

# ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE

2nd March 2017

## **PRESENT:-**

### **Conservative Group**

Councillor Watson (Chairman), Councillor Muller (Vice-Chairman) and Councillors Atkin (substituting for Councillor Mrs Patten), Mrs Brown, Ford, Hall, Roberts and Stanton.

### **Labour Group**

Councillors Chahal, Shepherd, Taylor and Tilley

#### EDS/75 **APOLOGIES**

The Committee was informed that no apologies had been received.

#### EDS/76 **MINUTES**

The Open Minutes of the Meeting held on 17<sup>th</sup> November 2016 and 5<sup>th</sup> January 2017 were noted, approved as a true record and signed by the Chairman.

Councillor Shepherd sought clarification regarding an amendment made to the minutes of the Committee held on 5<sup>th</sup> January 2017. The amendment related to the amount of funding to be received for the Garden Village. Councillor Shepherd was advised the amendment was noted in the minutes for Full Council held on 19<sup>th</sup> January 2017.

#### EDS/77 **DECLARATIONS OF INTEREST**

The Committee was informed that no declarations of interest had been received.

#### EDS/78 **QUESTIONS FROM MEMBERS OF THE PUBLIC UNDER COUNCIL PROCEDURE RULE NO 10**

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

#### EDS/79 **QUESTIONS BY MEMBERS OF THE COUNCIL UNDER COUNCIL PROCEDURE RULE NO 11**

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

#### EDS/80 **REPORTS OF THE OVERVIEW & SCRUTINY COMMITTEE**

The Committee was informed that there were no Overview & Scrutiny Committee reports for it to consider.

### **MATTERS DELEGATED TO COMMITTEE**

#### **EDS/81 PROPOSED GARDEN VILLAGE**

The Planning Policy Manager presented the report to Committee.

The Chairman sought clarification on which of the maps appended to the report had been approved by the Homes and Communities Agency (HCA). The Planning Policy Manager explained that the developer map had been submitted with the Expression of Interest (EOI), adding that the map produced by the Planning department confirms the boundaries for the proposed Garden Village. Councillor Taylor, whilst seeking clarification on the role of the HCA within the EOI submission process, highlighted his concern regarding the detail of the map submitted with the EOI. The Planning Policy Manager addressed these issues.

Councillor Shepherd raised concerns on behalf of himself and Councillor Chahal, expressing disappointment that as local Ward Members, they had not been consulted nor informed of the submission yet had since learnt that the Chairman and the Controlling Group had been briefed on the matter at an earlier date. The Councillor stated that due to the lack of clarity, he felt that the submission had not been processed in the correct manner and requested that, in future, local Ward Members be informed of any submissions. The Chairman clarified the events relating to the submission of the EOI and apologised for any misunderstanding that had arisen on this occasion.

Councillor Richards expressed concern that Members were not informed nor consulted for their approval in regard to the submission of the EOI. Whilst questioning the authorisation of the submission, Councillor Richards sought legal advice in relation to whether the process had been legitimate.

Councillor Taylor addressed the Committee highlighting his concern that the name Infinity Garden Village would potentially align the identity more with the Derby City's Infinity Technology Park rather than South Derbyshire. The Councillor expressed that matters of local governance had been brought into question as the communities of Stenson Fields and Barrow upon Trent had been denied their input on the matter.

The Director of Community and Planning Services apologised for how this matter had been handled on this occasion. The Director explained that Members' approval would have been sought before the submission of any formal application, but it had not been anticipated that the EOI alone would have been sufficient for the HCA to approve the funding. The Director commented that Officers had not been informed prior to the Government press release and gave an undertaking that future EOI submissions would be presented to the relevant Committee for approval.

Councillor Richards responded that had the EOI been submitted to Committee, then alternative sites in South Derbyshire would have been explored. The Councillor stated that funding for another site within the District may be withdrawn by the County Council, which could potentially jeopardise the District's Local Plan. The Chairman sought clarification on this statement, with Councillors Patten and Ford stating they were unaware of this development in their roles as County Councillors.

**RESOLVED:**

***Members accepted support and funding from the Homes and Community Agency regarding the Garden Village.***

Councillor Richards left the Meeting at 6:45pm

EDS/82 **CORPORATE PLAN 2016-21: PERFORMANCE MANAGEMENT  
(1 OCT – 31 DEC 2016)**

The Director of Community and Planning Services and presented the report to inform Members of the progress made during the third quarter of 2016/17, highlighting action being taken to address those areas not currently on target.

In relation to fly-tipping and waste collection, Members extended their gratitude for the work of the teams involved.

**RESOLVED:**

***Members noted progress against the performance targets.***

EDS/83 **KEY PERFORMANCE INDICATORS – LICENSING DEPARTMENT**

The Chief Executive provided Members with an update on the Licensing Department Key Performance Indicators.

**RESOLVED:**

***Members noted the performance of the Licensing Department in relation to the Key Performance Indicators.***

EDS/84 **QUARTERLY ENFORCEMENT AND COMPLIANCE REPORT**

The Environmental Health Manager presented the report on how enforcement would be monitored and the status of regulatory work undertaken. Feedback on the content, format and analysis was welcomed.

Councillor Taylor sought clarification on the Proactive Inspections of Businesses in relation to enforcement and the role of the Authority in employment, health and safety issues. The Environmental Health Manager explained that once the final proposals from the Health and Safety Executive have been received, they would be incorporated into the inspection plan and brought to this Committee.

In relation to fly-tipping and enforcement of individuals offering their services on social media to dispose waste, it was explained that information on those who hold a waste transfer license is available.

**RESOLVED:**

***Members were satisfied that on the basis of the report the Council is using its regulatory powers in a way proportionate to the demands for regulatory services.***

EDS/85 **SPEAKING AT PLANNING COMMITTEE**

The Director of Community and Planning Services presented the report.

Councillor Tilley clarified that due to a recent Planning Committee, he had requested to review the guidance supplied to those registering to speak at Planning Committee meetings. Members discussed and agreed that it be reiterated that any statements that are personal or defamatory would not be acceptable and would require appropriate intervention from the Chairman.

**RESOLVED:**

***Members agreed that delegated authority be granted to the Director of Community and Planning Services in conjunction with the Chairman to amend the wording of the advice literature as set out on the Council's website and as sent with letters to those invited to speak at Planning Committee.***

EDS/86 **WORK PROGRAMME 2016/17**

**RESOLVED:**

***That the Committee considered and approved the updated work programme for 2016/17.***

EDS/87 **LOCAL GOVERNMENT ACT 1972 AS AMENDED BY THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

**RESOLVED:-**

***That, in accordance with Section 100(A)(4) of the Local Government Act 1972 (as amended), the press and public be excluded from the remainder of the Meeting as it would be likely, in view of the nature of the business to be transacted or the nature of the proceedings, that there would be disclosed exempt information as defined in the paragraphs of Part 1 of the Schedule 12A of the Act indicated in brackets after each item.***

**MINUTES**

***The Exempt Minutes of the Meeting held on the on 17th November 2016 were received.***

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

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

**STAFFING AMENDMENTS – COMMUNITY AND PLANNING  
DIRECTORATE (Paragraph 1)**

*Members approved the recommendations contained in the report.*

**THE FUTURE OF BUILDING CONTROL IN SOUTH DERBYSHIRE  
(Paragraph 3)**

The meeting terminated at 7.20pm.

COUNCILLOR P WATSON

CHAIRMAN