

ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE

23rd August 2007

**PRESENT:-**

**Conservative Group**

Councillor Bladen (Chairman), Councillor Ford (Vice-Chairman) and Councillors Mrs. Farrington (substitute for Councillor Bale), Harrison (substitute for Councillor Mrs. Patten), Mrs. Hood, Lemmon, Watson and Mrs. Wheeler (substitute for Councillor Timms).

**Labour Group**

Councillors Mrs. Lane, Richards, Southerd, Taylor and Tilley.

**In Attendance**

Councillors Atkin, Jones, Roberts and Wheeler (Conservative Group), Councillors Mrs. Gillespie, Lane and Mrs. Mead (Labour Group) and Councillor Mrs. Brown (Independent Member).

**COUNCILLOR BOB SOUTHERN**

The Chairman referred to the sudden death of Councillor Bob Southern, the previous evening and Members observed a minutes silence in his memory. Tributes were lead by Councillor Southerd over this tremendous, sad loss. He considered Councillor Southern a fearless man, a voice of the people and the peoples' champion. His death had left a chasm that could not be filled. Further tributes were paid by the Leader of the Council on the character of Councillor Southern and by Councillor Mrs. Brown, who referred to the advice and support she had received from Councillor Southern, whilst expressing sympathies to his family. The Leader of the Opposition Group described Councillor Southern as unique, full of life and a true peoples' champion. Councillor Southern always had the peoples' interest at heart.

**APOLOGIES**

Apologies for absence from the Meeting were received for Councillors Bale, Mrs. Patten and Timms (Conservative Group).

EDS/10. **MINUTES**

The Open and Exempt Minutes of the Meeting held on 12th July 2007 were taken as read, approved as a true record and signed by the Chairman.

EDS/11. **DECLARATIONS OF INTEREST**

Councillor Ford declared a personal interest in respect of the Scrutiny review of public/community transport, as he had been involved in the County Council's work on this project. Councillor Southerd declared a prejudicial interest in the agenda item on the Long Horse Bridge Access Link, due to his County Council responsibilities.

**MATTERS DELEGATED TO COMMITTEE****EDS/12. REPORTS OF OVERVIEW AND SCRUTINY COMMITTEE****(a) Overview and Scrutiny Work Programme**

The Chairman of the Overview and Scrutiny Committee, Councillor Atkin presented this item. Views were sought on the proposed Scrutiny Work Programme, the scope of its reviews, priorities and further matters for inclusion. The draft Programme included a mixture of projects carried forward from the last Council year and some new projects. The intention was to focus on 'outward facing' issues and a copy of the work programme was circulated. For each topic, a brief outline was provided of the initial scope of the review, progress to date and the next steps in the review programme.

The Chairman urged that a high priority be given to flooding issues. Councillor Taylor noted the external focus, but hoped the Work Programme was not too ambitious. He referred to capacity issues for both Officers and the Scrutiny Committee. Councillor Mrs. Brown welcomed the high priority given to flooding issues.

Consideration was given to the review of broadband availability and the Chairman suggested that a medium priority be given to this review. Finally, the Committee considered the Street Scene Review. The Chairman provided further background, referring particularly to technical issues around providing a single point of contact. It was suggested that a low priority be given to this review.

**RESOLVED:-**

***That the Overview and Scrutiny Committee Work Programme be noted and that the following priorities be afforded to the work areas detailed below:-***

- ***Flooding – High Priority***
- ***Broadband Availability – Medium Priority***
- ***Street-scene – Low Priority***

**(b) Review of Public/Community Transport**

The Overview and Scrutiny Committee Chairman presented this item. This review covered both bus and rail services. Derbyshire County Council had overall responsibility for public transport and was undertaking its own review of bus services in rural areas. The Overview and Scrutiny Committee had prepared a list of local issues for consideration by the County Council, as part of its review. The issues were set out within the report and the Policy Committee's views were sought on these and on any further issues to be submitted to the County Council.

The Chairman welcomed the interest in rail services, but was mindful of the review of franchise arrangements and the County's own review. Therefore, he felt that this project should be given a relatively low priority, as the County Council would not be able to undertake meaningful dialogue until early in the new year. He also suggested that a further issue be included in the

consultation response. As South Derbyshire was predominantly a rural area, there was a 'car culture' and he suggested that the issues list include 'barriers to the use of public transport' in South Derbyshire.

Councillor Taylor commented that there was also a 'car culture' in the urban core, demonstrated by the lower volumes of traffic during the school holiday period. He referred to the report's appendix, particularly about the frequency of a certain bus service and questioned whether this data was accurate. He also suggested that a service extension be sought, to provide a link between Burton on Trent, Swadlincote and the East Midlands Airport.

**RESOLVED:-**

***That the comments made by Members at this Meeting and the issues identified by the Overview and Scrutiny Committee be amalgamated to form a response to Derbyshire County Council on its review of public/community transport in South Derbyshire.***

EDS/13. **PRESENTATION ON THE EXPANSION OF THE 'IN-VESSEL' COMPOSTING SCHEME**

The Committee received a presentation from the Direct Services Manager and the Senior Recycling Officer. An explanation was given of how 'in-vessel' composting differed from more traditional composting methods and the additional products that could be recycled through this process. Members were reminded of the reasons why the Council operated a composting scheme, the issues associated with the landfill of refuse, the financial penalties, EC directives and recycling and composting targets in place. A waste analysis was provided on the proportion of items included in a typical compost bin. Further information was provided on how this alternate weekly collection scheme was operated, virtually throughout the year. There had been a successful pilot scheme in parts of the District from September 2006. The results showed an increase in the amount of waste composted, together with an increase in the amounts of paper, glass and cans recycled. The scheme had been expanded to the north eastern parishes in May of this year and would be rolled out to the majority of the urban core over the coming months.

NOTE: At 6.40 p.m. Councillor Harrison joined the Meeting.

Councillor Ford considered that the introduction of the scheme to the Findern area had gone well. Councillor Wheeler asked how robust the data was, in terms of the measurement and proportion of recycling. In response, the Direct Services Manager referred to the waste hierarchy and the environmental benefits of home composting. He explained how tonnages of compostable materials were measured using weighbridges. In response to a further question, he confirmed that the data included materials collected from the various recycling centres.

Councillor Atkin asked whether flood damaged items could be recycled. Due to the risk of contamination, it meant that such waste could not be recycled. Councillor Roberts noted that the fortnightly collection of waste could, in the summer months, lead to the bins smelling. The Head of Environmental Services reminded that through the 'in-vessel' scheme, food waste could be recycled or disposed of in the black refuse bin. Councillor Lemmon asked

about the publicity arrangements for those areas moving from the previous composting scheme to the new 'in-vessel' system. It was confirmed that literature would be circulated, exhibitions arranged and press coverage sought to inform residents of the revised arrangements. Following a suggestion, it was agreed that a fact sheet be circulated to all Members of the Council, to assist them to answer residents' enquiries.

Councillor Watson drew a comparison with an 'in-vessel' composting facility elsewhere and he enquired about the location of facilities used by this District Council. He asked about the structure of the buildings used and whether there was the potential for a smell nuisance in their vicinity. Councillor Watson noted that cardboard could be included in the revised scheme and he questioned the arrangements for separating those cardboard products that were combined with polythene or plastic materials. Finally, he noted that many charities and community groups benefited from the Landfill Tax Credit Scheme.

The Direct Services Manager explained the partnership arrangements for the use of two 'in-vessel' composting facilities operated by Vital Earth at Ashbourne and Biffa Waste at Etwall. For both sites, the operators had to satisfy planning conditions and the veterinary service, because of the animal by-products legislation. These contractors were considered 'tried and trusted' partners and a visit could be arranged for Members to the Biffa facility. With regard to the composting of cardboard, there were concerns about potential contamination, but it was noted that 'TETRA' packaging could be disposed of at recycling centres. It was recognised that there would always be a need to send some waste to landfill and the level of landfill tax was escalating, which would assist those voluntary and community organisations, through the funding streams provided.

Councillor Taylor considered that a visit to the Biffa facility would be beneficial. He commended the presentation, recognised the Council's efforts towards waste minimisation and praised the Officers involved. He considered that the national media was presently being unhelpful, through its reporting on alternate weekly collections. There were further concerns about private contractors collecting residual waste and he spoke about the negative aspects of this.

Councillor Mrs. Gillespie questioned whether shredded paper could be composted or whether it had to be placed in the refuse bin. Residents were encouraged to dispose of shredded paper through the blue bag scheme or to take it to recycling centres. The Leader of the Opposition welcomed the presentation and spoke about residents' feedback at area meetings. This initiative was good for the environment and would save money. There was a need for the Council to look holistically, particularly in areas of denser development, to ensure room was provided for recycling receptacles.

Councillor Mrs. Brown thanked Officers for the presentation and reminded that Egginton had been amongst the first villages to participate in the composting scheme. She made a comparison to some other European countries, which achieved much high proportions of recycling, with virtually no reliance on landfill. Their arrangements included biomass power stations to provide an energy source from waste that was not biodegradable. Historically, this Country was behind its European neighbours, but it was increasing the proportion of waste that was recycled.

The Leader of the Council thanked Officers for the presentation and thanked non-members of the Committee for their attendance. She recognised the valuable assistance that parish councils had provided when the scheme had been expanded previously in rural areas. She felt there would be a lot of work for local Members in the urban core in dealing with issues arising from the expansion of the scheme.

**RESOLVED:-**

***That the Committee receives the presentation on the expansion of the 'In-Vessel' Composting Scheme and that a visit be arranged to the Biffa facility at Etwall.***

EDS/14. **DERBY AND SANDIACRE CANAL**

A report was submitted to seek a financial contribution, following an approach from the Derby and Sandiacre Canal Trust. Members were reminded of presentations received previously from the Trust. It aimed to create a 20-kilometre linear water park, based on the restoration of the Derby Canal. The Council had sought to protect the line of the Canal within South Derbyshire. It was presently used as a cycle path and designated as a site of importance for nature conservation. The Council had provided financial support to the Trust in the past, most recently a grant of £3,525 in 2004/05.

A funding application had been submitted to the Derby and Derbyshire Economic Partnership (DDEP), to fund the appointment of a full time Project Manager, together with administrative support and office costs for a period of 2½ years. The key activities of the Project Manager were set out within the report. The Trust was aiming to raise £60,000 and there was an envisaged grant of £150,000 from DDEP. £20,000 per annum was being sought from partner organisations and Trust members, over the three years of the project. It was understood that Derby City Council had offered £5,000 and Derbyshire County Council had offered technical support. This Council could contribute £2,000 from an existing 2007/08 budget, which might not be available next year.

Arising from the consideration of this item, Councillor Southerd referred to the Heritage Grants Sub-Committee and the difficulties in co-ordinating its meetings, due to the small membership. It was suggested that the Council be asked to appoint a substitute panel for the Sub-Committee.

**RESOLVED:-**

- (1) That the Council contributes £2,000 to the Derby and Sandiacre Canal Trust in 2007/08.***
- (2) That Council be asked to consider substitution arrangements for the Heritage Grants Sub-Committee.***

EDS/15. **‘ACHIEVING MORE’ – PERFORMANCE MANAGEMENT FRAMEWORK  
OVERALL PERFORMANCE OF ENVIRONMENTAL & DEVELOPMENT  
SERVICES COMMITTEE – FINAL REPORT 2006/07**

A report was submitted of performance against the four key strands of the Council’s Performance Management Framework for 2006/07:

- Corporate Plan
- Improvement Plan
- Community Strategy Action Plan
- Best Value Performance Indicators

This had been reported in the Council’s Best Value Performance Plan and a summary was given of the position in relation to this Committee’s responsibilities. It followed the in-year monitoring reports submitted to the Committee, provided an opportunity to review the final position and to reflect on any implications for the current year 2007/08.

The report then focused on each of the key strands, firstly looking at the Corporate Plan, the actual performance against targets and those targets that had not or only partially been achieved. The Committee’s performance was broadly in line with the Council average and there was a suggested action relating to Affordable Housing.

There were no targets within the Improvement Plan that this Committee had responsibility for. With regard to the Community Strategy Action Plan, the Committee had responsibility for 7 of the 30 Council actions and it had responsibility for 4 of the Council’s 15 milestones that were scheduled for delivery by March 2007. A further table showed that 100% of these actions had been achieved and this level of performance reflected well on the commitment to the Local Strategic Partnership and the Community Strategy.

The report then focused on Best Value Performance Indicators (BVPI’s). The Committee had responsibility for 33 of the 83 measurable BVPI’s. There were 31 priority indicators for the Council, of which 12 were the responsibility of this Committee. A summary of BVPI performance for the Committee was displayed in a series of tables showing performance against targets, those indicators for review by the Committee, the BVPI quartile performance and those priority BVPI indicators not in the top quartile for 2006/07.

Performance against BVPI’s and the sub-group of priority indicators had improved from the third quarter projection. Achieving 100% of the priority targets was excellent performance and the overall performance on BVPI’s at 85% of targets achieved, was better than the Council average of 77%. As this was the end of year report, it was also important to consider comparative performance against others. The summary position was detailed in the Best Value Performance Plan and that analysis was extended to the areas of this Committee’s responsibility. Comparative data was provided for 65 of the 83 BVPI’s and 26 of the 31 priority indicators. The Committee had a higher proportion of indicators than the other two policy committees and lagged behind the Council average for both sets of data. However, detailed reviews of the two main areas involved had been undertaken in the last year. Within these areas, performance was improving where there had been failures to achieve set targets, these were against non-priority indicators and therefore

no radical actions were suggested. In the main, actions were in hand to deliver against the targets during the current year and the slippage, in some cases, was very marginal. It was questioned whether the Committee wished to review progress against the actions agreed, following the Scrutiny review of Waste Management and Planning earlier in the year. It was also suggested that the review of trends on recent planning appeal decisions be reported to both the Policy and the Development Control Committees, when completed.

Councillor Richards commented on the excellent report for 2006/07. The Chairman thanked the relevant Officers for the work undertaken and noted the performance achieved. Councillor Taylor suggested that the report recommendations be strengthened to include the review of progress against the actions agreed, following the Scrutiny review of Waste Management and Planning. It was suggested that this issue could be highlighted when considering the budget proposals in the autumn.

**RESOLVED:-**

- (1) That the Committee notes the continuously improving performance, leading to a very high level of performance across its services.***
- (2) That the recommendations from the Scrutiny review of Waste Management and Planning, be considered as part of the budget proposals, in the Autumn.***

**EDS/16. 'ACHIEVING MORE' – PERFORMANCE REPORT FIRST QUARTER: APRIL – JUNE 2007**

A report was submitted to summarise the position in relation to this Committee's responsibilities and to provide an opportunity to review those areas that were not 'on track' to achieve the agreed target by the end of the year. As with the previous report, the information was divided into the following headings:-

- Corporate Plan
- Improvement Plan
- Community Strategy Action Plan
- Best Value Performance Indicators

Initially, consideration was given to the Corporate Plan and tables were included showing projected performance against targets and those 'at risk' of failure. The Committee had responsibility for 20 actions, of a total of 58 within the Corporate Plan. There were no targets within the Improvement Plan, for which this Committee had responsibility. Under the Community Strategy Action Plan, the Committee had responsibility for 4 of the 14 Council actions within the 'Vibrant Economy' and 'Sustainable Environment' themes. Projected performance against the Community Strategy Action Plan targets was also shown in tabular form.

Finally, the report focused on Best Value Performance Indicators (BVPIs). This Committee had responsibility for 30 of the 75 BVPI's. There were a total of 29 priority indicators, of which 12 were the responsibility of this Committee. Further tables showed projected performance against targets and gave a summary of the BVPI position for review by the Committee.

Councillor Richards submitted a question about the removal of abandoned vehicles. Officers assured that every opportunity was explored to remove such vehicles as quickly as possible.

**RESOLVED:-**

- (1) That the Committee notes the continuously improving performance within its areas of responsibility.***
- (2) That the proposed remedial measures be implemented, to address those areas where performance is not 'on track'.***

EDS/17. **'ACHIEVING MORE' – PERFORMANCE REPORT SERVICE LEVEL REPORTS: FIRST QUARTER 2007/08 (APRIL – JUNE)**

Further to the previous performance reports, detailed service level reports were circulated to give information on actual performance at the end of the first quarter, 30th June 2007. These included information on the Corporate Plan, Improvement Plan, Community Strategy and Best Value Performance Indicators. Service level performance information was also included in the reports based on the agreed Service Plans.

The areas that reported to the Committee were Environmental Services, Planning and Policy and Economic Regeneration.

In response to Member enquiries, Officers provided further information about the BVPI relating to the percentage of households served by the kerbside collection of at least 2 recyclables. Councillor Atkin asked about the roll out of the Carbon Footprint Project. The Head of Environmental Services confirmed there was a target to expand the project to another village this year. Councillor Taylor referred to the enforcement of planning conditions and asked whether information could be included in these service level reports. It was agreed that statistics and classification data be included in future performance reports.

**RESOLVED:-**

- (1) That the Committee notes the performance information submitted.***
- (2) That the future Performance Reports include information on Planning enforcement activity.***

EDS/18. **LONG HORSE BRIDGE ACCESS LINK**

NOTE: Councillor Harrison also declared a prejudicial interest in this item, due to his County Council responsibilities. At 7.40 p.m. Councillors Harrison and Southerd left the Meeting during the consideration of this matter. Councillor Ford declared a personal interest in this matter, as a Member of the County Council.

A report was submitted to consider the disposal of part of the Council-owned car park at Wilne Lane, Shardlow. This was to enable the development of part of a multi-user route linking Wilne Lane to the proposed replacement Long Horse Bridge. The route, referred to by the County Council as a 'greenway',



was shown on a plan appended to the report. It would eventually connect to a multi-user link between Shardlow and the City of Derby, identified in the County Council's Greenway Strategy. The area of land that Derbyshire County Council wished to purchase was shown on a further plan appended to the report. It comprised an area of some 396 square metres, about 18% of the total existing car park. The County Council would erect parallel fencing to mark the boundary between the path and the remaining area of the car park.

The works were expected to last up to 6 months and contractors would require plant access across and through the car park. It was understood that the car park could remain open during the works, although with reduced capacity, if marshalled properly by the contractor. This would also enable the recycling facility sited at the car park to remain open. In accordance with the established protocol for the disposal of Council-owned land, consultation had been undertaken with relevant parties. Councillor Mrs. Coyle and the Shardlow and Great Wilne Parish Council had requested that a number of issues be addressed before the work commenced. These were set out in detail within the report.

It would be necessary to submit a report to the Finance and Management Committee, setting out the financial issues and requesting its approval to the sale of the land. If the Committee was in favour of the disposal, negotiations would take place with the County Council's Estates Department, before submitting the report to the Finance and Management Committee. Reference was also made to the requirement for the contractor to keep the site safe and secure at all times and to indemnify the Council against any actions, claims or omissions made as a result of any use of the site.

A verbal update was provided to give a summary of the views expressed by the Council's Waste and Cleansing Manager. Councillor Watson agreed with the majority of the points raised, but felt there were some issues, which had been misinterpreted slightly. He referred particularly to the car park's re-surfacing and would like its level to be raised, to reduce the present flooding risk. With regard to site security, there had been some confusion and there was a need to ensure that the car park was not fenced off during the working day.

The Leader of the Council referred to the point raised during consultations, about any damage caused to Wilne Lane being reinstated without delay and its possible resurfacing. She felt it would be helpful if such terms were included either as planning conditions or in a written agreement. Officers commented on the respective roles of the District and County Councils, but any damage arising from the works would be the responsibility of the contractor to remedy. Councillor Ford was concerned about the unauthorised use of this route by people riding motorcycles. Councillor Watson understood that suitable gates or barriers would be provided to County Council standards. Officers questioned whether a further condition should be included, relating to the installation and maintenance of such barriers.

**RESOLVED:-**

***That the Finance and Management Committee be recommended to authorise the sale of part of the public car park at Wilne Lane, Shardlow to Derbyshire County Council, to enable the development of a section of a multi-user route, subject to appropriate conditions being attached to any planning consent and to the sale conditions set out below:-***

- ***That written evidence be provided by the Environment Agency that it is satisfied that this undertaking is not going to affect the flood flows in an adverse way and that Cow Way drain is not impeded. The Agency was most concerned about temporary storage bunds proposed in connection with a planning application for gravel extraction that was to be in the same line as this route and required considerable gaps to be left for flood flow.***
- ***That details of methods of construction and proposed vehicular movements be made available.***
- ***That any damage to Wilne Lane should be reinstated. Possible resurfacing of the road and the pavement might be needed.***
- ***That any damage incurred along the route be reinstated without delay.***
- ***That the car park be resurfaced with similar to existing material and the soakaway in the South East corner be improved with the car park surface level being raised, to reduce the present flooding risk.***
- ***That the green waste bin should be repositioned alongside the recycling bins at the pedestrian end and the “salt box” similarly at the other end, alongside the vehicular access.***
- ***That further waste bins and dog waste bins be provided by the County Council and emptied on a regular basis at the County Council’s expense, with positions to be agreed.***
- ***That trees be planted on the “island”, to improve screening and the visual aspect.***
- ***That with regard to site security, there is a need to ensure that the car park is not fenced off and that the contractor supervises any vehicles crossing the car park during the working day.***
- ***That suitable gates or barriers, be installed and maintained to County Council standards, to prevent unauthorised use of this route by people riding motorcycles.***

EDS/19. **SOUTH EAST DERBYSHIRE ACCESSIBILITY AND COMMUNITY RAIL PARTNERSHIP**

NOTE: At 7.50 p.m. Councillors Harrison and Southerd rejoined the Meeting.

It was reported that Derbyshire County Council had proposed the establishment of a South East Derbyshire Local Accessibility Partnership. This would assist the implementation of Local Transport Plans and provide a means of continuing the work of the former Rural Transport Partnerships. A comprehensive report was submitted, which explained the proposed structure, the membership and funding arrangements of the Partnership, including the proposal to involve district and borough councils at both Officer and elected Member level. Contributions were sought from these bodies towards funding a Local Accessibility Partnership Officer post. The report also considered the proposals in relation to the Council's Corporate Plan and the Local Strategic Partnership's Community Strategy, concluding that the Partnership would assist towards the delivery of a number of themes.

**RESOLVED:-**

***That subject to the proposed Accessibility Strategy being consistent with and supporting the aims and objectives of the Council's Corporate Plan:-***

- ***It be agreed that the Council becomes a member of the proposed South East Derbyshire Accessibility and Community Rail Partnership.***
- ***That Councillor Bladen be nominated to represent the Council at forthcoming meetings of the proposed Steering Group and Working Group and that Councillor Ford be nominated as the substitute representative.***
- ***That a revenue contribution in the sum of £2,000 be provided towards the cost of employing a Local Accessibility Partnership Officer, in the current financial year and that this level of funding be sought for future years through the Service Development Bid Process.***

J. BLADEN

CHAIRMAN

The Meeting terminated at 8.00 p.m.