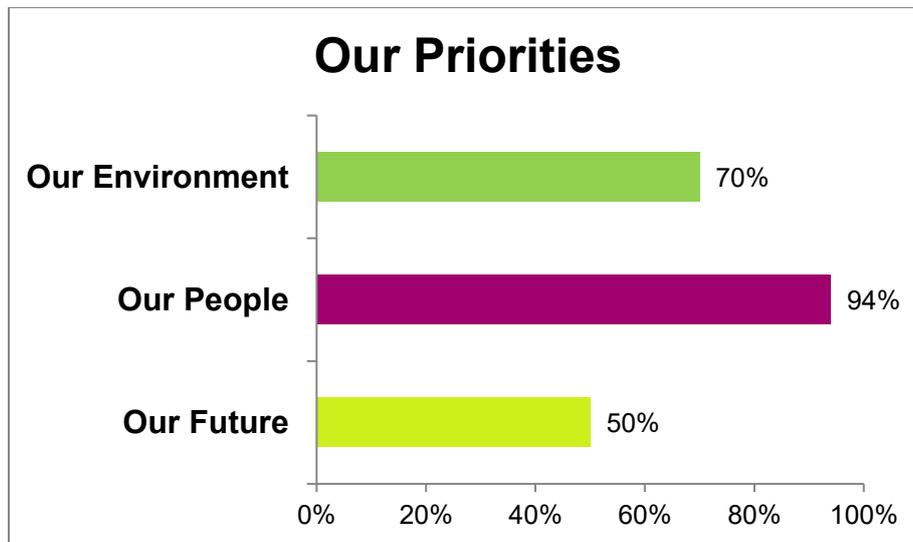
## Our Future

- *Develop skills and career*
- *Support economic growth and infrastructure*

### 4.0 Performance Detail

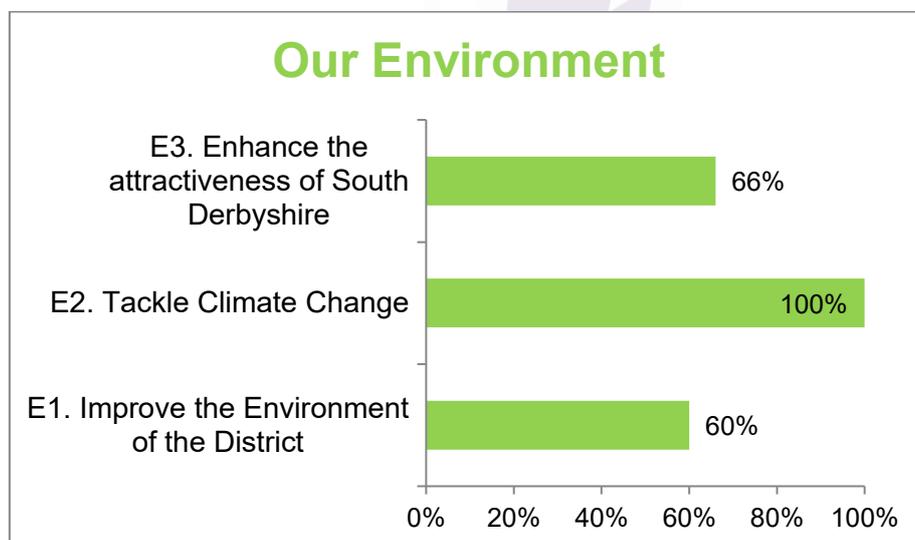
#### 4.1 Overall Council performance against the priorities – Quarter two 2022-2023.

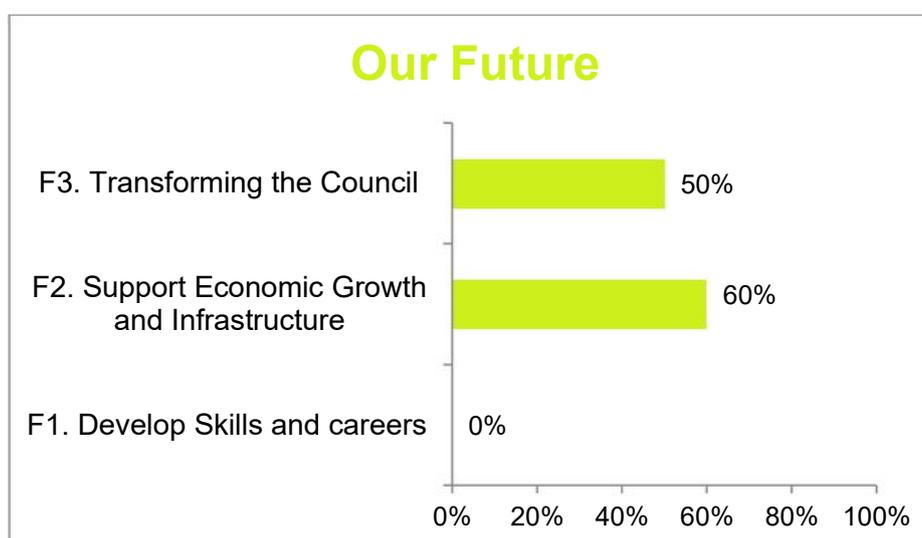
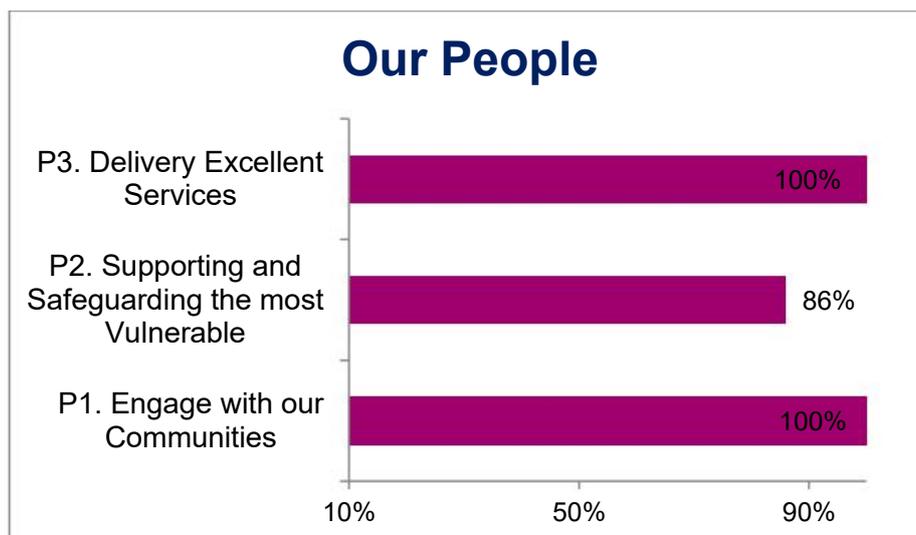
The below chart provides an overview for the percentage of measures that are on track to achieve the overall annual target.



#### 4.2 Overall Council performance against key aims – Quarter two 2022-2023.

The below charts provide an overview for the percentage 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, 19 are green, 5 are amber, 8 are red and three are grey.

Overall, 77% of the key aims within the Corporate Plan are on track to achieve the four-year target. As at quarter two, 70% of indicators are on track for Our Environment, 94% are on track for Our People and 50% are on track for Our Future.

4.4 This Committee is responsible for overseeing the delivery of 17 Corporate measures.

Below outlines the eleven (65%) measures for this Committee that are on track (green, amber or grey) for the quarter:

- Household waste collected per head of population
- Number of fly tipping incidents
- Improve the quality of the District through the Local Environmental Quality Survey



- 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
- Increase Swadlincote Town Centre visitor satisfaction
- Continue to undertake interventions per year to keep families out of fuel poverty
- Deliver the objectives identified in the Supporting Aspirations Plan
- Total Rateable Value of businesses in the District
- % 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

4.5 Below outlines the six (35%) measures for this Committee that is not on track (red) for the quarter:

- % of collected waste recycled and composted
- % 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.
- Proportion of good quality housing development schemes
- Increase the number of employee jobs in South Derbyshire
- Annual net growth in new commercial floorspace (sqm)
- Speed of decision on discharging conditions for housing applications.

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 update on the quarterly outturn of each performance measure including actions to sustain or 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**

## 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

The Risk Registers for the Committee's services are detailed in **Appendix C - Service Delivery Risk Register** and **Appendix D - Chief Executive Risk Register**. In relation to the Chief Executive Risk Register this Committee is responsible for overseeing the risks relating to licensing, land charges and economic development. This includes the registers, risk mitigation plans and any further actions required for the relevant departmental risks. 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 Registers detail a risk matrix to summarise how each identified risk has been rated.

The following risks have been updated for quarter two in the Service Delivery Risk Register.

- SD7 – Failure to meet housing delivery targets set out in the five-year supply. The mitigating action has been updated to include the consultation which is due to take place between October and December.
- SD19 - Animal welfare costs. The risk impact has been amended from the council being in possession of 120 dogs to 30 dogs and additional mitigating actions have been added to manage the risk.

There have been no changes during this quarter to the Chief Executive Risk Register

## 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

Appendix D – Chief Executive Risk Register



Priority	Key Aim	Outcome	Ref	How success will be measured	Q4 2020-2021: Apr - Mar	Q4 2021-2022: Apr - Mar	Q1 2022-2023: Apr-Jun	Q2 2022-2023: Apr-Sept	Annual Target 22-23	Plan Target 2020-2024	Head of Service	Strategic Lead	Committee		
O	Keeping a clean, green District for future generations	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	460kgs	416kgs	110kgs	209kgs	Downward Trend	Sustain during Y1 and Y2. See a downward trend in Yrs. 3 and 4	Gary Charlton, Head of Operational Services	Strategic Director, Service Delivery	E&DS	
				E1.1B	% of collected waste recycled and composted	47%	46%	49%	47%	Upward Trend	Sustain during Y1 and Y2. See an upward trend in Yrs. 3 and 4	Gary Charlton, Head of Operational Services	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	1003	604	139	286	Downward trend as a four 4-year mean <764	Downward trend over four years	Matt Holford, Head of Environmental Services	Strategic Director, Service Delivery	E&DS	
				E1.2B	Improve the quality of the District through the Local Environmental Quality Survey	Report in Q1 21/22	93.79% of streets meet grade B or higher	93.79% of streets meet grade B or higher	93.79% of streets meet grade B or higher	>95% (Grade B or above)	>95% (Grade B or above)	Gary Charlton, Head of Operational Services	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.	66.7%	66.7%	0	0	85%	85%	Steffan Saunders, Head of Planning and Strategic Housing	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	Achieved	Achieved	Achieved	Achieved	Downward Trend in Carbon Emissions	Reduce CO2 emissions through the achievement of actions in the South Derbyshire Climate and Environment Action Plan 2020-24 (C&EAP)	Matt Holford, Head of Environmental Services	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	100%	75.6%	64%	75%	85%	85%	Steffan Saunders, Head of Planning and Strategic Housing	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	55%	60% (new report in Q3)	60% (new report in Q3)	60% (new report in Q3)	Upward Trend ( Close gap to National small towns average)	National small towns average 72%. Target to be above the National average by 2023/24	Mike Roylance, Head of Economic Development and Growth	Frank McArdle, Chief Executive	E&DS	
			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	Achieved	Achieved 3 Green Flag Awards in 2021/22	3 parks currently hold the Green Flag Award	3 Green Flag Award now gained for 2022	Four Green Flags	Increase from two green flag park awards to four by 2024	Sean McBurney, Head of Cultural and Community Services	Strategic Director, Service Delivery	H&CS	
				E3.2B	Proportion of good quality housing development schemes	Out turn unavailable	Out turn unavailable	Out turn unavailable. - Reported annually in Q4 22/23	Out turn unavailable. - Reported annually in Q4 22/23	90%	% of schemes which score high	Steffan Saunders, Head of Planning and Strategic Housing	Strategic Director, Service Delivery	E&DS	
		Future needs of the District	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	153 groups	160 groups	33 groups	87 groups	Upward trend on the average over two years >157	Year 1 -2(Proxy)- collate baseline data. Year 3-4 we will show an increase on the average over two years	Sean McBurney, Head of Cultural and Community Services	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	Minimal	Moderate	Moderate	Moderate	'Moderate' or 'High'	Performance to be rated as 'High' or 'Moderate'	Matt Holford, Head of Environmental Services	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	265 cases	261 cases	52 cases	79 cases	Proxy	Proxy Measure to show service activity	Paul Whittingham, Head of Housing	Strategic Director, Service Delivery	H&CS
					P2.1B	Continue to undertake interventions per year to keep families out of fuel poverty	276	210	48	Cumulative target - 70, Actual - 104	> 160 interventions	300 interventions (2020-21) Target to be reviewed thereafter.	Matt Holford, Head of Environmental Services	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	Ongoing delivery of plan	Delivery of Health and Wellbeing Action Plan over 2021-22	Action plan developed and adopted	Achieved	100% of actions delivered	100% of actions identified delivered	Sean McBurney, Head of Cultural and Community Services	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	114.10% (£ 2,377,625)	89.1% (£2,116,365.65)	18.38% (£1,927,550)	34.25% - £660,135.65	100% against the annual budget 2022-23	100% spend against the planned maintenance budget	Paul Whittingham, Head of Housing	Strategic Director, Service Delivery	H&CS		
	P2.3B			Develop and deliver the Public Buildings programme over four years	Carry out further surveys on 12 more of the Public Buildings portfolio.	30% (44 surveys)	26% (10 surveys)	52% (20 surveys)	25% (38 surveys undertaken)	100% of surveys undertaken	Steve Baker, Head of Corporate Property	Kevin Stackhouse, Strategic Director, Corporate Resources	F&M		
P2.3C	Average time taken to re-let Council homes			200 days average	156 days	183 days	183	Median Quartile Performance (Benchmark via Housemark)	Median Quartile Performance (Benchmark via Housemark)	Paul Whittingham, Head of Housing	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	Deliver the objectives identified in the Supporting Aspirations Plan	Research and data analysis	Supporting Aspirations Action Plan adopted.	Achieved	Reported in Q4	Deliver the year one objectives identified in the Supporting Aspirations Plan	Deliver the objectives identified in the Supporting Aspirations Plan	Mike Roylance, Head of Economic Development and Growth	Frank McArdle, Chief Executive	E&DS				

Working with communities and meeting the f

P3. Deliver Excellent Services		P3.1 Ensuring consistency in the way the Council deal with service users		P3.2 Have in place methods of communication that enables customers to provide and receive information.		P3.3 Ensuring technology enables us to effectively connect with our communities.		P3.4 Investing in our workforce			
P3.1A	Increase the number of customers who interact digitally as a first choice	Total: 22,242	Total: 24,405	Total: 6,021	Total: 16,344	Upward trend	Upward Trend	Catherine Grimley, Head of Customer Services	Kevin Stackhouse, Strategic Director, Corporate Resources	F&M	
P3.2A	Reduce face-to-face contact to allow more time to support those customers who need additional support	0	744 self serve and 115 face to face	2,470	4,496	Downward Trend	Downward trend in Face to Face interactions	Catherine Grimley, Head of Customer Services	Kevin Stackhouse, Strategic Director, Corporate Resources	F&M	
P3.3A	Number of customer telephone calls answered by Customer Service	Total: 98,099	Total: 99,165	Total: 22,872	Total: 45,412	Downward Trend	Downward Trend	Catherine Grimley, Head of Customer Services	Kevin Stackhouse, Strategic Director, Corporate Resources	F&M	
P3.3B	Increase digital engagement (Twitter, Instagram, Facebook)	43,850	49,181	51,990	51,762	Upward Trend	Upward Trend	Fiona Pittam, Head of Organisational Development & Performance	Kevin Stackhouse, Strategic Director, Corporate Resources	F&M	
P3.4A	Increase the level of staff engagement	Survey postponed until 21-22	Target not achieved	Achieved	246 staff attended staff briefing sessions on Flexible Working Policy in July 2022	proxy - establish baseline data	Annual increase in the number of staff who have engaged with the Council	Fiona Pittam, Head of Organisational Development & Performance	Kevin Stackhouse, Strategic Director, Corporate Resources	F&M	
P3.4B	Number of apprenticeships	5 (1.5% of head count)	6 (1.84% of head count)	6 (1.84% of head count)	6 (1.82% of head count)	>2.3% of head count	>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	12.93	10.28	2.47	2.02	Downward Trend	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	Postponed until early 22/23	Postponed until early 22-23	27 employees trained	n/a	proxy - establish baseline data	Upward Trend in Health and Safety mandatory training and up to date health and safety policy	Fiona Pittam, Head of Organisational Development & Performance	Kevin Stackhouse, Strategic Director, Corporate Resources	F&M	
F1. Develop skills and careers		F1.1 Attract and retain skilled jobs in the District		F1.2 Support unemployed residents back into work		F1.1A		F1.1A		F1.1A	
F2. Support economic growth and infrastructure		F2.1 Encourage and support business development and new investment in the District		F2.2 Enable the delivery of housing across all tenures to meet Local Plan targets		F2.3A		F2.3A		F2.3A	
F3. Transforming the Council		F3.1 Provide modern ways of working that support the Council to deliver services to meet changing needs.		F3.2 Source appropriate commercial investment opportunities for the Council		F3.1A		F3.1A		F3.1A	
F1.1A		Increase the number of employee jobs in South Derbyshire		32,000 Impacted by Covid-19		31,000 Impacted by Covid-19		31,000 Impacted by Covid-19 (Reported annually in Q4 22/23)		31,000 Impacted by Covid-19 (Reported annually in Q4 22/23)	
F2.1A		Annual net growth in new commercial floorspace (sqm)		4,140 sqm		1,665 sqm		1,665 sqm (Reported annually in Q4 22/23)		1,665 sqm (Reported annually in Q4 22/23)	
F2.1B		Total Rateable Value of businesses in the District		£67,341,926		£67,234,722		£67,279,062		£67,207,674	
F2.2A		Speed of decision on discharging conditions on housing applications		100%		60.9%		50%		60%	
F2.2B		% of planning applications determined within the statutory period		98%		90.50%		88%		86%	
F2.3A		Secure new facilities and contributions through Section106 to mitigate impacts of development. Achieve all necessary highway, education, healthcare, and recreation contributions		94%		100%		100% (annual return in Q4 22/23)		100% (annual return in Q4 22/23)	
F3.1A		Deliver against the Transformation Action Plan		On target		85%		On target		On target	
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		On target		No change from last quarter		No change from last quarter		No change from last quarter	
F1.1A		Upward Trend		Upward Trend		Upward Trend		Upward Trend		Mike Roylance, Head of Economic Development and Growth	
F2.1A		Upward Trend		net annual growth in commercial floorspace of 12,269.5 sqm		Mike Roylance, Head of Economic Development and Growth		Frank McArdle, Chief Executive		E&DS	
F2.1B		Upward trend (on 21/22 Q4 as baseline)		Upward trend (on 21/22 Q4 as baseline)		Mike Roylance, Head of Economic Development and Growth		Frank McArdle, Chief Executive		E&DS	
F2.2A		90% within 8-13 weeks or as agreed with the applicant		90% within 8-13 weeks or as agreed with the applicant		Steffan Saunders, Head of Planning and Strategic Housing		Strategic Director, Service Delivery		E&DS	
F2.2B		>90%		>90%		Steffan Saunders, Head of Planning and Strategic Housing		Strategic Director, Service Delivery		E&DS	
F2.3A		90%		90%		Steffan Saunders, Head of Planning and Strategic Housing		Strategic Director, Service Delivery		E&DS	
F3.1A		Deliver 100% against action plan		Deliver 100% against action plan		Anthony Baxter, Head of Business Change and ICT		Kevin Stackhouse, Strategic Director, Corporate Resources		F&M	
F3.2A		Y1 - Form a working group & Action Plan Y2 - deliver against action plan and sustain an upward trend in revenue		Gary Charlton, Head of Operational Services		Strategic Director, Service Delivery		F&M			

Growing our District and our skills base

# Corporate Plan 2020-2024

## Performance Measure Report

### Environmental and Development Services Committee

**Team: Organisational Development and Performance**  
**Date: November 2022**



# 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 17 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
- F1. Develop skills and careers
- 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 11 corporate measures under the key aims:**

- P2. Supporting and safeguarding the most vulnerable
- P3. Deliver Excellent Services
- F3. Transforming the Council



# Environmental and Development Services Committee (E&DS) is responsible for the following 17 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
- Increase Swadlincote Town Centre visitor satisfaction

## Our People

### Measure

- Continue to undertake interventions per year to keep families out of fuel poverty
- Deliver the objectives identified in the South Derbyshire Partnership Social Mobility Action Plan

## 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
- Increase the number of employee jobs in South Derbyshire
- Annual net growth in new commercial floorspace (sqm)
- Total Rateable Value of businesses in the District



## Priority: Our Environment

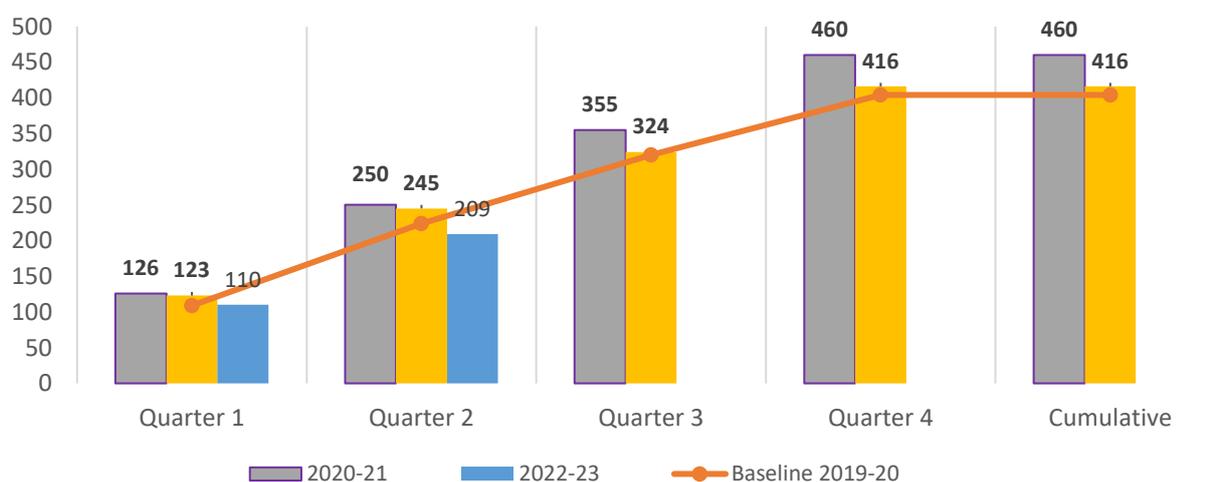
### E1.1 Reduce waste and increase composting and recycling

<b>Measure and Reference</b>	<b>E1.1A Household waste collected per head of population</b>	<b>Committee</b>	E&DS
<b>Definition</b>	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.	<b>Why this is Important</b>	To measure the change in household waste disposal levels as a result of householders' waste reduction and recycling activities
<b>What Good Looks Like</b>	Top performing authorities outturn <400kgs per year		
<b>History of this Indicator</b>	The Council employs 40 staff and utilises 15 vehicles and a number of external contractors to deliver waste collection services.		
<b>2019/20 Baseline Data</b>	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.		

Reporting Year	Annual Target	Quarter 1	Quarter 2	Quarter 3	Quarter 4
2020/21	Sustain during Yr1 (404kgs)	126kgs	250kgs	355kgs	460kgs
2021/22	Sustain Current levels	123kgs	245kgs	324kgs	416kgs
2022/23	Downward trend	110kgs	209kgs		

<b>Performance Overview - Quarterly Update</b>	<b>Actions to sustain or improve performance</b>
The provisional cumulative figure reported in quarter one has been confirmed as an actual figure of 110kgs. The figure for quarter one has been retrospectively amended to reflect this.	Performance is currently on target.
Reduction in tonnage from quarter two - 22/23 compared to quarter two - 21/22	

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

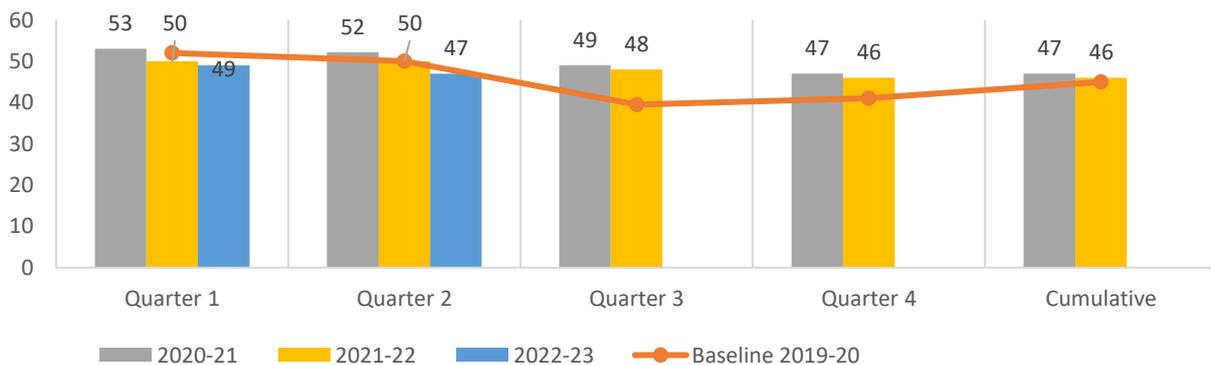


## Priority: Our Environment

### E1.1 Reduce waste and increase composting and recycling

<b>Measure and Reference</b>	<b>E1.1B % of collected waste recycled and composted</b>	<b>Committee</b>	E&DS		
<b>Definition</b>	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.	<b>Why this is Important</b>	To establish the success of the Council's recycling scheme and to ensure the compost scheme continues to perform		
<b>What Good Looks Like</b>	The top performing authorities achieve >60%, the top 25% achieve >50%				
<b>History of this Indicator</b>	Currently on a downward trend, the tonnages collected have remained stable, however increasing residual waste is pushing the percentage down.				
<b>2019/20 Baseline Data</b>	The estimated figure reported in Q4 was 46%. This figure has now been validated and the confirmed out turn for Q4 is 45%.				
<b>Reporting Year</b>	<b>Annual Target</b>	<b>Quarter 1</b>	<b>Quarter 2</b>	<b>Quarter 3</b>	<b>Quarter 4</b>
2020/21	Sustain during Yr1 (45% or >)	53%	52%	49%	47%
2021/22	>45%	50%	50%	48%	46%
2022/23	Upward trend	49%	47%		
<b>Performance Overview - Quarterly Update</b>				<b>Actions to sustain or improve performance</b>	
<p>The provisional cumulative figure reported in quarter one has been confirmed as an actual figure of 49%. The figure for quarter one has been retrospectively amended to reflect this.</p> <p>There has been a decrease in the collection of garden waste (%) for this year's quarter two due to the exceptionally dry summer, garden waste tonnage for 22/23 was down by approx. 1,000 tonnes.</p>				n/a.	

**E1.1B % of collected waste recycled and composted**



**Priority: Our Environment**

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

<b>Measure and Reference</b>	<b>E1.2A Number of fly tipping incidents</b>	<b>Committee</b>	E&DS		
<b>Definition</b>	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.	<b>Why this is Important</b>	Prevent an increase in fly-tipping incidents through education, engagement and enforcement action where appropriate		
<b>What Good Looks Like</b>	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.				
<b>History of this Indicator</b>	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.				
<b>2019/20 Baseline Data</b>	714 (total figure for 2019/20)				
<b>Reporting Year</b>	<b>Annual Target</b>	<b>Quarter 1</b>	<b>Quarter 2</b>	<b>Quarter 3</b>	<b>Quarter 4</b>
2020/21	Downward trend	260	528	732	1003
2021/22	Downward trend as a 4-year mean <764	211	366	484	604
2022/23	Downward trend as a four-year mean <764	139	286		
<b>Performance Overview - Quarterly Update</b>				<b>Actions to sustain or improve performance</b>	
A review of fly tipping incidents over the past four years has been carried out to refresh our understanding of the changing trends in hot spot locations for fly tipping offences. The review has firstly highlighted the enormous success that Public Spaces Protection Orders at Staker Lane, Findern and Lowes Lane, Swarkestone has had on reducing incidents at these locations. The data has now been used to focus attention on finding the best ways to deter and enforce against incidents at other hot spots.				n/a.	



**Priority: Our Environment**

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

<b>Measure and Reference</b>	<b>E1.2B Improve the quality of the District through the Local Environmental Quality Survey</b>		<b>Committee</b>	E&DS		
<b>Definition</b>	Percentage of inspected grade B or above for cleanliness as defined in the government code of Practice for Litter and refuse.	<b>Why this is Important</b>	Gives assurance that the cleansing regimes and resources deployed are delivering the Council's service standards.			
<b>What Good Looks Like</b>	<p>&gt;95% Grade B or above</p> <p>This information below provides an overview of the grading:</p> <p>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</p> <p>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.</p>					
<b>History of this Indicator</b>	New indicator					
<b>2019/20 Baseline Data</b>	89.67% above grade C					
<b>Reporting Year</b>	<b>Annual Target</b>	<b>Quarter 1</b>	<b>Quarter 2</b>	<b>Quarter 3</b>	<b>Quarter 4</b>	
2020/21	95% at grade C or above	Report in Q4	Report in Q4	Report in Q1 21/22	Reported in Q1 21/22	
2021/22	>95% (Grade C or above)	94.74% (Grade C or above)	94.74% (Grade C or above)	94.74% above grade C+	93.69% (Grade B or above)	
2022/23	>95% (Grade B or above)	93.69% (Grade B or above)	93.69% of streets meet grade B or higher			
<b>Performance Overview - Quarterly Update</b>			<b>Actions to sustain or improve performance</b>			
The Autumn Survey will be undertaken in November 2022.			Activity recently undertaken includes the purchase of a new gully tanker (moving to an inhouse service), hire of an additional channel sweeper and working smarter by targeting areas which were reported as below standard in the last survey.			



**Priority: Our Environment**

**E1.3 Enhance biodiversity across the District**

<b>Measure and Reference</b>	<b>E1.3A % of eligible new homes and commercial developments to achieve net gain in Biodiversity by a minimum of 10% compared to the sites predevelopment baseline.</b>		<b>Committee</b>	E&DS		
<b>Definition</b>	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	<b>Why this is Important</b>	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.			
<b>What Good Looks Like</b>	The purpose of the PI is to see the pursuit of net biodiversity gains on all eligible sites otherwise suffering a net loss.					
<b>History of this Indicator</b>	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.					
<b>2019/20 Baseline Data</b>	Insufficient baseline data available					
<b>Reporting Year</b>	<b>Annual Target</b>	<b>Quarter 1</b>	<b>Quarter 2</b>	<b>Quarter 3</b>	<b>Quarter 4</b>	
2020/21	85%	First Report due December 2020. No qualifying decisions in Q1.	66.7%	66.7%	66.7%	
2021/22	85% (4-year target)	66.7%	66.7%	66.7%	66.7%	
2022/23	85%	0	0			
<b>Performance Overview - Quarterly Update</b>			<b>Actions to sustain or improve performance</b>			
Officers continue to consult Derbyshire Wildlife Trust (DWT) or the Council's Biodiversity Officer on applications, making decisions in line with existing Local Plan Policies.			The legislation to support the performance indicator is not 'live' until 2023. Once the legislation is live there will then be the required support to process applications. Officers continue to seek net gain in all applications and require BNG calculations to support applications where relevant.			



**Priority: Our Environment**

**E2.1 Strive to make South Derbyshire District Council carbon neutral by 2030**

<b>Measure and Reference</b>	<b>E2.1A Reduce South Derbyshire District Council carbon emissions</b>	<b>Committee</b>	E&DS		
<b>Definition</b>	Achievement of Actions contained in the South Derbyshire Climate and Environment Action Plan 2020-24 (C&EAP)	<b>Why this is Important</b>	To enable emissions from all relevant identified Council sources to be controlled over the Corporate Plan timeframe		
<b>What Good Looks Like</b>	Achievement of Actions contained in the South Derbyshire Climate and Environment Action Plan 2020-24 (C&EAP)				
<b>History of this Indicator</b>	No previous targets to achieve carbon neutrality have been set				
<b>2019/20 Baseline Data</b>	2,500 tonnes of carbon dioxide equivalent in 2018/19				
<b>Reporting Year</b>	<b>Annual Target</b>	<b>Quarter 1</b>	<b>Quarter 2</b>	<b>Quarter 3</b>	<b>Quarter 4</b>
2020/21	Achievement of Actions contained in the South Derbyshire Climate and Environment Action Plan 2020-24.	Achieved	Achieved	Achieved	Achieved
2021/22	Produce and implement a Head of Service Q4 Climate and Environment report that tracks performance against quantified targets and outturns	Achieved	Achieved	Achieved	Achieved
2022/23	Downward Trend in Carbon Emissions	Achieved	Achieved		
<b>Performance Overview - Quarterly Update</b>			<b>Actions to sustain or improve performance</b>		
A revised Climate and Environment Action Plan was approved at EDS Committee on 11 August 2022. The 2021/22 Carbon Emissions Reduction Report was approved at EDS on 11 August 2022. A separate			Bid submissions have been made or are in preparation to support various workstreams, namely social housing decarbonisation (SHDF2), decarbonising private sector housing (Home Upgrade Grant2, Local Community Engagement),		



climate and environment update report for members will be issued every quarter starting Q3

Sites currently under construction are anticipated to deliver a significant growth in floorspace – these include: Redevelopment of the former Bison Concrete works at Tetron Point; Medium sized industrial units at Swadlincote Gateway adjacent to the golf course; and a bottling plant at Dove Valley Park, Foston.

Construction of a 196,000 sqft (18,200 sqm) new industrial/warehouse unit at Dove Valley Park, Foston has now been completed.

decarbonising SDDC non-residential property assets (Public Sector Decarbonisation Fund).



**Priority: Our Environment**

**E2.2 Work with residents, businesses and partners to reduce their carbon footprint**

<b>Measure and Reference</b>	<b>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</b>	<b>Committee</b>	E&DS		
<b>Definition</b>	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).	<b>Why this is Important</b>	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.		
<b>What Good Looks Like</b>	This is designed to ensure that going forward all new developments comply with the optional Part G standard				
<b>History of this Indicator</b>	No History				
<b>2019/20 Baseline Data</b>	Baseline figure of 50% based on 18 qualifying decisions in Q4.				
<b>Reporting Year</b>	<b>Annual Target</b>	<b>Quarter 1</b>	<b>Quarter 2</b>	<b>Quarter 3</b>	<b>Quarter 4</b>
2020/21		78%	89%	100%	100%
2021/22	85%	70.5%	79.3%	86%	75.6%
2022/23	85%	64%	75%		
<b>Performance Overview - Quarterly Update</b>			<b>Actions to sustain or improve performance</b>		
Significant improvements with this since last quarter, only one qualifying application did not have the required condition.			Continue to reinforce the need to include this on decisions with Planning Officers and decision makers and continue to check for this when issuing decisions.		



**Priority: Our Environment**

**E3.1 Enhance the appeal of Swadlincote town centre as a place to visit**

<b>Measure and Reference</b>	<b>E3.1A Increase Swadlincote Town Centre visitor satisfaction</b>	<b>Committee</b>	E&DS		
<b>Definition</b>	Benchmarking for Swadlincote Town Centre includes a Town Centre User Survey (questionnaire) completed at the same time each year by an independent consultant.	<b>Why this is Important</b>	There is a need to limit the impact of national changes in shopping habits on the vitality of the town centre, at a time when High Streets are under extreme pressure.		
<b>What Good Looks Like</b>	The aim is to steadily close the gap to the National Small Towns average over the four-year period of the Corporate Plan.				
<b>History of this Indicator</b>	Comparable Benchmarking data was first collected in 2019. This found that 49% of respondents would recommend a visit to Swadlincote Town Centre, whilst the comparable National Small Towns Average was 72%.				
<b>2019/20 Baseline Data</b>	49% of respondents would recommend Swadlincote Town Centre - May 2019				
<b>Reporting Year</b>	<b>Annual Target</b>	<b>Quarter 1</b>	<b>Quarter 2</b>	<b>Quarter 3</b>	<b>Quarter 4</b>
2020/21	Upward trend	Reported Annually in Q3	Reported Annually in Q3	55%	55%
2021/22	58%	Reported Annually in Q3	Reported Annually in Q3	60%	Reported annually in Q3
2022/23	Upward Trend (Close the gap on the National Small Towns average)	60% (new report in Q3)	60% (new report in Q3)		
<b>Performance Overview - Quarterly Update</b> Swadlincote Heritage Fest was staged in the town centre, as part of the national Heritage Open Days initiative. The event included exhibitions by the Magic Attic Archive and South Derbyshire Miners Preservation Group in the Town Hall, and a display of classic vehicles by Gresley Old Hall on the High Street.  Works to improve the frontages of numbers 5-15 West Street fronting The Delph, including new cladding and first floor windows, and to convert the ground floor of No. 1 High Street to a Visitor Information Centre are underway.			<b>Actions to sustain or improve performance</b>  n/a		



**Priority: Our Environment**

**E3.2 Improve public spaces to create an environment for people to enjoy**

<b>Measure and Reference</b>	<b>E3.2B Proportion of good quality housing development schemes</b>		<b>Committee</b>	E&DS	
<b>Definition</b>	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).		<b>Why this is Important</b>	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.	
<b>What Good Looks Like</b>	The purpose of this PI is to see an upward trend in higher quality developments and their immediate environment.				
<b>History of this Indicator</b>	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.				
<b>2019/20 Baseline Data</b>	Annual score of 92% based on old methodology – to be reported annually in Q4				
<b>Reporting Year</b>	<b>Annual Target</b>	<b>Quarter 1</b>	<b>Quarter 2</b>	<b>Quarter 3</b>	<b>Quarter 4</b>
2020/21	90%	Reported Annually in Q4.	Reported Annually in Q4.	Reported Annually in Q4.	Out turn unavailable.
2021/22	90%	Data unavailable	Reported Annually in Q4.	Reported Annually in Q4.	Out turn unavailable.
2022/23	90%	Out turn unavailable. - Reported Annually in Q4 22/23)	Out turn unavailable. - Reported Annually in Q4 22/23)		
<b>Performance Overview - Quarterly Update</b>			<b>Actions to sustain or improve performance</b>		
Due to the significant number of applications and continued staffing vacancies across the team it has not been possible for the Design Officer to work on the design review such that this can be monitored consistently and reported back with any certainty.			Work continues to recruit to vacant posts and make improvements to the service and work through the backlog such that the design officer can reduce their own application case load and work more on this element of their job role. Officers continue to seek design officers' input, particularly on major applications to ensure that all schemes are of a quality design.		



Priority: Our Future

F1.1 Attract and retain skilled jobs in the District

<b>Measure and Reference</b>	<b>F1.1A Increase the number of employee jobs in South Derbyshire</b>	<b>Committee</b>	E&DS		
<b>Definition</b>	Working in partnership, to successfully implement a programme of actions as set out within a new Economic Development Strategy for South Derbyshire.	<b>Why this is Important</b>	The District's economy has performed strongly in recent years - with a rapidly growing population it will be important to sustain this and provide a range of local employment opportunities.		
<b>What Good Looks Like</b>	The aim is to increase the number of Employee Jobs in South Derbyshire over the four-year period of the Corporate Plan.				
<b>History of this Indicator</b>	In 2018, there were 32,000 Employee Jobs in South Derbyshire, having grown from 30,000 in 2015. Data for employment is taken from the Office of National Statistics (ONS) Business Register and Employment Survey				
<b>2019/20 Baseline Data</b>	In 2015 there were 30,000 employee jobs which increased to 32,000 in 2018				
<b>Reporting Year</b>	<b>Annual Target</b>	<b>Quarter 1</b>	<b>Quarter 2</b>	<b>Quarter 3</b>	<b>Quarter 4</b>
2020/21	>25% (implementation of the actions contained within the plan)	Reported in Q4	Reported in Q4	Reported in Q4	32,000 Impacted by Covid 19
2021/22	>25% (implementation of the actions contained within the plan)	Reported in Q4	Reported in Q4	Reported in Q4	31,000 Impacted by Covid-19
2022/23	Upward trend	31,000 Impacted by Covid-19. (Reported annually in Q4 22/23)	31,000 Impacted by Covid-19. (Reported annually in Q4 22/23)		
<b>Performance Overview - Quarterly Update</b>			<b>Actions to sustain or improve performance</b>		
<p>Claimant Count Unemployment in South Derbyshire is at 2.0% (Aug 2022) or 1,395 people. This compares with 3.7% nationally, and 2.9% a year ago. The annual East Staffordshire &amp; South Derbyshire Business Awards are underway, recognising the achievements of individuals and businesses in the area.</p> <p>Approaching half a million pounds has been distributed to businesses in South Derbyshire through the COVID Additional Relief Fund. The funding was distributed in the form of a reduction on businesses' rates bill to companies that were</p>			n/a		



able to demonstrate that they had been negatively affected by COVID.	
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Priority: Our Future

F2.1 Encourage and support business development and new investment in the District

<b>Measure and Reference</b>	<b>F2.1A Annual net growth in new commercial floorspace (sqm)</b>	<b>Committee</b>	E&DS		
<b>Definition</b>	Data collected for the Council's annual Authority Monitoring Report, includes the monitoring of commercial floorspace within South Derbyshire.	<b>Why this is Important</b>	There is very little vacant commercial floorspace in South Derbyshire, consequently the provision of additional commercial floorspace is closely related to the availability of additional employment opportunities.		
<b>What Good Looks Like</b>	The aim is to increase the total commercial floorspace over the four-year period of the Corporate Plan.				
<b>History of this Indicator</b>	The Local Plan forecasts a net annual growth in commercial floorspace of 12,269.5 sqm per annum between 2008 and 2028. To date (2008-2021), the actual annual net rate of growth has been 6,095 sqm.				
<b>2019/20 Baseline Data</b>	2885 sqm				
<b>Reporting Year</b>	<b>Annual Target</b>	<b>Quarter 1</b>	<b>Quarter 2</b>	<b>Quarter 3</b>	<b>Quarter 4</b>
2020/21	12,269.5 sqm	Reported in Q4	Reported in Q4	Reported in Q4	4,140 sqm
2021/22	Upward trend	Reported in Q4	Reported in Q4	Reported in Q4	1,665 sqm
2022/23	Upward trend	1,665 sqm (Reported annually in Q4 22/23)	1,665 sqm (Reported annually in Q4 22/23)		
<b>Performance Overview - Quarterly Update</b>		<b>Actions to sustain or improve performance</b>			
<p>Sites currently under construction are anticipated to deliver a significant growth in floorspace – these include redevelopment of the former Bison Concrete works at Tetron Point; medium sized industrial units at Swadlincote Gateway adjacent to the golf course; and a bottling plant at Dove Valley Park, Foston.</p> <p>Construction of a 196,000 sqft (18,200 sqm) new industrial/warehouse unit at Dove Valley Park, Foston has now been completed.</p>		n/a			

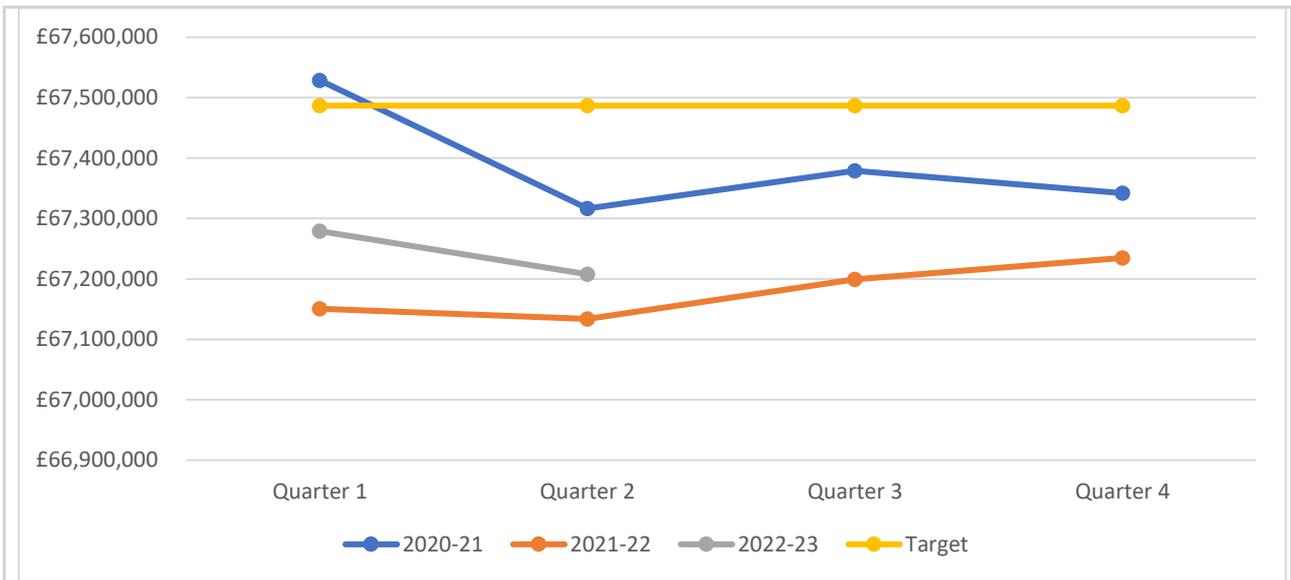


Priority: Our Future

F2.1 Encourage and support business development and new investment in the District

<b>Measure and Reference</b>	<b>F2.1B Total Rateable Value of businesses in the District</b>	<b>Committee</b>	<b>E&amp;DS</b>		
<b>Definition</b>	Total rateable value of businesses in the district.	<b>Why this is Important</b>	The total rateable value of businesses in the District is a good indication of the economic health of the district. An increase in floor space can indicate a growth in business numbers and employment opportunities.		
<b>What Good Looks Like</b>	A growth in rateable value, including a growth in sectors such as commercial (e.g., offices, shops, warehouses, restaurants) where there is a higher intensity of jobs per business.				
<b>History of this Indicator</b>	The total rateable value of businesses across the District has been increasing year on year, particularly in the commercial sector with an overall increase of almost £345k since April 2017. In order to allow for changes in Government regulations relating				
<b>2019/20 Baseline Data</b>	Q4 - £67,486,786.				
<b>Reporting Year</b>	<b>Annual Target</b>	<b>Quarter 1</b>	<b>Quarter 2</b>	<b>Quarter 3</b>	<b>Quarter 4</b>
2020/21	>£67,486,786	£67,528,690	£67,316,577	£67,379,221	£67,341,926
2021/22	>£67,486,786	£67,150,426	£67,133,764	£67,199,282.	£67,234,722
2022/23	Upward Trend Upward Trend (on baseline as at Q4 21/22)	£67,279,062	£67,207,674		
<b>Performance Overview - Quarterly Update</b>			<b>Actions to sustain or improve performance</b>		
There has been a decrease on the previous quarter and on year overall. Recent rateable value deletion of £375,000 for the Bison area at Tetron Point whilst it is undergoing redevelopment has had some impact. However, this will be brought back eventually when the new occupiers are up and running.			Rateable Values (RV) are determined by the Valuation Office Agency (VOA) and not South Derbyshire District Council. As such we have no control and Rateable Values can go down if a business owner appeals/challenges to the Valuation Office Agency that their RV is too high. Whilst some businesses can increase depending on reviews such as quarries in general the increase will come from our dedicated inspector who checks for any newly built businesses in order to issue a completion notice and bring them into the Rating List quickly or notices changes to existing business properties which could increase their Rateable Value such as an extension to the work premises whilst he is undertaking other types of inspection works		





Priority: Our Future

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

<b>Measure and Reference</b>	<b>F2.2A Speed of decision on discharging conditions on housing applications</b>		<b>Committee</b>	E&DS		
<b>Definition</b>	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.		<b>Why this is Important</b>	Unnecessary delays in the determination of applications holds up the delivery of development and therefore a potential disincentive to inward investment		
<b>What Good Looks Like</b>	All applications determined as soon as possible without compromising quality.					
<b>History of this Indicator</b>	New indicator					
<b>2019/20 Baseline Data</b>	80% based on Q4 (up to 85% if including first 27 days of 2020/21 Q1, following new procedure with team)					
<b>Reporting Year</b>	<b>Annual Target</b>	<b>Quarter 1</b>	<b>Quarter 2</b>	<b>Quarter 3</b>	<b>Quarter 4</b>	
2020/21	90% within 8-13 weeks or as agreed with the applicant	100%	100%	100%	100%	
2021/22	90% within 8-13 weeks or as agreed with the applicant	93.7%	71.8%	47.9%	60.9%	
2022/23	90% within 8-13 weeks or as agreed with the applicant	50%	60%			
<b>Performance Overview - Quarterly Update</b>			<b>Actions to sustain or improve performance</b>			
There has been some improvement on the last quarter. However, high application rates and vacancy rates have implications on the time frames for dealing with these applications.			Works have been ongoing to recruit to current vacancies and deal with the backlog of applications. The need to secure extensions of time, if the applicant is willing has also been communicated to officers.			



Priority: Our Future

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

<b>Measure and Reference</b>	<b>F2.2B % of planning applications determined within the statutory period</b>	<b>Committee</b>	E&DS			
<b>Definition</b>	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.	<b>Why this is Important</b>	Unnecessary delays in the determination of planning applications holds up the delivery of development and therefore a potential disincentive to inward investment			
<b>What Good Looks Like</b>	All applications determined as soon as possible without compromising quality.					
<b>History of this Indicator</b>	Generally, the Council has performed well for most recent years against a notional target of 90%					
<b>2019/20 Baseline Data</b>	93%					
<b>Reporting Year</b>	<b>Annual Target</b>	<b>Quarter 1</b>	<b>Quarter 2</b>	<b>Quarter 3</b>	<b>Quarter 4</b>	
2020/21	>90%	94%	99%	98%	98%	
2021/22	>90%	91%	93.1%	93%	90.5%	
2022/23	>90%	88%	86%			
<b>Performance Overview - Quarterly Update</b>			<b>Actions to sustain or improve performance</b>			
The department continue to deal with a significant backlog of applications with a number of vacancies and staff turn-over. Officers continue to deal with applications as quickly as possible, but the significant caseloads make this challenging. Attempts to recruit to vacancies are on-going.			Attempts are being made to recruit to vacant positions and support existing officers with their caseloads as much as possible. Officers are being encouraged to continue to have dialogue with customers to keep them updated as much as possible and ways to try and reduce the backlog are being considered.			



Priority: Our Future

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

<b>Measure and Reference</b>	<b>F2.3A Secure new facilities and contributions through Section106 to mitigate impacts of development. Achieve all necessary highway, education, healthcare, and recreation contributions</b>		<b>Committee</b>	E&DS		
<b>Definition</b>	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.		<b>Why this is Important</b>	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		
<b>What Good Looks Like</b>	Securing all proven necessary mitigation to accommodate new developments					
<b>History of this Indicator</b>	New indicator					
<b>2019/20 Baseline Data</b>	New indicator, data will be collected from April 2020 onwards as retrospective data is not possible to collect					
<b>Reporting Year</b>	<b>Annual Target</b>	<b>Quarter 1</b>	<b>Quarter 2</b>	<b>Quarter 3</b>	<b>Quarter 4</b>	
2020/21	90%	Reported annually in Q4	Reported annually in Q4	Reported annually in Q4	94%	
2021/22	90%	Reported annually in Q4	Reported annually in Q4	N/A - reported annually in Quarter 4.	100%	
2022/23	90%	100% (annual return in Q4 22/23)	100% (annual return in Q4 22/23)			
<b>Performance Overview - Quarterly Update</b> A separate report is to be considered on 11 <sup>th</sup> November EDS committee where the full details are S106 performance are to be considered in the Infrastructure Funding Statement. Overall the Council is successfully applying the need for S106 contributions in line with policy and collecting payments when they are due.			<b>Actions to sustain or improve performance</b> Continued cross department monitoring of performance and reporting annually in the Infrastructure Funding Statement.			



**Priority: Our People**

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

<b>Measure and Reference</b>	<b>P2.1B Continue to undertake interventions per year to keep families out of fuel poverty</b>		<b>Committee</b>	E&DS		
<b>Definition</b>	Number of interventions made by the Council (and partners over whom the Council has influence) to improve fuel efficiency in residential properties.		<b>Why this is Important</b>	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		
<b>What Good Looks Like</b>	Increasing the numbers of fuel efficiency interventions to directly contribute to reductions in the numbers of families in fuel poverty.					
<b>History of this Indicator</b>	The Council has never previously collated data on the different measures taken to take families out of fuel poverty.					
<b>2019/20 Baseline Data</b>	7.9% (3,393 households) estimated to be in fuel poverty. In 2019/20 an estimated 90 interventions were made to help residents reduce fuel poverty					
<b>Reporting Year</b>	<b>Annual Target</b>	<b>Quarter 1</b>	<b>Quarter 2</b>	<b>Quarter 3</b>	<b>Quarter 4</b>	
2020/21	300 interventions	111	216	247	276	
2021/22	210 interventions	30	102	172	241	
2022/23	>160 Interventions	48	104			
<b>Performance Overview - Quarterly Update</b>			<b>Actions to sustain or improve performance</b>			
These are provisional figures based on a partial return of the data relating to the various fuel poverty interventions being carried out. The final data will be higher than the reported numbers.			Officers have reviewed the Councils existing fuel poverty intervention offers against the Citizens Advice Local Authority Toolkit – "Fuel Poor and Vulnerable" to identify any obvious gaps in provision or missed opportunities. The local Financial Inclusion Group have also been consulted to seek ideas about other fuel poverty intervention measures which could be developed.			



**Priority: Our People**

**P2.4 Support social mobility to ensure people have the opportunity to access skilled jobs, higher and further education.**

<b>Measure and Reference</b>	<b>P2.4A Deliver the objectives identified in the South Derbyshire Partnership Social Mobility Action Plan</b>		<b>Committee</b>	E&DS		
<b>Definition</b>	Delivery against the key themes identified in the Supporting Aspirations Action Plan.		<b>Why this is Important</b>	Social Mobility aims to ensure that everyone has the opportunity to build a good life for themselves regardless of geography or family background.		
<b>What Good Looks Like</b>	Deliver against the Supporting Aspirations Action Plan to help improve Social Mobility for disadvantaged young people in South Derbyshire.					
<b>History of this Indicator</b>	South Derbyshire has performed poorly on a number of indicators of Social Mobility for disadvantaged young people in recent years.					
<b>2019/20 Baseline Data</b>	The Social Mobility Commission's Social Mobility Index ranked South Derbyshire 311/324 local authority in 2017					
<b>Reporting Year</b>	<b>Annual Target</b>	<b>Quarter 1</b>	<b>Quarter 2</b>	<b>Quarter 3</b>	<b>Quarter 4</b>	
2020/21	Ranked >311 on the Social Mobility Index	Reported in Q4	Reported in Q4	Reported in Q4	Research and data analysis	
2021/22	Develop the Social Mobility Action Plan	Reported in Q4	Research and Data analysis	Preparation of Action Plan	Supporting Aspirations Action Plan adopted.	
2022/23	Deliver the objectives identified in the Supporting Aspirations Action Plan	Reported in Q4	Reported in Q4			
<b>Performance Overview - Quarterly Update</b>			<b>Actions to sustain or improve performance</b>			
Activities contributing to the Supporting Aspirations Action Plan in Quarter 2, included: A jobs fair has been staged with the Department of Work and Pensions and other local partners at Swadlincote Adult Community Education centre, and similar events promoted in Coalville and at the Pirelli Stadium; and, Opportunities at Mercia Park and East Midlands Gateway have been promoted, including the SEGRO School Work Programme, together with careers in the logistics and transport technology sectors.			n/a			



## Quarter 2, 2022-2023 Service Delivery Risk Register

REF	RISK TITLE & DESCRIPTION	RISK CAUSE	RISK IMPACT	RISK CATEGORY  Strategic Operational Financial Knowledge management Compliance, Partnership	Current Risk Rating (See table below for guidance)			CONTROLS IN PLACE TO MITIGATE THE RISK	Risk Rating after mitigations (See table below for guidance)			FURTHER ACTION REQUIRED	SUMMARY OF CHANGE SINCE LAST QUARTER	RISK OWNER
					LIKELIHOOD	IMPACT	RISK RATING		LIKELIHOOD	IMPACT	RISK RATING			
SD1	Loss of income to the Housing Revenue Account (HRA)	Reduction of income through the Impact of: Universal Credit (UC) (increase rent arrears) Void Properties (rent loss) Right to buy properties (rent loss)	Loss of income into the (HRA)	Financial	4	2	8	<ul style="list-style-type: none"> <li>A revised Income Management Policy has been approved by Housing and Community Services Committee and new operational/ IT procedures implemented.</li> <li>New dwellings mitigate revenue lost through Right to Buy (RTB). New Builds can still be purchased under (RTB) after three years for Secure Tenancies.</li> <li>Daily monitoring of UC, and income management.</li> <li>The Housing Service has made operational changes to deal with this increase which have been subject to a successful audit review.</li> <li>Programme in place to reduce the void rent loss.</li> <li>Council House Development Group is in place.</li> </ul>	3	1	3	<ul style="list-style-type: none"> <li>Increased focus on collection of rent and other housing debt.</li> <li>Monitoring and review of arrears, evictions and rent loss due to voids.</li> <li>Council House development group to develop a pipeline of development schemes.</li> <li>Await confirmation of possible Rent Increase Cap</li> </ul>	Further action update to reference Rent Increase Cap.	Head of Housing Services
SD3	Safety standards	Failure to comply with basic safety standards in flats/blocks with communal areas.	Risk to property and life	Compliance	2	4	8	<p>Housing Safety policies are now in place for:</p> <ul style="list-style-type: none"> <li>➤ Fire</li> <li>➤ Lift</li> <li>➤ Electrical</li> <li>➤ Gas</li> <li>➤ Asbestos</li> <li>➤ Legionella</li> </ul> <ul style="list-style-type: none"> <li>A recent Internal Audit of Housing Safety has confirmed that the systems in place provide "reasonable assurance" in this area.</li> <li>Contracts are in place to deliver property improvements for all aspects of property safety.</li> <li>Recruited an Asset and Compliance post.</li> <li>Agency staff in place to cover Heating, Electrical, Fire safety Project Officer Roles. Posts have been regraded through the JEQ process to assist in permanent recruitment.</li> </ul>	2	4	8	<ul style="list-style-type: none"> <li>Monitoring and carrying out safety checks as per the Housing Safety Policies.</li> <li>Reconfiguring software (lifespan) to manage this.</li> <li>Recruitment exercise to be completed after JEQ regrading agreed.</li> </ul>	Mitigating actions and further actions updated in Q2 to reference Project Officer role/JEQ and recruitment.	Head of Housing Services

REF	RISK TITLE & DESCRIPTION	RISK CAUSE	RISK IMPACT	RISK CATEGORY  Strategic Operational Financial Knowledge management Compliance, Partnership	Current Risk Rating (See table below for guidance)			CONTROLS IN PLACE TO MITIGATE THE RISK	Risk Rating after mitigations (See table below for guidance)			FURTHER ACTION REQUIRED	SUMMARY OF CHANGE SINCE LAST QUARTER	RISK OWNER
					LIKELIHOOD	IMPACT	RISK RATING		LIKELIHOOD	IMPACT	RISK RATING			
SD5	Reduction in funding for Cultural and Community Services	Reduction of Council funding into Cultural and Community Services. Unable to source external funding to service.	There is likely to be additional funding needed to replace income lost through Covid-19.	Financial	3	3	9	<ul style="list-style-type: none"> <li>Forward budget planning over several years, to cover the medium-term- up to and including 2023/24. Approvals received for reserve spend to secure staffing initially for Active Communities.</li> <li>The Council receives an annual Community Safety funding allocation from the Police and Crime Commissioner (PCC) of £25,000. In December 2021, the new PCC confirmed that this level of funding will continue for a further three years.</li> <li>The Council receives an annual Basic Command Unit funding allocation of £35,000 from the Chief Superintendent. This annual allocation, currently with no long-term commitment.</li> <li>A new three-year sponsorship of the Environmental Education Project with Rolls Royce has been confirmed.</li> <li>Government Funding via the National leisure Recovery Fund (NLRF) for the Leisure Centres has been received.</li> <li>No more post covid support for leisure – working with Max associates to look at soft market testing for potential future delivery and/or negotiate potential contract extension</li> <li>Active Derbyshire Partnership may help to open up other funding potentials related to Physical Activity.</li> </ul>	3	3	9	<ul style="list-style-type: none"> <li>Maintain current funding contribution that the Council makes towards the Active Communities service</li> <li>Continue to seek and secure relevant external funding opportunities to continued support service delivery.</li> <li>Monthly assessment of income and expenditure.</li> <li>Review reserves and potentially use to fund projects if needed.</li> </ul>	Mitigating actions updated in Q2	Head of Cultural and Community Services
SD6	Ageing infrastructure at Rosliston Forestry Centre	Need to upgrade infrastructure at Rosliston Forestry Centre	Unable to deliver services at Rosliston.	Strategic	2	3	6	<ul style="list-style-type: none"> <li>Condition survey updated as part of future procurement exercise for new contractor, informed by a wider strategic review.</li> <li>Focus on implementing infrastructure requirements identified in external consultant's report.</li> <li>Capital Programme bid successful with most projects supported.</li> <li>Engage tenants and keep Senior Leadership Team informed</li> <li>Covid-19 pandemic has enabled an opportunity to do some minor health and safety works whilst the site was closed to the public.</li> <li>Vision for site to be reviewed considering the pandemic, informed by the wider climate emergency debate</li> </ul>	2	3	6	<ul style="list-style-type: none"> <li>Work commenced on the delivery of capital projects.</li> <li>Collaboration with Head of Corporate Property on improvements to the Planned Preventative Maintenance (PPM).</li> <li>Regular meetings held at operational and strategic levels with Forestry England.</li> <li>Work on new lease is progressing well – heads of terms agreed – detail on new lease will be ready by end of year.</li> </ul>	No change in Q2	Head of Cultural and Community Services

REF	RISK TITLE & DESCRIPTION	RISK CAUSE	RISK IMPACT	RISK CATEGORY  Strategic Operational Financial Knowledge management Compliance, Partnership	Current Risk Rating (See table below for guidance)			CONTROLS IN PLACE TO MITIGATE THE RISK	Risk Rating after mitigations (See table below for guidance)			FURTHER ACTION REQUIRED	SUMMARY OF CHANGE SINCE LAST QUARTER	RISK OWNER
					LIKELIHOOD	IMPACT	RISK RATING		LIKELIHOOD	IMPACT	RISK RATING			
SD7	Failure to meet housing delivery targets set out in the five-year supply	Economic slowdown, material or labour shortages, supply chain issues. There has been a small decrease in housing completions during the COVID pandemic.	A loss of control of new developments and reduced likelihood of achieving the necessary section 106 contributions and the potential for developments to be approved in unsustainable locations	Strategic	4	3	12	<ul style="list-style-type: none"> <li>Local Plan is in place which sets out the five-year supply. In August E&amp;DS Committee approved that the local plan should have a review undertaken which will identify sufficient sites to provide an up-to-date five-year housing land supply.</li> <li>Active pursuit of schemes and opportunities. Increased focus on facilitating prompt commencement of development.</li> <li>Current five-year housing land supply rate at 6.15 years- most sites started are building at a rate above that originally anticipated such that 1029 were completed in 2020/21. Despite a small reduction on the previous year the council has maintained its five-year housing land supply and a strong bounce back from COVID is already occurring.</li> <li>Support government proposals to offer flexibility in supply and delivery requirements in light of COVID-19 effects.</li> <li>Local Plan issues and options consultation to be reported to the Local Plan working group and EDS committee over the summer to identify additional sites. Consultation on the Issues and Options is taking place between 10 October and 5 December 2022 and this is likely to lead to additional options for site allocations.</li> </ul>	2	3	6	<ul style="list-style-type: none"> <li>Develop action plan(s) where necessary.</li> <li>Monitoring/review of performance ongoing.</li> </ul>	Mitigating actions updated in Q2 to reference the consultation on Local Plan.	Head of Planning and Strategic Housing
SD9	Melbourne Sports Park	Failure to deliver against external funder requirements at the Melbourne Sports Park (MSP). Ongoing discussions with external funders.	MSP negatively affected by Covid-19 with no income generation for several months. Some external grants success to support this impact but not all.	Financial	2	3	6	<ul style="list-style-type: none"> <li>Scheme to deliver additional car parking on site completed.</li> <li>Drainage scheme on MSP site and adjacent landowners complete. Improved rugby pitches playability should increase income generation from bar and catering.</li> <li>Work on three new tennis courts completed. Improvements to third rugby pitch and training area underway. These projects will aid future viability.</li> <li>Development sub-committee to be re-established to look at future works/developments at the site. Council representative on the Sub-Committee.</li> </ul>	2	3	6	<ul style="list-style-type: none"> <li>Regular Artificial Grass Pitch (AGP) Steering Group meetings.</li> <li>Matter under regular review at MSP Board meetings. Key funder in attendance at AGP steering group meetings.</li> <li>MSP Board meeting business plan income targets, however close monitoring is required.</li> </ul>	No change in Q2	Head of Cultural and Community Services

REF	RISK TITLE & DESCRIPTION	RISK CAUSE	RISK IMPACT	RISK CATEGORY  Strategic Operational Financial Knowledge management Compliance, Partnership	Current Risk Rating (See table below for guidance)			CONTROLS IN PLACE TO MITIGATE THE RISK	Risk Rating after mitigations (See table below for guidance)			FURTHER ACTION REQUIRED	SUMMARY OF CHANGE SINCE LAST QUARTER	RISK OWNER
					LIKELIHOOD	IMPACT	RISK RATING		LIKELIHOOD	IMPACT	RISK RATING			
SD11	Tree Management	Failure to manage the Council's tree stock in line with adopted Tree Management policy.	Breach of tree policy and/or accident/incident involving trees.	Strategic	4	3	12	<ul style="list-style-type: none"> <li>Review of approved Tree Management Policy completed.</li> <li>Zurich Municipal has provided support to assess the Council's risk on its Tree Policy and Strategy.</li> <li>A new tree policy and management plan has been agreed by committee on 17 March 2022</li> <li>Unable to recruit an assistant tree officer so have gained approval to revise the structure of the Parks and Green Spaces to facilitate the flexible retirement of the current post holder and the creation of an additional tree officer (at a more senior level) to enable the sharing of knowledge and experience.</li> </ul>	3	3	9	<ul style="list-style-type: none"> <li>The new Policy requires implementing and backlog of work procured and prioritised. A budget has been agreed.</li> <li>External support for tree inspections is being procured.</li> <li>Advert gone out to recruit an assistant tree officer</li> </ul>	Further actions updated in Q2 to include recruitment of assistance tree officer.	Head of 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.	Unable to deliver services at Greenbank Leisure Centre	Strategic	3	3	9	<ul style="list-style-type: none"> <li>Building condition survey is being updated and a planned preventative maintenance (PPM) programme put in place by Head of Corporate Property.</li> <li>Complete the necessary works identified in external consultant's report, informed by a wider strategic review (SOPM)</li> <li>Improvements made to pool pipework and roof.</li> <li>Ensure that there is sufficient capital funding to complete the necessary works and revenue funding for on-going PPM.</li> <li>Facility Planning Model (FPM) being undertaken to assess strategic need of leisure stock through to 2038.</li> <li>The FPM work above is now complete and will inform the Local Plan. Further work is being undertaken on the SOPM.</li> </ul>	3	3	9	<ul style="list-style-type: none"> <li>Review of the operational management and deliverability of PPM</li> <li>Options presented by FPM to be assessed and presented to Members in the future</li> <li>Also Built Facility Strategy to be commissioned to support FPM</li> </ul>	Further actions updated in Q2 to reference the Built Facility Strategy.	Head of Cultural and Community Services
SD15	Leisure Centres	Due to the National Lockdowns and control of coronavirus measures.	The Council's Leisure Contractor can no longer sustain its business	Strategic Financial	2	3	6	<ul style="list-style-type: none"> <li>Application to Government for National Leisure Recovery Fund (NLRFF) successful and distribution being arranged.</li> <li>Increase risk to leisure providers viability nationally due to rising utility costs. Pre-planning within the budget setting process and close working relationship with leisure contractor.</li> <li>Monthly contract meetings are taking place to track contractor financial and operational performance.</li> </ul>	2	3	6	<ul style="list-style-type: none"> <li>Monthly assessment of Leisure Contractor finances and assessment of Council support through monthly contract meetings.</li> <li>Contingency plans are also being developed should the contractor not be able to deliver the contract at short notice.</li> <li>Final settlement of financial negotiations during Covid closure is complete.</li> </ul>	Update to further actions in Q2 Monthly contract meetings taking place to track financial and operational performance.	Head of Cultural and Community Services

REF	RISK TITLE & DESCRIPTION	RISK CAUSE	RISK IMPACT	RISK CATEGORY  Strategic Operational Financial Knowledge management Compliance, Partnership	Current Risk Rating (See table below for guidance)			CONTROLS IN PLACE TO MITIGATE THE RISK	Risk Rating after mitigations (See table below for guidance)			FURTHER ACTION REQUIRED	SUMMARY OF CHANGE SINCE LAST QUARTER	RISK OWNER
					LIKELIHOOD	IMPACT	RISK RATING		LIKELIHOOD	IMPACT	RISK RATING			
												<ul style="list-style-type: none"> <li>End of year accounts have been received from contractor. It is clear that the trading conditions have been challenging but participation is now increasing.</li> <li>Continual monitoring is essential.</li> </ul>		
SD16	Voluntary and Community Sector	A reduction in resources for partners who deliver services for or on behalf of the Council.	Evidence that this is occurring with CVS and Citizens Advice having core funding reduced in recent years	Strategic Financial	2	3	6	<ul style="list-style-type: none"> <li>It is considered that the Council is undertaking as much action as is reasonably possible at this stage to mitigate the risk.</li> <li>The Council's current grant funding has been increased in 2022/23.</li> <li>The Council employs a dedicated Community Partnership Officer to support the voluntary sector and local organisations.</li> <li>Capacity in the sector is starting to recover in light of Covid-19 and the Council is working to support the relevant organisations.</li> </ul>	2	3	6	<ul style="list-style-type: none"> <li>The Council continues to work with the Voluntary and Community sector to ensure its funding delivers the Council's Corporate Plan objectives.</li> </ul>	No change in Q2	Head of Community and Cultural Services
SD17	Sustainable Urban Drainage features (Suds)	Failure to manage the Suds in line with national guidance	Serious accident at a Suds feature, and / or failure of feature to prevent flooding	Operational Strategic Financial	3	4	12	<ul style="list-style-type: none"> <li>A recent report by Alliance Consulting has highlighted risks associated with SUDs features that the Council has adopted / is due to adopt.</li> <li>There are potentially nine sites.</li> <li>The Council has a capital budget to implement the findings of the Alliance report on Council-owned sites.</li> <li>The Council no longer adopts SUDs as part of new developments. These are transferred to Severn Trent Water subject to them meeting appropriate standards.</li> </ul>	2	3	6	<ul style="list-style-type: none"> <li>The Council has reviewed the independent SUDs report and is undertaking all reasonable and practicable actions to mitigate any risks.</li> </ul>	No change to rating in Q2	Head of Community and Cultural Services
SD18	Fluctuations in recycle prices	Failure to monitor and report fluctuations in recycle prices	An escalation in the cost of delivering the recycling service.	Operational Financial	2	3	6	<ul style="list-style-type: none"> <li>At the time of awarding new recycling contracts in July 2021, an assessment of material prices over the last 30 months was undertaken. This showed that prices fluctuate from month to month. In assessing the bids, using the lowest material prices from the last 30 months was considered the most prudent way to budget for the service through the Medium-Term Financial Plan (MTFP), with a reserve established to bank any income over that budgeted to cover any periods where income falls below that budgeted.</li> <li>A quarterly update within the Revenue Monitoring Report is presented by the Head of Finance to Finance and Management Committee to allow Members to keep this under review. This</li> </ul>	2	3	6	<ul style="list-style-type: none"> <li>Continue to report quarterly on recycle income</li> </ul>	No Change to rating in Q2.	Head of Operational Services

REF	RISK TITLE & DESCRIPTION	RISK CAUSE	RISK IMPACT	RISK CATEGORY <i>Strategic Operational Financial Knowledge management Compliance, Partnership</i>	Current Risk Rating <i>(See table below for guidance)</i>			CONTROLS IN PLACE TO MITIGATE THE RISK	Risk Rating after mitigations <i>(See table below for guidance)</i>			FURTHER ACTION REQUIRED	SUMMARY OF CHANGE SINCE LAST QUARTER	RISK OWNER
					LIKELIHOOD	IMPACT	RISK RATING		LIKELIHOOD	IMPACT	RISK RATING			
								position should be fully reviewed following the initial two-year period.						
SD19	Animal welfare costs	Significant increase in dog ownership, illegal dog breeding, stray dogs and poor animal welfare	Substantial costs from animals taken into possession which have been found to be suffering. The Council currently has possession of approx. 30 animals following recent operations	Financial, Compliance, Partnership	4	3	12	<ul style="list-style-type: none"> <li>• Powers under s20 of the Animal Welfare Act.</li> <li>• Mutual support agreement with RSPCA</li> <li>• Dog fostering scheme agreed with a dog fostering charity</li> <li>• No win no fee agreement with a third-party Financial Investigator to enable the Council to pursue Proceeds of Crime Act action against offenders to recover costs.</li> <li>• Additional budget has been proposed for the 2023/24 financial year in the draft budget</li> </ul>	2	3	6	<ul style="list-style-type: none"> <li>• Ongoing monitoring required of the CEH00 R4400 budget to review the effects of the existing mitigations</li> </ul>	Updated to reflect changes to the mitigations during Q2	Head of Environmental Services

## Risk Matrix Template

The table below outlines how the impact and likelihood of the risk is scored using the threshold and description as guidance.

### 1.1

Impact	Very High (4)	4	8	12	16	<table border="1"> <tr> <td>12-16</td> <td>Significant Risk</td> </tr> <tr> <td>6-9</td> <td>Medium Risk</td> </tr> <tr> <td>1 - 4</td> <td>Low Risk</td> </tr> </table>	12-16	Significant Risk	6-9	Medium Risk	1 - 4	Low Risk
	12-16	Significant Risk										
6-9	Medium Risk											
1 - 4	Low Risk											
	High (3)	3	6	9	12							
	Medium (2)	2	4	6	8							
	Low (1)	1	2	3	4							
		Remote (1)	Possible (2)	Probable (3)	Highly Probable (4)							
		Likelihood										

Impact	Thresholds and Description
1 – Low	Limited impact on service objectives if any, section objectives unlikely to be met, financial loss less than £10,000, no media attention
2 – Medium	Slight delay in achievement of service objectives, minor injuries, financial loss over £50,000k, adverse local media attention, breaches of local procedures
3 – High	Significant threat to Council objectives. Non-statutory duties not achieved, permanent injury, financial loss over £100,000, negative national media attention, litigation expected, serious issues raised through inspection, breakdown of confidence of partners.
4 – Very high	Objectives cannot be delivered. Statutory duties not achieved, death, financial loss over £500,000 adverse national media attention, litigation almost certain, prosecutions, breaches of law, inspection highlights inadequate service, Council unable to work with partner organisation
Likelihood	Thresholds and Description
1 – Remote	May occur only in exceptional circumstances (e.g. once in 10 years)
2 – Possible	Unlikely to occur but could at some time (e.g. once in three years)
3 – Probable (in two years)	Fairly likely to occur at some time or under certain circumstances (e.g. once in two years)
4 – Highly probable (in 12 months)	Will probably occur at some time or in most circumstances (e.g. once in 12 months)

## Service Delivery Risk Matrix

The below table summarises the risk likelihood and impact for risks after controls have been put in place to mitigate the risk.

Impact	Very High (4)		SD3, SD9		
	High (3)		SD6, SD7, SD15, SD16, SD17, SD18, SD19	SD5, SD12	SD11
	Medium (2)				
	Low (1)			SD1	
		Remote (1)	Possible (2)	Probable (3)	Highly Probable (4)
		Likelihood			

SD1	Loss of income to the Housing Revenue Account (HRA)	Reduction of income through the Impact of: Universal Credit (UC) (increase rent arrears) Void Properties (rent loss) and right to buy properties (rent loss)
SD3	Safety standards	Failure to comply with basic safety standards in flats/blocks with communal areas.
SD5	Reduction in funding for Cultural and Community Services	Reduction of Council funding into Cultural and Community Services. Unable to source external funding to service.
SD6	Ageing infrastructure at Rosliston Forestry Centre	Need to upgrade Infrastructure at Rosliston Forestry Centre
SD7	Failure to meet housing delivery targets set out in the five-year supply	Economic slowdown, material or labour shortages, supply chain issues. There has been a small decrease in housing completions during the COVID pandemic.
SD9	Melbourne Sports Park	Failure to deliver against external funder requirements at the Melbourne Sports Park (MSP). Ongoing discussions with national funders.
SD11	Tree Management	Failure to manage the Council's tree stock in line with adopted Tree Management policy.
SD12	Ageing Infrastructure at Greenbank Leisure Centre	Infrastructure at Greenbank Leisure Centre including pipework to pool and roof structure needs investment.
SD15	Leisure Centres	Due to the National Lockdowns and control of coronavirus measures.
SD16	Voluntary and Community Sector	A reduction in resources for partners who deliver services for or on behalf of the Council
SD 17	Sustainable Urban Drainage features (Suds)	Failure to manage the Suds in line with national guidance
SD18	Monitor fluctuations in recycle prices	Failure to monitor and report fluctuations in recycle prices
SD19	Animal Welfare Costs	Significant increase in dog ownership, illegal dog breeding and poor animal welfare

## Quarter 2, 2022-2023 Chief Executive Risk Register

REF	RISK TITLE & DESCRIPTION	RISK CAUSE	RISK IMPACT	RISK CATEGORY  Strategic Operational Financial Knowledge management Compliance, Partnership	Current Risk Rating (See table below for guidance)			CONTROLS IN PLACE TO MITIGATE THE RISK	Risk Rating after mitigations (See table below for guidance)			FURTHER ACTION REQUIRED	SUMMARY OF CHANGE SINCE LAST QUARTER	RISK OWNER
					LIKELIHOOD	IMPACT	RISK RATING		LIKELIHOOD	IMPACT	RISK RATING			
CE1	Economic development partnerships	Failure of economic development partnerships	Leading to an adverse impact on businesses and local economy	Partnership	2	2	4	<ul style="list-style-type: none"> <li>Proactive engagement in partnerships and with individual partners.</li> <li>Commitment of officer time and resources to partnership activities.</li> </ul>	1	2	2	<ul style="list-style-type: none"> <li>Monitoring of projects and performance.</li> </ul>	No change in Q2.	Economic Development and Growth
CE2	South Derbyshire Partnership working	Failure of the South Derbyshire Partnership	Leading to non-delivery of the community's vision and priorities set out in the Community Strategy	Partnership / Strategic	2	3	6	<ul style="list-style-type: none"> <li>Proactive support for partnership.</li> <li>Commitment of officer time and resources to partnership facilitation.</li> <li>Engagement of partners in policy making and project design and delivery.</li> </ul>	1	3	3	<ul style="list-style-type: none"> <li>Monitoring of projects and performance by Strategic Co-ordinating Group.</li> </ul>	No change in Q2.	Economic Development and Growth
CE3	Transfer of responsibility for visitor information provision from Sharpe's Pottery Heritage and Arts Trust to the Council	Interruption of service delivery whilst transferring services to the Council	Leading to associated risk of service disruption	Operational	2	2	4	<ul style="list-style-type: none"> <li>Commitment of officer time and resources.</li> <li>Transformation Project is underway.</li> </ul>	1	2	2	<ul style="list-style-type: none"> <li>Monitoring of progress through Transformation Project Team arrangements.</li> </ul>	No change in Q2.	Economic Development and Growth
CE4	Effectively manage the election process and canvassing.	Failure of joined up Council approach	Leading to a failed election process	Strategic	2	2	4	<ul style="list-style-type: none"> <li>Elections Project Team in place and meets as necessary with representatives from all services involved.</li> <li>Arrangements in place for an Election to be called at short notice.</li> <li>Arrangements in place for Referenda/By-Elections to be called.</li> </ul>	1	2	2	<ul style="list-style-type: none"> <li>Monitoring of service delivery under review consistently</li> </ul>	No change in Q2.	Legal and Democratic Services

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<b>REPORT TO:</b>	<b>ENVIRONMENTAL AND DEVELOPMENT SERVICES</b>	<b>AGENDA ITEM: 6</b>
<b>DATE OF MEETING:</b>	<b>10 NOVEMBER 2022</b>	<b>CATEGORY: RECOMMENDED</b>
<b>REPORT FROM:</b>	<b>MATT HOLFORD, HEAD OF ENVIRONMENTAL SERVICES</b>	<b>OPEN</b>
<b>MEMBERS' CONTACT POINT:</b>	<b>DENNIS BATEMAN, PRINCIPAL COMMUNITY SAFETY ENFORCEMENT OFFICER</b>	<b>DOC:</b>
<b>SUBJECT:</b>	<b>PUBLIC SPACES PROTECTION ORDERS</b>	<b>REF:</b>
<b>WARD(S) AFFECTED:</b>	<b>All</b>	<b>TERMS OF REFERENCE: EDS14</b>

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**1. Recommendations**

1.1 That the Committee approves the proposed three-year extension of seven Public Spaces Protection Orders for South Derbyshire as detailed in the report.

**2. Purpose of Report**

2.1 To advise Committee of the current matters contained within South Derbyshire Public Spaces Protection Orders, of the effect of the existing Orders and of the legal tests which must be met to enable Orders to be extended.

2.2 To seek approval to extend seven existing Public Spaces Protection Orders for the maximum permissible three-year period.

**3. Background**

3.1 The Anti-Social Behaviour Crime and Policing Act 2014 (“the Act”) introduced various discretionary powers for the police and local authorities to take new actions to tackle anti-social behaviour.

3.2 Sections 59 to 75 of the Act offer Councils powers using Public Spaces Protection Orders (PSPOs) to stop individuals or groups from committing anti-social behaviour (ASB) in a public place.

3.3 Before making a PSPO the Council must be satisfied that the behaviour being restricted;

- Is having, or be likely to have, a detrimental effect on the quality of life of those in the locality, and;
- Is persistent or continuing in nature;
- Is unreasonable, and

- The impact of the behaviour justifies the restrictions being proposed.
- 3.4 The PSPO can control the unreasonable behaviour by imposing conditions on the use of a specified area. Statutory guidance issued by the Home Office advises that a PSPO is “*designed to make public spaces more welcoming to the majority of law abiding people and communities and not simply restrict access*”.
- 3.5 Once declared a PSPO can last up to a maximum three years. After this it must either be extended or it is automatically revoked. The controls contained in a PSPO can be varied or removed at any time.
- 3.6 Where the conditions of a PSPO are breached there are two possible sanctions. Firstly, a Fixed Penalty Notice (FPN) can be issued which, if paid, discharges the liability for the offence. If the offence is not admitted or the FPN is not paid then the offence can be taken to a Magistrate’s Court to seek a prosecution. Where a PSPO is used for restricting alcohol consumption, a FPN will only be issued to an individual if they fail to comply with a request to cease drinking or surrender the alcohol.
- 3.7 FPNs can be issued by Police Officers, Police Community Support Officers (PCSOs), Council Officers or anyone else authorised by the Council. Prosecutions can only be taken by the Council. FPN’s issued in relation to alcohol consumption will be issued by either a PCSO or Police Officer.
- 3.8 The contents of a PSPO can be challenged in the High Court within six weeks of it being made. The challenge can be either on the basis that the Council did not have the power to make the relevant restriction, that the relevant tests stated in para 3.3 above are not met, or that the procedural requirements for creating a PSPO were not met.

### **3.9 PSPOs in South Derbyshire**

- 3.10 Levels of anti-social behaviour in South Derbyshire are relatively low. Nevertheless, the Council has made proactive use of the power to deal with specific issues or locations of anti-social behaviour and to continue to apply pre-existing controls on how people use its parks and open spaces.
- 3.11 To date the Council has declared nine PSPOs, all of which are published on the Council’s website. These consist of;
1. A District-wide PSPO requiring dog owners to clean up after their dog;
  2. A requirement for dogs to be kept on leads in some parks;
  3. A ban on dogs in some children’s play areas;
  4. A PSPO making registered owners responsible for litter thrown from their vehicle;
  5. A prohibition on access to land off Staker Lane, Findern to prevent fly tipping;
  6. A limitation on access to Lowes Lane, Swarkestone to prevent fly tipping;
  7. Eureka Park PSPO to control aspects of ASB in Eureka Park;
  8. Maurice Lea Park PSPO, to control aspects of ASB in the park;
  9. The Swadlincote Town Centre PSPO to control aspects of town centre ASB.
- 3.12 The PSPOs numbered 1 to 7 in paragraph 3.11 all expire in January 2023. This report seeks Committee approval to extend all of these seven PSPOs in their current form to 2026. PSPOs numbered 8 and 9 are outside the scope of this Committee Report.

3.13 Non-statutory guidance issued by the LGA on the use of PSPOs states that “*Effective evaluation of Orders will be important when determining whether any extensions or variations would be appropriate*”.

3.14 Appendix 1 to this report contains an evidence review of the impacts of each of the PSPOs numbered 1 to 7 in paragraph 3.11 above. In the opinion of officers, the community effect of all seven of these PSPOs has been positive and there is objective evidence to justify the continuation of all seven Orders.

### **3.15 Consultation**

3.16 Consultation on the proposed extension of the PSPOs was carried out between 1 September and 30 September 2022.

3.17 The consultation consisted of seeking responses from all statutory consultees plus direct contact was also made with all Parish Councils and District Councillors to seek their views. Contact was also made with the small number of residents who have complained about the PSPOs since they were last made.

3.18 A consultation page and questionnaire were published on the Councils website and the consultation was publicised through the Councils social media portals.

3.19 There was minimal feedback through the website – three responses were received, all of which were supportive.

3.20 Feedback from all of the statutory consultees, Parish Councils and District Councillors were all supportive of the proposals.

3.21 A number of Parish Councils made requests for additional land to be included within the existing PSPOs. Proposals to extend the existing PSPOs are not within the scope of this report and will need to be considered separately. These may be the subject of subsequent reports to this Committee depending on the outcome of the considerations.

3.22 There have been two responses from members of the public that are worthy of mention and can be considered as challenges to the proposed Orders.

3.23 The first response relates to the limitation of access to Lowes Lane, Swarkestone. The implementation of the Lowes Lane PSPO involved the installation of a gate which restricts vehicle access other than for permitted purposes. The Order specifically states that there is no prohibition on pedestrian, equine or bicycle access to the area to which the Order relates.

3.24 When the access gate is closed, there is an alternative access point available for pedestrian, equine and bicycle traffic which measures approximately 106cm (42inches) in width. The objector is seeking to get this access point increased to a minimum of 153cm (60 inches).

3.25 In order to meet the request, the existing gate will need to be located which is likely to involve significant cost.

3.26 For the purposes of this report, this is not an objection to the renewal of the Lowes Lane Order. Is a complaint about the way in which the Order has been implemented and it can therefore be considered outside the subject of this report.

3.27 Secondly, an objection has been raised in relation to the Dogs on Lead PSPO and more specifically to the inclusion of the entirety of the Melbourne Sports Partnership grounds in this PSPO.

3.28 The objector has objected to the inclusion of the Melbourne Sports Partnership grounds in the dogs on lead PSPO in its current form for the following reasons;

- The consultation on the original proposed declaration of the MSP as being 'dogs on leads' generated a relatively small response, and there was a small majority against the PSPO being introduced
- The existing PSPO imposes an unreasonable restriction on the ability for dog owners to provide reasonable exercise for their pets.
- The PSPO does not take sufficient account of accessibility concerns for those exercising dogs in Melbourne who need to do so on relatively flat ground, either because of limited mobility or having young families in pushchairs etc. The objector states that there are very limited options for this in Melbourne.
- The objector states that he regularly observes dogs being exercised off the lead on the MSP grounds.

3.29 The objector makes the observation that the Order could instead limit the particular places dogs can go off the lead in the MSP grounds and/or that the Order could impose particular times at which dogs can be exercised off leads on the grounds.

3.30 The inclusion of the MSP grounds in the dogs on lead Order was considered by this Committee on 17 November 2016. Committee agreed, having considered the outcomes from the public consultation exercise, to include the MSP grounds in the dogs on lead PSPO.

3.31 In relation to the consultation both the Melbourne Sports Partnership and the Melbourne Parish Council support the renewal of the Orders in their existing form.

#### **4. Financial Implications**

4.1 Effective enforcement of all of the existing PSPOs can be delivered within existing budgets.

4.2 Enforcement of the PSPOs generates a small quantity of income – usually in the region of £500 to £1,000 a year. This is not expected to change significantly if the proposals in this report are approved.

#### **5. Corporate Implications**

##### **Employment Implications**

5.1 None.

##### **Legal Implications**

5.2 Minor. The extended PSPOs will all be subject to possible appeal to the High Court for a period of up to 6 weeks after the new Orders are made.

- 5.3 The proposals align with the key priority of “Our Environment” and the key aim of this priority to “Reduce fly tipping and litter through education, engagement and zero tolerance enforcement action where appropriate”.
- 5.4 The proposals align with the key priority of “Our People” and the key aim of this priority to “Help tackle anti-social behaviour and crime through strong and proportionate action”.

### **Risk Impact**

- 5.5 The proposals will have a beneficial mitigating action against the corporate risk of “Managing the environmental impact of incidents across the District”.

## **6. Community Implications**

### **Consultation**

- 6.1 The Act sets out bodies with whom the Council must consult before introducing or varying a PSPO. These include the local chief officer of Police; the Police and Crime Commissioner; the County Council; owners and occupiers of land affected; local parish councils. Councils have discretion to consult more widely than this as they deem appropriate.
- 6.2 The consultation process carried out complies with the requirements of the Act. All of the PSPOs were the subject of extensive public consultations before they were approved and the detail of all of these public consultations are set out in the relevant Committee reports which approved each of the respective PSPOs.

### **Equality and Diversity Impact**

- 6.3 Fair and proportionate application of the law should ensure that improvements in equality and diversity are indirectly delivered by tackling crime and anti-social behaviour.

### **Social Value Impact**

- 6.4 Beneficial.

### **Environmental Sustainability**

- 6.5 Beneficial. Proportionate regulation is an important feature of ensuring community cohesion. It also ensures positive economic growth by preventing businesses which operate outside the law from gaining a competitive advantage in their respective market.

## **7. Conclusion**

- 7.1 That Members approve the extension of the existing seven PSPOs referred to at points 1 to 7 of paragraph 3.11 for a further three years.

## **8. Background Papers**

- 8.1 Environment & Development Services Committee, 14 November 2019.
- 8.2 Environment & Development Services Committee, 15 August 2019.

- 8.3 Environment & Development Services Committee, 16 August 2018.
- 8.4 Environment & Development Services Committee, Public Spaces Protection Orders under the Anti-Social Behaviour, Crime and Policing Act 2014, 17 November 2016
- 8.5 Environment & Development Services Committee, Public Spaces Protection Orders and Fixed Penalty Notice sanctions under the Anti-Social Behaviour, Crime and Policing Act 2014, 20 August 2015
- 8.6 Environment & Development Services Committee, Revision of the South Derbyshire Dog Control Order, 4 October 2012
- 8.7 Environment & Development Services Committee, Revision of the South Derbyshire Dog Control Order, 31 May 2012

<b>REPORT TO:</b>	<b>ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE</b>	<b>AGENDA ITEM: 7</b>
<b>DATE OF MEETING:</b>	<b>10 NOVEMBER 2022</b>	<b>CATEGORY: RECOMMENDED</b>
<b>REPORT FROM:</b>	<b>CHIEF EXECUTIVE</b>	<b>OPEN</b>
<b>MEMBERS' CONTACT POINT:</b>	<b>JESSICA CHEADLE - PLANNING POLICY OFFICER, TEL: 07435829964</b>	<b>DOC:</b>
<b>SUBJECT:</b>	<b>APPROVAL OF THE INFRASTRUCTURE FUNDING STATEMENT 2021-22</b>	
<b>WARD(S) AFFECTED:</b>	<b>ALL</b>	<b>TERMS OF REFERENCE: EDS</b>

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## **1. Recommendations**

1.1 To approve the Infrastructure Funding Statement (IFS) for the 2021-22 financial year.

## **2. Purpose of the Report**

2.1 To report to the Committee the contents of the IFS which is included in Appendix 1 to this report.

2.2 This statement must provide a summary of the contributions the Council has secured through Section 106 (S106) legal agreements from new developments for off-site infrastructure provision and affordable housing.

2.3 In brief, the IFS provides:

- An overview of S106 obligations
- S106 contributions committed for future years
- S106 contributions paid to the Council in the 2021/22 monitoring period
- Any S106 contributions which have not been allocated by the Authority
- Projects successfully delivered throughout the District using S106 contributions within the monitoring period.

## **3. Detail**

3.1 The IFS is required to report contributions in relation to Community Infrastructure Levy (CIL) and S106. As South Derbyshire District Council does not have a CIL, the obligations reported are all under S106 requirements.

- £3,411,162.83 is the estimated financial value of S106 agreements that have been entered into during the reporting period; the exact figure will only be confirmed once reserved matters applications are approved. This is an increase of £2,010,942.45 on the previous monitoring period.
- £6,029,589.09 of S106 contributions were collected of which just over 60% went to the District Council with the remainder due to be transferred to other public authorities. This is an increase of £1,771,752.79 on the previous year. The infrastructure types that these contributions are to be spent on are set out in Tables 3 and 4 of the IFS.
- The total monies spent during the financial year was £2,678,370.50, of which £1,626,581.69 was transferred to external bodies.

#### **4. Financial Implications**

- 4.1 None resulting from publishing the IFS. The Council needs to use S106 monies within the specified timescales (usually five years) of the money being received, otherwise it must be paid back to the developer with interest. It is possible to specify time periods of longer than five years with agreement between the parties.

#### **5. Corporate Implications**

##### **Employment Implications**

- 5.1 Not identified

##### **Legal Implications**

- 5.2 None.

##### **Corporate Plan Implications**

- 5.3 The S106 agreements reported within the IFS are consistent with a number of Corporate Plan themes. These include:
- to enhance biodiversity across the District (Our Environment).
  - to improve public spaces to create an environment for people to enjoy (Our Environment).
  - to promote health and wellbeing across the District (Our People).
  - to influence the improvement of infrastructure to meet the demands of growth (Our Future).
  - to enable the delivery of housing across all tenures to meet Local Plan targets (Our Future).

##### **Risk Impact**

- 5.4 There are no significant risks in publishing the IFS which the Council is required to do by 31 December 2022.

## **6. Community Impact**

### **Consultation**

- 6.1 None. Extensive consultation has been undertaken on the planning applications to which the S106 agreements are attached.

### **Equality and Diversity Impact**

- 6.2 None.

### **Social Value Impact**

- 6.3 Beneficial: the S106 agreements reported in the IFS will lead to the provision of environmental enhancements, infrastructure and affordable housing across the District.

### **Environmental Sustainability**

- 6.4 Beneficial: open space provision and nature conservation enhancements.

## **7. Appendices**

- 7.1 Appendix 1: Infrastructure Funding Statement 2021-22



# Infrastructure Funding Statement

**2021-2022**

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## 1.0 Introduction

[The Community Infrastructure Regulations 2010 \(Amendment\) \(England\) \(No.2\) Regulations 2019](#), came into force on 1 September 2019. This required that all contribution receiving authorities must produce an annual Infrastructure Funding Statement (IFS).

This statement must provide a summary of the contributions the Council has secured through Section 106 (S106) legal agreements from new developments for off-site infrastructure provision and affordable housing.

In brief, the IFS provides detail of the following:

- Overview of S106 obligations.
- S106 contributions committed for future years.
- S106 contributions paid to the Council in the 2020/21 monitoring period.
- Any S106 contributions which have not been allocated by the authority.
- Projects successfully delivered throughout the District with Section 106 contributions within the monitoring period.

The information that is included within this report will be published on the Council's [website](#).

This report does not include information on infrastructure that has been delivered on site.

Throughout the IFS there will be references provided to the following definitions:

- **Allocated** – Contributions that have been received, and allocated to specific projects for future spending
- **Received** – Contributions that have been received by South Derbyshire District Council; these can be either monetary, or non-monetary. Where another Local Planning Authority (LPA) is a signatory to the S106 (for example Derby City Council), that LPA might have received the contribution. If this is the case it will be highlighted on its IFS.
- **Spent / Transferred** – Monetary contributions that have been spent
- **Financial year** - Unless stated, this refers to the period of 01/04/2021 – 31/03/2022.

## 2.0 Section 106 Agreements

Planning Obligations are a legal obligation under Section 106 of the Town and Country Planning Act 1990 (as amended). They are used as a mechanism to make a development proposal acceptable in planning terms.

Planning obligations may only constitute a reason for granting planning permission if they meet the three statutory tests as set out in the [Community Infrastructure Levy \(CIL\) Regulations 2010 \(as amended\)](#) and in paragraph 56 of the National Planning Policy Framework ([NPPF](#)); these are that the obligation is:

- necessary to make the development acceptable in planning terms,
- directly related to the development, and
- fairly and reasonably related in scale and kind.

Obligations are site specific and focus on the mitigation of the impact of the proposed development.



S106 obligations can either be provided on-site, for example, through the provision of a Locally Equipped Area for Play (LEAP) or affordable housing, or they can be provided off-site in the form of financial payments.

South Derbyshire District Council's Guide for Developers with regard to S106 obligations is available [here](#) on the Council's website.

### 3.0 Community Infrastructure Levy (CIL)

Community Infrastructure Levy (CIL) was introduced through the CIL Regulations 2010 as an alternative mechanism for the funding of infrastructure necessitated by new development. CIL is a tariff-based system with the associated adopted charging schedule setting out the CIL charge per square metre, depending on the type of development.

South Derbyshire District Council is not currently a CIL charging authority.

### 4.0 Infrastructure Funding Statement Requirements

Under Regulation 121A of the CIL Regulations, it is required that no later than 31 December each year a contribution receiving authority must publish an annual infrastructure funding statement which comprises the following three elements:

- a) A statement of the infrastructure projects or types of infrastructure which the charging authority intends will be, or may be, wholly or partly funded by CIL (other than CIL to which regulation 59E or 59F applies) ("the infrastructure list")
- b) A report about CIL, in relation to the previous financial year ("the reported year"), which includes the matters specified in paragraph 1 of Schedule 2 ("CIL report");
- c) A report about planning obligations, in relation to the reported year, which includes the matters specified in paragraph 3 of Schedule 2 and may include the matters specified in paragraph 4 of that Schedule ("Section 106 Report").

### 5.0 Infrastructure Funding Statement

#### 5.1 Infrastructure projects, or types of infrastructure which the charging authority intends will be, or may be, wholly or partly funded by CIL

Nil: South Derbyshire District Council does not have a CIL in place.

#### 5.2 The CIL Report

Nil: South Derbyshire District Council does not have a CIL in place.



### 5.3 The Section 106 Report

The heading a) to i) below directly relate to the relevant [Community Infrastructure Levy Regulations 2019](#), which set out what is required in the S106 report.

- a) The total amount of money to be provided under any planning obligations which were entered into during the reported year.

Table 1 outlines the monies to be provided through S106s signed in the financial year. This does not include contributions where another Authority is due to collect this funding (for example Education funding where Derbyshire County Council is also a signatory to the S106).

The largest infrastructure type to be provided through the agreements is the off-site housing commuted sum which is in lieu of any that is to be provided within a development.

**Table 1: Monies to be provided under any planning obligations which were entered into during the financial year**

Infrastructure Type	Monies Agreed
Community Facilities	£37,085.60
Education	£162,433.83
Flood and Water Management	£633.00
Health	£1,726,660.00
Highways	£611,774.00
Monitoring Fee	£7,124.40
Open Space and Leisure	£902,537.60
<b>Total</b>	<b>£3,411,162.83</b>

\*As S106s are signed at the point of the planning permission being granted, the exact figure of the funding to be received is unknown until a reserved matters application is approved. Therefore, the figure provided under the monies agreed column is an estimate.

It must also be noted that the figures provided above are a snapshot in time and that planning obligations can be renegotiated at any point where the LPA (at Planning Committee) and the developer agree to do so.

- b) The total amount under any planning obligations which was received during the financial year (2021-2022)

Table 2 shows the total amount of S106 money received by South Derbyshire District Council. This is split into monies that the Council is to be the direct recipient of and monies to be transferred to



external organisations; these are broken down further in Tables 3 and 4 respectively. In the majority of instances, the funding was received from S106s signed prior to this financial year.

**Table 2: Total monies received 2021/22 directly through South Derbyshire District Council S106s**

Recipient	Monies Received
South Derbyshire District Council	£3,850,414.13
South Derbyshire District Council to be transferred to external organisations	£2,179,174.95
<b>Total</b>	<b>£6,029,589.09</b>

**Table 3: Money received this financial year to be spent by South Derbyshire District Council**

Infrastructure Type	Monies Received
Affordable Housing	£2,951,776.14
Community Facilities	£94,510.87
Green Infrastructure	£3,661.82
Monitoring Fees	£8,100.00
Open Space and Leisure	£792,365.30
<b>Total</b>	<b>£3,850,414.13</b>

**Table 4: Money received this financial year that is to be transferred to external organisations**

Infrastructure Type	Monies Received
Education	£877,040.76
Flood and Water Management	£2,071.37
Green Infrastructure	£629.36
Health	£280,941.03
Highways	£1,018,492.43
<b>Total</b>	<b>£2,179,174.95</b>

- c) The total amount under any planning obligations which was received before the reported year which has not been allocated by the authority

**Table 5: Unallocated monies held by the Council at 31st March 2021**

Infrastructure Type	Amount Held
Affordable Housing	£5,931,977.67
Community Facilities	£7,442.99
Green infrastructure	£4,793.45
Health	£247,031.91
Open Space and Leisure	£626,340.43
<b>Total</b>	<b>£6,817,586.45</b>

- d) Non-monetary contributions to be provided under planning obligations which were entered into during 2021/22.

- i. In relation to affordable housing, the total number of units to be provided: 0



A total of eight S106s were entered into during the financial year with affordable housing provision resulting from two of the developments, as set out in Table 6 below.

**Table 6: Detail regarding affordable housing regarding S106s signed 2021/22.**

App No	Development	Comment
DMPA/2019/1415	Court Street , Woodville	This is a 100% affordable development. The agreement is a Deed of Variation to reduce the amount of obligations in the original agreement due to viability.
DMPA/2020/1434	Plot 4 , Dove Valley Park	This is a commercial development therefore no Affordable Housing is expected to be provided as part of it.
DMPA/2020/1460	Drakelow Park	The Affordable Housing is being provided on site through alternative methods
9/2019/0545	193 Acresford Road , Overseal	The development is below the threshold for Affordable Housing developments*
DMPA/2019/1198	Land north of Scropton Lane, Scropton	The development is below the threshold for Affordable Housing developments*
DMPA/2020/1096	Land at the Willows , Clifton Road , Netherseal	The development is below the threshold for Affordable Housing developments*
DMPA/2018/0001	Land at Micklemeadow Farm , Findern	The development is below the threshold for Affordable Housing developments*
DMPA/2020/1117	Former Midland Pig Producers , Woodyard Lane, Foston	This is a commercial development therefore no Affordable Housing is expected to be provided as part of it.

\*Policy H21 of the adopted [Local Plan Part 1](#) requires 30% affordable housing on sites of over 15 dwellings.

ii. *In relation to educational facilities, the number of school places and category of school:*

For the amount of education places provided as non-monetary contribution please refer to Derbyshire County Council's IFS.

e) The total amount of money (received under any planning obligations) which was allocated but not spent during 2021/22 for funding infrastructure

Table 7 shows the total funding that was allocated but has not yet been spent. This is independent of when the funding was received. The funding is allocated between various organisations in accordance with the terms of the S106.

**Table 7: Total funding allocated but not yet spent.**

Allocation	Monies allocated but not spent
<a href="#">Community Facilities</a>	£246,170.41
<a href="#">Flood and Water Management</a>	£54,531.98
<a href="#">Green Infrastructure</a>	£35,630.58
<a href="#">Health</a>	£1,309,129.59
<a href="#">Highways</a>	£910,375.81



<a href="#">Open Space and Leisure</a>	£1,738,095.53
<a href="#">Primary Education</a>	£597,547.01
<a href="#">Secondary Education</a>	£710,459.37
<a href="#">Transport and Travel</a>	£111,628.82
<b>Total</b>	<b>£5,726,669.10</b>

f) Total monies spent in 2021-2022

**Table 8: Total Council monetary S106 spending and transfer 2021-2022**

<b>Money spent / transferred</b>	<b>Amount</b>
South Derbyshire District Council	£1,051,788.81
Transferred to External Body	£1,626,581.69
<b>Total</b>	<b>£2,678,370.50</b>

g) In relation to money (received under planning obligations) which was allocated by the authority but not spent during the financial year, summary details of the items of infrastructure on which the money has been allocated and the amount of money allocated to each item:

**Table 9: Community Facilities S106 funding which was allocated but not spent (or transferred) 2021-2022**

<b>Contribution Type</b>	<b>Organisation Responsible for Spending</b>	<b>Project Allocated To</b>	<b>Amount</b>
Community Facilities	South Derbyshire District Council	Towards the new community centre at New House Farm	£188,447.21
Community Facilities	South Derbyshire District Council	Towards improvements of the pool at Greenbank Leisure Centre	£42,246.37
Library Contribution	Derbyshire County Council	Etwell Library Improvements	£14,963.75
Waste Contribution	Derbyshire County Council	Towards additional capacity at Newhall HWRC	£15,476.83
<b>Total</b>			<b>£246,170.41</b>

**Table 10: Flood and Water Management S106 funding which was allocated but not spent (or transferred) 2021-2022**

<b>Contribution Type</b>	<b>Organisation Responsible for Spending</b>	<b>Project Allocated To</b>	<b>Amount</b>
--------------------------	--	-----------------------------	---------------



River Mease Contribution	North West Leicestershire District Council	River Mease DCS2	£4,531.98
Willington Brook Contribution	South Derbyshire District Council	Community Improvements within Willington	£50,000.00
<b>Total</b>			<b>£54,531.98</b>

Table 11: Green Infrastructure S106 funding which was allocated but not spent (or transferred) 2021-2022

Contribution Type	Organisation Responsible for Spending	Project Allocated To	Amount
Grassland Contribution	South Derbyshire District Council	The restoration and management of Swadlincote Woodlands	£6,200.31
Tree Planting	South Derbyshire District Council	Urban Tree Planting within Swadlincote	£2,838.51
Public Right of Way Contribution	South Derbyshire District Council	Towards footpath connections at Woodville Woodlands	£9,382.50
Pedestrian / Cycleway Contribution	Derbyshire County Council	Creation of a Pedestrian / Cycleway from Cadley Hill Industrial Estate to Ryder Close	£16,579.90
National Forest Contribution	The National Forest Company	National Forest Planting within South Derbyshire	£629.36
<b>Total</b>			<b>£35,630.58</b>

Table 12: Healthcare S106 funding which was allocated but not spent (or transferred) 2021-2022

Contribution Type	Organisation Responsible for Spending	Project Allocated To	Amount
Healthcare Contribution	Derby and Derbyshire CCG	Alvaston Medical Centre Improvements	£515,031.50
Healthcare Contribution	Derby and Derbyshire CCG	Gresleydale Surgery Expansion	£9,934.25
Healthcare Contribution	Derby and Derbyshire CCG	Heartwood GP Surgery Improvements	£22,838.58
Healthcare Contribution	Derby and Derbyshire CCG	Hilton GP Surgery Expansion	£63,205.42
Healthcare Contribution	Derby and Derbyshire CCG	Mickleover Medical Centre Expansion	£163,529.31



Healthcare Contribution	Derby and Derbyshire CCG	Lister House Surgery, Chellaston Improvements	£13,542.75
Healthcare Contribution	Derby and Derbyshire CCG	Newhall Surgery – Additional Capacity	£66,790.23
Healthcare Contribution	Derby and Derbyshire CCG	Healthcare Improvements within Swadlincote	£74,797.37
Healthcare Contribution	Derby and Derbyshire CCG	South East Derby New Build	£264,812.53
Healthcare Contribution	Derby and Derbyshire CCG	Willington Surgery Improvements	£5,379.76
Healthcare Contribution	Derby and Derbyshire CCG	Woodville Surgery Improvements	£109,267.92
<b>Total</b>			<b>£1,309,129.59</b>

Table 13: Highways S106 funding which was allocated but not spent (or transferred) 2021-2022

Contribution Type	Organisation Responsible for Spending	Project Allocated To	Amount
Highways	Derbyshire County Highways	Improvements to Woodyard Lane Foston	£1,381.87
Highways	Derby City Council	Improvements to A514 Transport Corridor	£264,510.88
Highways	Derbyshire County Council	A515 / A50 roundabout junction at Sudbury works	£31,619.09
Highways	Derbyshire County Council & Derby City Council	Towards the delivery of the transport projects specified within 9/2017/0349 Section 106 Agreement	£370,682.23
Highways	Derbyshire County Council & Derby City Council	Towards Highways Mitigation Works as specified within 9/2015/0768 Section 106 Agreement	£1,87,825.75
Highways	Derbyshire County Highways	Improvements to Station Road, Melbourne	£8,232.90
Highways	Derbyshire County Highways	Towards traffic calming measures along Woodville Road	£49,123.09
<b>Total</b>			<b>£910,375.81</b>



Table 14: Open Space and Leisure S106 funding which was allocated but not spent (or transferred) 2021-2022

Contribution Type	Organisation Responsible for Spending	Project Allocated To	Amount
Outdoor Sports	South Derbyshire District Council	Badger's Hollow Recreation Ground Improvements	£20,945.73
Outdoor Sports	South Derbyshire District Council	Broomfields Recreation Ground	£34,218.40
Recreation Contribution	South Derbyshire District Council	Cricket clubs within the North West of South Derbyshire	£87,431.24
Open Space	South Derbyshire District Council	Eureka Park	£19,421.93
Built Facilities	South Derbyshire District Council	Goseley Community Centre	£9,532.16
Built Facilities	South Derbyshire District Council	Greenbank Leisure Centre Improvements	£77,920.64
Outdoor Sports	South Derbyshire District Council	Hatton Skatepark Creation	£34,995
Built Facilities	South Derbyshire District Council	Hilton Scout Headquarters Improvements	£55,425.30
Outdoor Sports	South Derbyshire District Council	Improvements to playing pitches and associated facilities at the Mease (Hilton Harriers Football Club), including land acquisition cost	£41,848.30
Built Facilities	South Derbyshire District Council	Improvements to waiting and circulation area capacity at Hilton Village Hall	£23,358.96
Built Facilities	South Derbyshire District Council	Kings Newton Bowls Clubhouse	£15,326.07
Open Space	South Derbyshire District Council	Main Street Recreation Ground, Hartshorne Improvements	£18,098.78
Open Space	South Derbyshire District Council	Maurice Lea Memorial Park Play Equipment	£3,911.62
Built Facilities	South Derbyshire District Council	Melbourne Assembly Room Enhancements	£18,079.46
Open Space	South Derbyshire District Council	Newhall Park	£67,917.09



Built Facilities	South Derbyshire District Council	Improvements to the changing rooms at Overseal Recreation Ground	£10,164.76
Outdoor Sports	South Derbyshire District Council	Play Equipment Improvements in Overseal	£8,115.82
Open Space	South Derbyshire District Council	Sports Pitch Improvements at Overseal	£13,723.11
Open Space	South Derbyshire District Council	Oversetts Road Recreation Ground	£570,000.00
Built Facilities	South Derbyshire District Council	Repton Village Hall Improvements	£13,754.60
Built Facilities	South Derbyshire District Council	Rosliston Village Hall Improvements	£4,882.14
Open Space	South Derbyshire District Council	Rosliston Village Hall Pre-School Equipment	£14,789.54
Built Facilities	South Derbyshire District Council	Rosliston Forestry Centre, Towards Visitor Centre Enhancements	£44,316.11
Open Space	South Derbyshire District Council	Rosliston Forestry Centre, towards outdoor improvements	£134,983.64
Outdoor Sports	South Derbyshire District Council	Rosliston Forestry Centre, towards outdoor improvements	£57,746.98
Built Facilities	South Derbyshire District Council	Enhancement of Scropton Road Recreation Ground	£34,413.11
Outdoor Sports	South Derbyshire District Council	Enhancement of Scropton Road Recreation Ground	£21,653.30
Outdoor Sports	South Derbyshire District Council	Strawberry Lane Recreation Ground Improvements	£30,769.42
Built Facilities	South Derbyshire District Council	Swadlincote Town Hall Improvements	£3,995.74
Outdoor Sports	South Derbyshire District Council	Improvements to the changing rooms and an artificial pitch at Granville Sports College or towards an urban sporting hub for Swadlincote	£81,387.03
Open Space	South Derbyshire District Council	Swadlincote Woodlands Improvements	£36,624.32



Built Facilities	South Derbyshire District Council	Twyford Road Pavilion Refurbishment	£25,310.16
Open Space	Derbyshire Wildlife Trust	Willington Wetlands Nature Reserve Project	£9,975.00
Built Facilities	South Derbyshire District Council	Woodville Recreation Ground Pavilion Refurbishment	£54,726.13
Outdoor Sports	South Derbyshire District Council	Woodville Recreation Ground Improvements	£16,175.43
Open Space	South Derbyshire District Council	Woodville Woodlands Improvements	£1,420.86
Open Space	Derby City Council	Play Area, adjacent to Woodgate Drive Chellaston	£15,732.65
<b>Total</b>			<b>£1,738,095.53</b>

The Council liaises with external partners and bodies as appropriate in facilitating the timely spending of S106 monies.

**Table 15: Primary Education S106 funding which was allocated but not spent (or transferred) 2021-2022**

<b>Contribution Type</b>	<b>Organisation Responsible for Spending</b>	<b>Project Allocated To</b>	<b>Amount</b>
Primary Education	Derbyshire County Council	Belmont Primary School Expansion	£37,334.02
Primary Education	Derbyshire County Council	Eureka Primary School Expansion	£169,467.12
Primary Education	Derbyshire County Council	Newhall Junior School Expansion	£12,236.23
Primary Education	Derbyshire County Council	Overseal Primary School Expansion	£178,411.32
Primary Education	Derbyshire County Council	Rosliston Primary School Expansion	£49,983.51
Primary Education	Derbyshire County Council	Repton Primary School Expansion	£37,203.56
Primary Education	Derbyshire County Council	Willington Primary School Expansion	£38,682.00
Primary Education	Derbyshire County Council	Woodville Infant & Junior School Expansion	£74,525.96
<b>Total</b>			<b>£597,547.01</b>



Table 16: Secondary Education Section 106 funding which was allocated but not spent (or transferred) 2021-2022

Contribution Type	Organisation Responsible for Spending	Project Allocated To	Amount
Secondary Education	Derbyshire County Council	Chellaston Academy Expansion or new secondary school at Infinity Garden Village	£443,321.22
Secondary Education	Derbyshire County Council	Granville Academy Expansion	£49,635.89
Secondary Education	Derbyshire County Council	John Port Improvement Works	£217,502.26
<b>Total</b>			<b>£710,459.37</b>

Table 17: Transport and Travel Section 106 funding which was allocated but not spent (or transferred) 2021-2022

Contribution Type	Organisation Responsible for Spending	Project Allocated To	Amount
Bus Service Contribution	Derby City Council	Towards a bus to serve Chellaston Fields	£111,628.82
<b>Total</b>			<b>£111,628.82</b>

h) In relation to money (received under planning obligations) which was spent during the financial year

i. *The items of infrastructure on which that money was spent, and the amount spent on each:*

Table 18: Total monies spent by South Derbyshire District Council 2021-2022

Infrastructure Type	Infrastructure Project	Monies Spent
Open Space and Leisure	Disabled Access at Aston Recreation Ground	£5,391.39
Open Space and Leisure	King George V Playing Field Drainage Improvements	£4,950.00
Open Space and Leisure	Overseal MUGA Enhancement Project	£44,048.29
Open Space and Leisure	Aston Trent Bowls Club Project	£8,000.00
Open Space and Leisure	Willington Outdoor Gym	£12,269.90



Open Space and Leisure	Hilton Parish Memorial Meadow Creation	£1,050.00
Open Space and Leisure	Hilton Parish Astro Turf Replacement	£22,512.00
Open Space and Leisure	Weston on Trent Outdoor Gym	£19,773.55
Open Space and Leisure	Etwall Leisure Centre Car Park	£44,640.00
Open Space and Leisure	Replacement Flooring at King George Memorial Hall	£21,589.59
Open Space and Leisure	Installation of Fixed Nets at Hartshorne Cricket Club	£6,266.35
Open Space and Leisure	Willington Tennis Club Refurbishment	£5,850.00
Open Space and Leisure	Etwall Leisure Centre MUGA , Tennis Court and Changing Facilities Upgrade	£456,126.25
Open Space and Leisure	Melbourne Sports Park Pitch Improvements	£33,281.52
Open Space and Leisure	Cadley Urban Park	£366,039.97
<b>Total</b>		<b>£1,051,788.81</b>

The table above refers to S106 monies spent by the Council; in this section, the tables below refer to monies transferred to external organisations for spending, split up by the infrastructure type.

**Table 19: Green Infrastructure S106 funding transferred 2021-2022**

<b>Recipient</b>	<b>Infrastructure Project</b>	<b>Monies Transferred</b>
The Canal and River Trust	Trent and Mersey Canal Improvements in Swarkestone	£46,583.30
Derbyshire County Council	Woodville Footpath 3 Improvements	£33,101.87
Derbyshire Wildlife Trust	Willington Gravel Pits Nature Reserve	£50,000.00
	<b>Total</b>	<b>£129,685.17</b>

**Table 20: Healthcare S106 funding transferred 2021-2022**

<b>Recipient</b>	<b>Infrastructure Project</b>	<b>Monies Transferred</b>
NHS England	Additional Clinical Capacity at Heartwood Surgery	£27,892.50
NHS England	Additional Clinical Capacity at The Lanes Surgery	£191,989.00
	<b>Total</b>	<b>£219,881.50</b>



Table 21: Highways S106 funding transferred 2021-2022

Recipient	Infrastructure Project	Monies Transferred
Derbyshire County Council	Woodville Regeneration Route	£27,500.00
Highways England	A38/A50 Junction Improvements	£10,000.00
<b>Total</b>		<b>£37,500.00</b>

Table 22: Primary Education S106 funding transferred 2021-2022

Recipient	Infrastructure Project	Monies Transferred
Derbyshire County Council	Eureka Primary School	£302,822.33
Derbyshire County Council	Stanton Primary School	£45,457.14
<b>Total</b>		<b>£348,279.47</b>

Table 23: Secondary and Post-16 Education S106 funding transferred 2021-2022

Recipient	Infrastructure Project	Monies Transferred
Derbyshire County Council	Pingle School Expansion	£38,034.38
Derbyshire County Council	William Allitt Expansion	£484,921.70
<b>Total</b>		<b>£522,956.08</b>

- ii. *The amount of money spent repaying money borrowed: NIL*
- iii. *The amount of money spent in respect of monitoring in relation to the delivery of planning obligations: NIL*
- i) The total amount of money (received under any planning obligations) during any year which was retained at the end of the reported year, and where any of the retained money has been allocated for the purposes of longer term maintenance 'commuted sums' also identify separately the total amount of commuted sums held.

The total amount of S106 monies currently held as at 31 March 2022, whether allocated or not, is £12,544,255.55.

The 'commuted sums' are allocated within a S106 for the sole purpose of funding the future maintenance and management of public open space within a development that has been adopted by the Council. The monies are jointly spent, as appropriate, by both the Operational Services and Parks and Green Spaces teams.

There is £425,173 of commuted sums held by South Derbyshire Council as of 31 March, 2022.



<b>REPORT TO:</b>	<b>ENVIRONMENTAL &amp; DEVELOPMENT SERVICES COMMITTEE</b>	<b>AGENDA ITEM: 8</b>
<b>DATE OF MEETING:</b>	<b>10 NOVEMBER 2022</b>	<b>CATEGORY: RECOMMENDED</b>
<b>REPORT FROM:</b>	<b>STRATEGIC DIRECTOR (CORPORATE RESOURCES)</b>	<b>OPEN</b>
<b>MEMBERS' CONTACT POINT:</b>	<b>SEAN MCBURNEY – HEAD OF CULTURAL &amp; COMMUNITY SERVICES</b>	<b>DOC:</b>
<b>SUBJECT:</b>	<b>PROPOSED BAN ON RELEASE OF BALLOONS ON SDDC LAND</b>	
<b>WARD(S) AFFECTED:</b>	<b>ALL WARDS</b>	<b>TERMS OF REFERENCE: (See Notes)</b>

## **1.0 Recommendations**

- 1.1 That the committee note the environmental damage caused by balloon plastic, wire and string litter to livestock and wildlife. Also, Sky lanterns and balloon releases pose a danger to aircraft.
- 1.2 That the committee agrees to issue a statement that the deliberate or accidental release of balloons of any kind is not permitted on SDDC owned or managed land, to suggest alternative ways of fundraising or commemoration and insist that any balloons used at events should be always tied securely and disposed of appropriately. This is to be supported by educational messages on the unintended associated environmental impact of balloon releases.
- 1.3 To share the report and recommendations with Derbyshire County Council and Parish Councils who are significant landowners in the district to encourage similar statements.

## **2.0 Purpose of the Report**

- 2.1 To update Members on the consequences of balloon releases which result in littering and environmental damage and suggest that we join the growing number of English and many other Scottish/ Welsh councils which have banned this activity on public land.
- 2.2 To also highlight a recent statement from East Midlands Airport Engagement Team.
- 2.3 Remind committee of previous related policy around ban on releases of Sky lanterns on SDDC land and to update to incorporate balloons.
- 2.4 To note and support the widespread adoption of similar measures by other councils and the strong support from the National Farmers Union and Marine Conservation

Society for these measures and the positive publicity this will create for SDDC's environmental credentials

### **3.0 Executive Summary**

- 3.1 Conservation charities and mainstream organisations like the National Farmers Union and The Marine Conservation Society have raised concerns about litter from balloon releases travelling a long way across country and into the sea and causing issues for livestock, wildlife and the appearance of the natural environment.
- 3.2 Across the UK 50 councils (33 in England) have already banned the release of balloons and will share information about how this has worked in practice if this report is approved. The Council's nearest neighbour which has implemented a ban is Nottinghamshire County Council. Balloons released in South Derbyshire rarely cause litter in South Derbyshire. Meaning a national approach is needed.
- 3.3 Balloon releases also have a potential cost both the Council and other landowners which have to clean up unsightly balloon litter, most obvious on road verges. There is also a potential cost to farmers who occasionally lose livestock when balloon litter is eaten.
- 3.4 East Midlands Airport released a statement and supporting educational material around Drones, fireworks, toy balloons and sky lanterns highlighting the dangers to aircraft. It states -Balloons, particularly if released in large numbers, could damage aircraft engines and cause aircraft to have to divert from their flightpath to fly around them. Foil balloons can also interfere with radar and navigation systems - See appendix A

### **4.0 Detail**

- 4.1 These issues are unintentional as people and charities organising and participating in the release of balloons do so with strong positive motivation linked to commemoration or fund raising. Environmental organisations such as the Marine Conservation Society have a list of potential alternatives to balloon releases included in their resources to support Councils and individuals.  
[http://www.mcsuk.org/what\\_we\\_do/Clean+seas+and+beaches/Campaigns+and+policy/Don't+Let+Go+-+resources](http://www.mcsuk.org/what_we_do/Clean+seas+and+beaches/Campaigns+and+policy/Don't+Let+Go+-+resources)  
The Marine Conservation Society explains how and why balloons cause damage including long-term persistence in the natural environment, use of scarce resources (helium) and the creation of harmful visual litter which can be eaten by or trap wildlife and some livestock.
- 4.2 Social media channels and press releases will be used to encourage the public to act responsibly and consider the risks posed through the release of balloons and sky lanterns, particularly to wildlife, livestock and the environment
- 4.3 The Council will inform event organisers of its Balloon and Sky Lantern Release Policy by means of including relevant information within booking forms, and other appropriate material.
- 4.4 The Council will include appropriate provisions within any new tenancy agreements, leases, licences of its land and premises. Whilst the ban relates solely to Council owned land and premises, the Council will promote the awareness of the potential harm of balloon and sky lantern releases.

4.5 The Forestry Commission (FC) is actively considering a similar ban. A restriction has already been incorporated into its lease of The Glade at Rosliston Forestry Centre which is on FC land.

## **5.0 Financial Implications**

5.1 The cost of approving a ban of balloon releases on Council owned land is limited to minimal staff time to deal with enquiries.

## **6.0 Corporate Implications**

### **Employment Implications**

6.1 None

### **Legal Implications**

6.2 Although it is possible to fine people for deliberately dropping litter, it is difficult to pinpoint the source of the balloons.

### **Corporate Plan Implications**

6.3 This initiative supports the values of the corporate plan that we take pride in our place. We will promote responsible behaviour and are committed to creating a more sustainable district.

### **Risk Impact**

6.4 There is a risk to the environment and wildlife by not having a ban in place.

## **7.0 Community Impact**

### **Consultation**

7.1 This proposal will be supported by social media and press release to help raise awareness.

### **Equality and Diversity Impact**

7.2 None

### **Social Value Impact**

7.3 This proposal will have a positive impact on Social Value By raising awareness of positive ways to take community action and reducing the amount of balloon litter created within the district both elements are supported by the proposed ban.

### **Environmental Sustainability**

7.4 SDDC will be seen to support a campaign with strong environmental credentials and be the first District in Derbyshire and The National Forest area to do so.

## **8.0 Conclusions**

8.1 Considering the environmental impact of balloon releases and the information from East Midlands Airport, it is appropriate to issue a statement that the deliberate or accidental release of balloons of any kind is not permitted on SDDC owned or managed land.

8.2 This is to be supported by a social media campaign and press releases to create awareness and educate the public.

8.3 To share this approach and recommendations with Derbyshire County Council and Parish Councils who are significant landowners in the district to encourage similar statements.

## **9.0 Background Papers**

Appendix A – East Midlands Airport Data Sheet.

### **Notes:**

\* Category – Please see the Committee Terms Of Reference in [Responsibility for Functions - Committees](#). This shows which committee is responsible for each function and whether it has delegated authority to make a decision, or needs to refer it elsewhere with a recommendation.

\*\* Open/Exempt - All reports should be considered in the open section of the meeting, unless it is likely that exempt information would be disclosed. Please see the [Access to Information Procedure Rules](#) for more guidance.

\*\*\* Committee Terms Of Reference in [Responsibility for Functions - Committees](#).

# Drones, fireworks, lighting displays, lasers, toy balloons and sky lanterns near East Midlands Airport

**Drones, fireworks, toy balloons and sky lanterns can be dangerous to aircraft.**

Drones provide a new angle on the world and are fun to operate. Fireworks, balloons and lanterns are used throughout the year to celebrate New Year, birthdays, religious holidays, festivals, concerts and other festivities. Firework displays and balloon or lantern releases can be used to collect money for charity, provide entertainment and give pleasure to millions each year.



## Drones

The newest generation of drones can fly thousands of feet above the ground and, if used near an airport, could stray into the path of aircraft. A drone suddenly appearing in the path of an aircraft could not be avoided, and if struck or sucked into an engine, could cause serious damage to the aircraft.



## Fireworks / Lighting Displays

Many fireworks fire several hundred feet into the air and, when used near an airport, there is the possibility that they could explode in the path of or near to an aircraft. This could cause danger by dazzling and distracting pilots. Large lighting displays and lasers can also cause distraction to pilots close to the Airport.



## Sky lanterns

Sky lanterns (sometimes known as Chinese lanterns) vary in size and performance. When released they can travel a considerable distance at unpredictable heights. Lanterns pose a risk to aircraft if they are sucked into an engine. Debris from sky lanterns can also cause damage to aircraft engines, tyres and fuselage if they land on or near the runway or areas where aircraft manoeuvre.



## Toy balloons

Toy balloons, particularly if released in large numbers, could damage aircraft engines and cause aircraft to have to divert from their flightpath to fly around them. Foil balloons can also interfere with radar and navigation systems.

We have prepared this booklet to give you advice on how you can enjoy drones, fireworks and lighting displays, balloons and sky lanterns responsibly without risking the safety of flight crew and passengers. If you are piloting a drone, organising a display or release, or are intending to use fireworks, sky lanterns or balloons close to East Midlands Airport, please read this booklet carefully.

If you have any concerns or questions, please contact us using the details on the back page.



## Firework and Lighting displays near East Midlands Airport

### Proximity to the airport

Within a three mile radius of East Midlands Airport  
(See the restricted area coloured red on map.)

Within 500m each side of the extended runway  
centreline to a distance of 10 miles of East  
Midlands Airport  
(See the restricted area coloured red on map.)

Within all other areas up to 10 miles of East Midlands Airport

Beyond 10 miles of East Midlands Airport and other  
local airports

### Domestic display

You can safely use ground-based fireworks that are designed  
to cause no injuries to people within five metres. You must not  
use rockets, mortars or fireworks that shoot up into the sky.

You can safely use ground-based fireworks that are designed  
to cause no injuries to people within 25 metres. You must not  
use rockets, mortars or fireworks that shoot up into the sky.

You can safely use standard domestic fireworks.

You can safely use standard domestic fireworks.

### Professional display

Displays must be approved by the Civil Aviation Authority  
and East Midlands Airport in line with CAP736.

Displays must be approved by the Civil Aviation Authority  
and East Midlands Airport in line with CAP736.

No fireworks must shoot up higher than 1500 feet,  
unless you have permission from East Midlands  
Airport.

No Aviation restrictions in line with CAP736

## Piloting a drone near East Midlands Airport



The Civil Aviation Authority has imposed a Flight Restricted Zone (FRZ) for Drones around East Midlands Airport. It is illegal to fly any drone within the East Midlands Airport FRZ unless you have permission from Air Traffic Control at the airport. The FRZ is made up of a 2.5 nautical mile radius; and then a 5 kilometre by 1-kilometre zone starting from the point known as the 'threshold' at the end of each of East Midlands's runways. Both zones extend vertically upwards to a height of 2,000 feet above the airfield (see the map to the left).

More details can be found at <https://dronesafe.uk/>

Requests to fly a drone within the EMA Flight Restriction Zone shall be made by email to [atcassistant@eastmidlandsairport.com](mailto:atcassistant@eastmidlandsairport.com) giving at least five working days notice. Depending on the location of the drone, it may be necessary to delay the operation whilst further safety assessments are carried out.

Before piloting a drone, you should download and register with the 'Drone Assist' app (for free) from the Apple or Android app stores. This app will help you decide where it is safe to fly.

Always follow the drone code:

- The rules related to flying a drone changed on 31 December 2020. See CAP2003 below.
- Always keep your drone in direct sight.
- Never fly more than 400ft (120m) above ground level and stay well away from aircraft, airports and airfields.
- Never fly closer than 50m to people. Even when your drone is more than 50m away from people it is safer to avoid directly overflying them.
- Never fly closer than 50m to buildings, cars, trains or boats
- Never fly closer than 150m to a crowd of 1,000 people or more. Never fly directly over a crowd.
- Never fly closer than 150m to built-up areas. Never fly directly over a built-up area
- Never fly in an airport's flight restricted zone.
- It is illegal to fly a drone or model aircraft between 250g-20kg that does not show a valid operator ID.

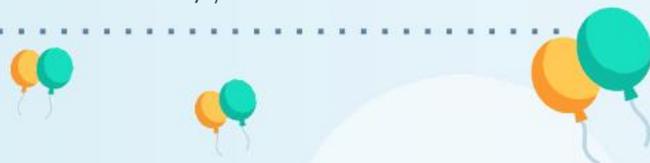
## Releasing sky lanterns near East Midlands Airport



The Civil Aviation Authority clearly states that sky lanterns should not be released within 10 nautical miles of any airport without permission from the airport itself. There is a radius of 10 nautical miles drawn on the map to the left. It is not safe to release lanterns from sites within this area. Any individual or group releasing more than ten sky lanterns should contact the CAA prior to release. Any individual or group releasing ten sky lanterns or less should contact the airport.

Beyond 10 nautical miles you should think carefully before releasing lanterns. In the right weather conditions, they can climb thousands of feet and travel many miles. In the air, sky lanterns can cause a significant risk to aircraft. When they land, sky lanterns cause debris that may harm wildlife or aircraft engines (many are recovered from and close to our runways).

## Releasing balloons near East Midlands Airport



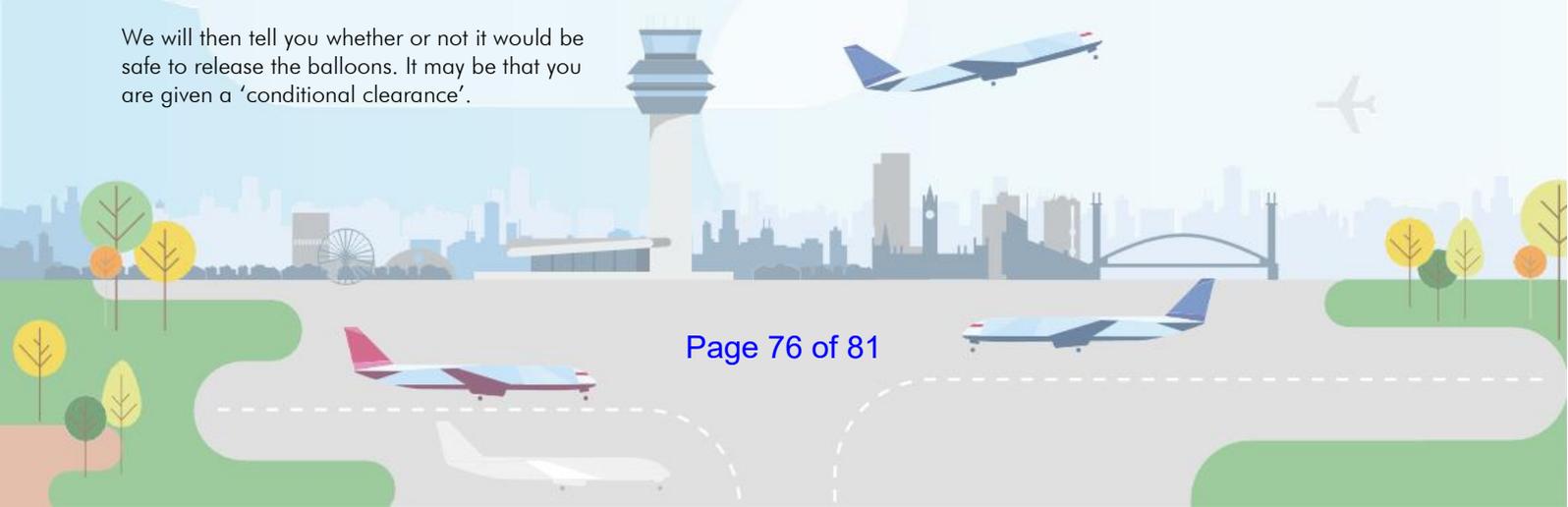
A radius of five nautical miles is shown on the map to the left. If you intend to release the balloons within this area, you will need to contact us (using the information on the back page).

You will need to tell us:

- the address you want to release the balloons from;
- the number of balloons you want to release;
- the size of the balloons and what they are made of; and the time and date of the proposed event.

We will then tell you whether or not it would be safe to release the balloons. It may be that you are given a 'conditional clearance'.

The CAA provides advice that Balloons should be made of latex, not metallic foil, and must not have a metallic finish. It is strongly recommended that plastic inserts are not used to close the balloons, nor lengths of string, streamers or ribbons and that the balloons are not to be tied together. Where the balloons are restrained prior to release, the restraining medium must be attached to the ground or a fixed structure to prevent any inadvertent release of the restraining medium with the balloons.



## We receive many requests to change or suspend flights to allow firework displays to take place.

Unfortunately, this is difficult to arrange and often not possible. In the United Kingdom, fireworks are traditionally used to commemorate Bonfire Night on and around 5 November.

You must plan your displays carefully and consider if, and how, your display might affect operations at an airport. If you intend to hold a display within the East Midlands Airport restricted area, you must:

- \* Let the Civil Aviation Authority know by completing the notification form DAP1918 (Ch.3, Pg.1 of CAP736)

- \* Let East Midlands Airport know by email at the email address below

And provide the location and date of your display and the contact details of a responsible person.

## Why should I follow these rules?

Drones and fireworks can be dangerous if they are used inappropriately. Sky lanterns and balloon releases pose a risk to those on the ground and a serious danger to aircraft. The police take this matter very seriously.

If you do not follow the rules set out in this booklet, you may be prosecuted under the Air Navigation Order 2009 for 'Endangering the safety of an aircraft' – an offence for which you could be sentenced to up to five years in prison or face unlimited fines.

The following Civil Aviation Authority document provides more detail on the use of Lights, Fireworks, Toy Balloons and Sky Lanterns near Airports:

<https://publicapps.caa.co.uk/cap736>

Drones:

<https://publicapps.caa.co.uk/cap2003>

## For more information, or if you have any questions, contact:

Engagement Team  
East Midlands Airport  
DE74 2SA

Phone ☎ 0808 169 7032

Email ✉ [safeguarding@eastmidlandsairport.com](mailto:safeguarding@eastmidlandsairport.com)

Website 🌐 [www.eastmidlandsairport.com](http://www.eastmidlandsairport.com)

Twitter 🐦 @EMA\_Airport

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<b>REPORT TO:</b>	<b>ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE</b>	<b>AGENDA ITEM: 9</b>
<b>DATE OF MEETING:</b>	<b>10 NOVEMBER 2022</b>	<b>CATEGORY: DELEGATED</b>
<b>REPORT FROM:</b>	<b>STRATEGIC DIRECTOR (CORPORATE RESOURCES)</b>	<b>OPEN</b>
<b>MEMBERS' CONTACT POINT:</b>	<b>DEMOCRATIC SERVICES 01283 595848/5722 <a href="mailto:democraticservices@southderbyshire.gov.uk">democraticservices@southderbyshire.gov. uk</a></b>	<b>DOC:</b>
<b>SUBJECT:</b>	<b>COMMITTEE WORK PROGRAMME</b>	<b>REF:</b>
<b>WARD(S) AFFECTED:</b>	<b>ALL</b>	<b>TERMS OF REFERENCE: G</b>

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## **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 10 November 2022 Work Programme

Work Programme Area	Date of Committee meetings	Contact Officer (Contact details)
<b>Reports Previously Considered by Last Three Committees</b>		
Service Plan 2022/23	26 May 2022	James Taylor Communications Manager (01283) 228705
Corporate Plan 2020-24: Performance Report (2021-2022 Quarter 4 –1 April To 31 March)	26 May 2022	Jennifer Doughty Corporate Performance and Policy Officer (01283) 228746
Climate Emergency Action Plan revision	11 August 2022	Matt Holford Head of Environmental Services (01283) 595856
Enforcement and Regulatory Activity report 2021/22	11 August 2022	Matt Holford Head of Environmental Services (01283) 595856
Corporate Plan 2020-24: Performance Report (2022-2023 Quarter 1 – 1 April to 30 June)	11 August 2022	Jennifer Doughty Corporate Performance and Policy Officer (01283) 228746
Archaeological Consultancy Services	11 August 2022	Steffan Saunders Head of Planning and Strategic Housing 07971604326
Biodiversity Consultancy Services	11 August 2022	Steffan Saunders Head of Planning and Strategic Housing 07971604326
Amendments to the planning application validation	11 August 2022	Steffan Saunders

process		Head of Planning and Strategic Housing 07971604326
Central Building Control Partnership Performance Report	11 August 2022	Steffan Saunders Head of Planning and Strategic Housing 07971604326
Local Plan – Issues and Options Consultation	22 September 2022	Karen Beavin Planning Policy Team Leader (01283) 595749
<b>Provisional Programme of Reports To Be Considered by Committee</b>		
Annual Infrastructure Funding Statement	10 November 2022	Steffan Saunders Head of Planning and Strategic Housing 07971604326
Public Spaces Protection Orders	10 November 2022	Matt Holford Head of Environmental Services (01283) 595856
Corporate Plan Performance Report Q2	10 November 2022	Clare Booth Corporate Performance & Policy Officer (01283) 595788
Ban on Release of Balloons	10 November 2022	Sean McBurney Head of Cultural and Community Services
Authority Monitoring Report	26 January 2022	Steffan Saunders Head of Planning and Strategic Housing 07971604326
East Midlands Airport Airspace Redesign Consultation (changing the flight paths)	TBC	Planning Policy Team Leader (01283) 595749
Gypsy and Traveller Accommodation Assessment Report	TBC	Planning Policy Team Leader (01283) 595749
Statement of Community Involvement	TBC	Planning Policy Team Leader

		(01283) 595749
Environmental Services - commercialisation business plan	TBC	Matt Holford Head of Environmental Services (01283) 595856