



F B McArdle
Chief Executive
South Derbyshire District Council,
Civic Offices, Civic Way,
Swadlincote, Derbyshire DE11 0AH.

www.southderbyshire.gov.uk

@SDDC on Twitter
@southderbyshiredc on Facebook

Please ask for Democratic Services

Phone (01283) 595722/ 595848
Typetalk 18001
DX 23912 Swadlincote
Democraticservices@southderbyshire.gov.uk

Our Ref
Your Ref

Date: 4 November 2020

Dear Councillor,

Environmental and Development Services Committee

A Meeting of the **Environmental and Development Services Committee** will be a **Virtual Committee (Special)**, held via Microsoft Teams on **Thursday, 12 November 2020 at 18:00**. You are requested to attend.

Yours faithfully,

Chief Executive

To:- **Conservative Group**

Councillor MacPherson (Chairman), Councillor Mrs. Haines (Vice-Chairman) and Councillors Mrs. Brown, Dawson, Fitzpatrick, Ford, Hewlett and Mrs. Patten

Labour Group

Councillors Dunn, Mrs. Heath, Singh, Taylor and Tilley



AGENDA

Open to Public and Press

- | | | |
|-----------|---|------------------|
| 1 | Apologies and to note any Substitutes appointed for the Meeting. | |
| 2 | To receive the Open Minutes of the following Meetings: | |
| | 6th July 2020 Open Minutes | 4 - 7 |
| 3 | To note any declarations of interest arising from any items on the Agenda | |
| 4 | To receive any questions by members of the public pursuant to Council Procedure Rule No.10. | |
| 5 | To receive any questions by Members of the Council pursuant to Council procedure Rule No. 11. | |
| 6 | CORPORATE PLAN 2020-24 PERFORMANCE REPORT Q2 | 8 - 42 |
| 7 | CONSIDERATION OF STATUTORY TAXI AND PRIVATE HIRE STANDARDS | 43 - 109 |
| 8 | REVIEW OF PRIVATE HIRE FEES | 110 - 112 |
| 9 | CORPORATE ENVIRONMENTAL SUSTAINABILITY GROUP | 113 - 120 |
| 10 | SAND AND GRAVEL CONSULTATION | 121 - 137 |
| 11 | WASTE COLLECTION SERVICES REVIEW OUTCOME | 138 - 205 |
| 12 | APPROVAL OF THE INFRASTRUCTURE FUNDING STATEMENT | 206 - 226 |
| 13 | COMMITTEE WORK PROGRAMME | 227 - 233 |

Exclusion of the Public and Press:

- 14** 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.

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

Details

- 16** PODBACK COFFEE POD RECYCLING SCHEME

ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE

6th July 2020

OPEN

PRESENT:-

Conservative Group

Councillor MacPherson (Chairman), Councillor Mrs Haines (Vice-Chairman) and Councillors Mrs Brown, Dawson, Ford, Fitzpatrick and Mrs. Patten

Labour Group

Councillors Dunn, Mrs. Heath, Singh, Taylor and Tilley.

In Attendance

Councillors Corbin and Mrs. Wheelton

EDS/01 **APOLOGIES**

The Committee was informed that no apologies had been received.

EDS/02 **DECLARATIONS OF INTEREST**

Councillor Mrs Brown declared an interest as the Local Authority Representative in relation to EDS/09, Central Building Control Partnership Performance Report

Councillor MacPherson declared a personal interest in relation to EDS/09, Central Building Control Partnership Performance Report and advised that he would not participate in the debate

EDS/03 **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/04 **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/05 **REPORTS OF THE OVERVIEW & SCRUTINY COMMITTEE**

There were no Overview and Scrutiny Reports to be submitted.

MATTERS DELEGATED TO COMMITTEE

EDS/06 **REVIEW OF CHARITABLE COLLECTIONS POLICY**

The Senior Licensing Officer presented the report to the Committee informing Members of the changes to the policy and outlined the consultation undertaken.

RESOLVED:

1.1 Members noted the consultation responses received in relation to the Charitable Collections Policy as per Appendix 1 of the report.

1.2 Members approved the review of the Charitable Collections Policy as per Appendix 2 of the report, relating to street collections and house to house collections.

1.3 Members approved the policy document to come into effect on approval by Full Council.

EDS/07 **ANNUAL ENFORCEMENT AND COMPLIANCE REPORT 2019-20**

The Head of Environmental Services presented the annual report to the Committee, outlining the key performance data, reactive activities, fly tipping, proactive activity, improved food hygiene standards and legal interventions that the Council had undertaken.

Members raised concern regarding increased fly tipping and asked for an update on the 'We're Watching You' campaign, clarity about what was included within the Private Owner category and asked if the Council would be able to achieve the goals regarding fly tipping and noise etc. with the growth of the District?

The Head of Environmental Services informed the Committee that it was unclear if the 'We're watching You' campaign was successful but a Social Media campaign had created a lot of discussion and would be considered for a way forward for future campaigns. Members were informed that the Owner-Occupied properties include vulnerable people whereby the Council acts on behalf the tenant to get necessary works completed. Members were informed that there would be funding available via the Better Care Fund where individuals could apply for the Council to do the work on their behalf. The Head of Environmental Services explained that the Council was performing well in many areas and improving when compared to other Local Authorities which was supported by benchmarking carried out and public feedback received.

The Strategic Director (Service Delivery) confirmed that the Council was performing well in relation to fly tipping but due to Covid-19 had been unable to bring people in for interview but arrangements had been now been put in place to recommence interview.

RESOLVED:

The Committee noted the contents of the report and approved that the Council is using its regulatory powers in a way proportionate to the demands for all regulatory services it provides.

EDS/08 **CORPORATE PLAN 2020-24: PERFORMANCE REPORT (2019-2020 QUARTER 4 – 1 JANUARY TO 31 MARCH)**

The Head of Organisational Development and Performance presented the report to the Committee recapping on the Corporate Plan's three key areas then highlighted the baseline data for performance against the Corporate Plan and noted that there were no changes to the Risk Register in relation to Service Delivery since the last report was presented to this Committee.

Councillor Corbin raised a query regarding the risk around Greenbank Leisure Centre. The Strategic Director (Service Delivery) informed Members that a Sufficiency and Condition Survey of all Council properties had started and that Greenbank was one of the first properties to be looked at and this along with an Environmental Audit carried out last year flagged up a range of issues. Members were also informed that an Asset Management Plan was to go to Finance and Management Committee for approval, which included capital works to address the issues at Greenbank Leisure Centre

RESOLVED:

1.1 That the Committee considered progress against performance targets set out in the Corporate Plan 2020 - 2024.

1.2 That the Committee reviewed the Risk Register for the Committee's services.

EDS/09 **CENTRAL BUILDING CONTROL PARTNERSHIP PERFORMANCE REPORT**

The Planning Delivery Team Leader presented the report to the Committee, giving an update on the performance over last 12 months and requested agreement that it was not the right time for the Partnership to focus on work to move toward a Local Authority Trading Company but was something to be considered as an option moving forward.

RESOLVED:

- 1.1 That the Committee endorsed the Partnership Board Report which provides a review of the performance for year 1 of the Central Building Control Partnership; and***
- 1.2 The Committee delegated authority to the Strategic Director (Service Delivery) to confirm to the host authority of the Partnership that the Council has reservations about the Partnership evolving into a Local Authority owned Trading Company at the present time and before two full years membership of the Partnership has expired (April 2021). A response is required by 13th July.***

EDS/10 COMMITTEE WORK PROGRAMME

The Strategic Director (Service Delivery) presented the Committee Work Programme to the Committee and explained that there was an extensive list of items to come to the Committee in the near future.

RESOLVED:

The Committee considered and approved the current work programme.

EDS/11 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.

EDS/12 EXEMPT QUESTIONS FROM MEMBERS OF THE COUNCIL UNDER COUNCIL PROCEDURE RULE NO 11

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

The meeting terminated at 7:05 pm.

COUNCILLOR MACPHERSON

REPORT TO:	ENVIRONMENTAL & DEVELOPMENT SERVICES COMMITTEE	AGENDA ITEM: 6
DATE OF MEETING:	12 th NOVEMBER 2020	CATEGORY: DELEGATED
REPORT FROM:	LEADERSHIP TEAM	OPEN DOC:
MEMBERS' CONTACT POINT:	FRANK MCARDLE (EXT. 5700) FIONA PITTAM (EXT. 5735)	
SUBJECT:	CORPORATE PLAN 2020-24: PERFORMANCE REPORT (2020-2021 QUARTER 2 – 1 JULY TO 30 SEPTEMBER)	
WARD (S) AFFECTED:	ALL	TERMS OF REFERENCE: G

1.0 Recommendations

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

2.0 Purpose of the Report

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

3.0 Executive summary

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

Our Environment

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



Our People

- *Supporting and safeguarding the most vulnerable*

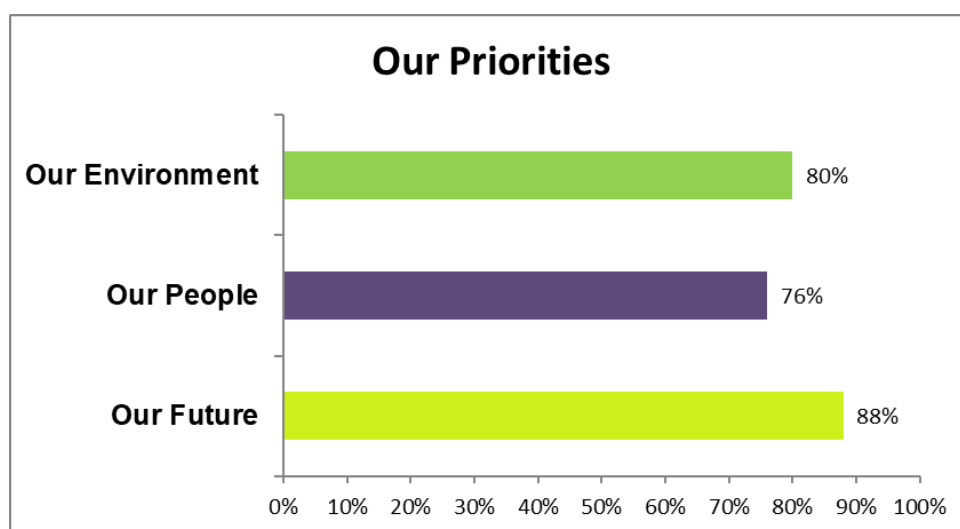
Our Future

- *Support economic growth and infrastructure*

4.0 Detail

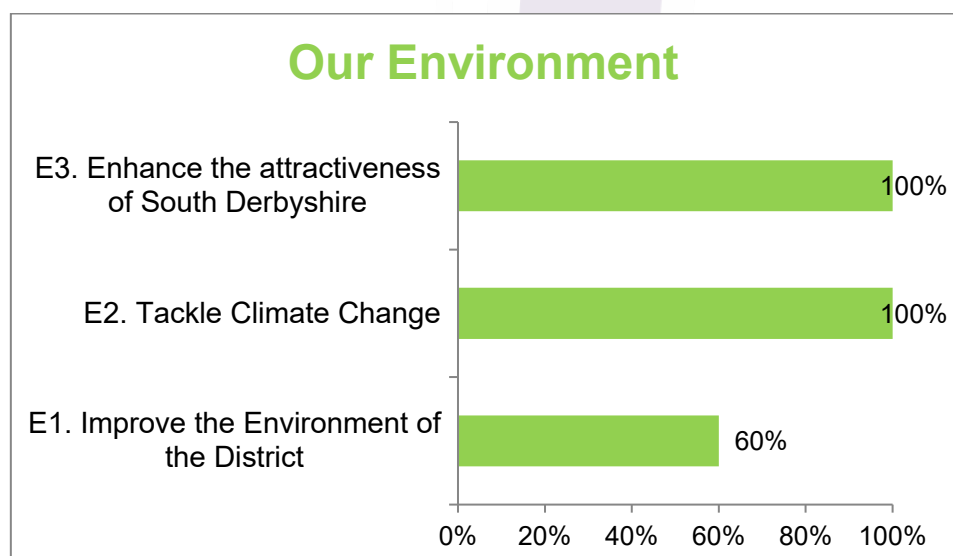
4.1 Overall Council performance against the priorities – Quarter 2 2020-2021.

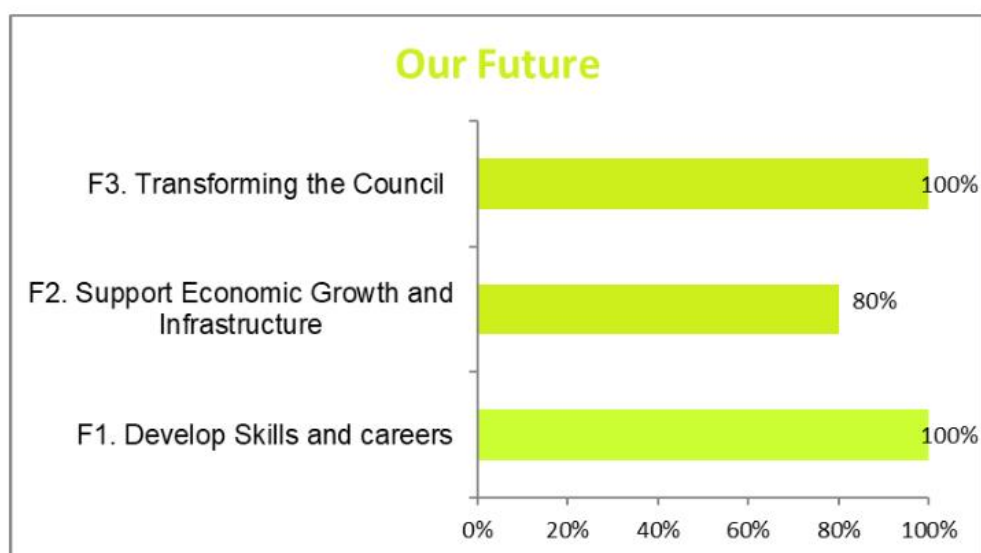
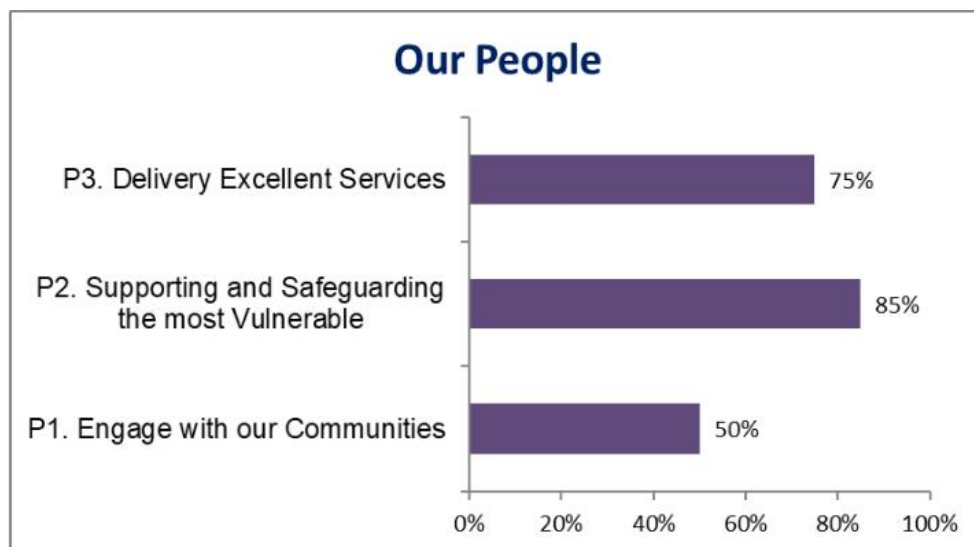
The below chart provides an overview for the % of measures that are on track to achieve the annual target.



4.2 Overall Council performance against key aims – Quarter 2 2020-2021.

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





4.3 Of the 35 measures which support the progress of the Corporate Plan 20-24, 16 are green, one is amber, seven are red and 11 are grey. Overall, 80% of the key aims within the Corporate Plan are on track. 80% are on track for Our Environment, 76% are on track for Our People and 88% are on track for Our Future.

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

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

- % of collected waste recycled and composted
- Reduce South Derbyshire District Council carbon emissions
- % of new homes to meet water efficiency targets as set out in the Part G optional standard of 110 litres of potable water usage per person per day
- Continue to undertake interventions per year to keep families out of fuel poverty



- Speed of decision on discharging conditions on housing applications
- % of planning applications determined within the statutory period

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

- Household waste collected per head of population
- Number of fly tipping incidents

The targets for the Corporate performance measures were set prior to the Covid-19 pandemic and this has impacted the out turn for quarter two for both measures.

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

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

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

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

5.0 **Financial and Implications**

None directly.

6.0 **Corporate Implications**

6.1 **Employment Implications**

None directly.

6.2 **Legal Implications**

None directly.

6.3 **Corporate Plan Implications**

This report updates the Committee on the progress against the key measures agreed

in the Corporate Plan and demonstrates how the Council's key aims under the priorities, Our Environment, Our People and Our Future contribute to that aspiration.

6.4 Risk Impact

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

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

The following risk has been added to the risk register.

- SD14 Performance of kerbside recycling contractor

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

7.0 Community Impact

7.1 Consultation

None required.

7.2 Equality and Diversity Impact

Not applicable in the context of the report.

7.3 Social Value Impact

Not applicable in the context of the report.

7.4 Environmental Sustainability

Not applicable in the context of the report.

8.0 Appendices

Appendix A – Performance Dashboard 2020-2024

Appendix B – Performance Measure Report Index

Appendix C – Service Delivery Risk Register



Priority	Key Aim		Outcome	PI Ref	How success will be measured		Frequency	(Q4) Jan 20 - Mar 20 Outturn	April 20 - June 20 (Qtr. 1)	April 20 - September 20 (Qtr. 2)	Annual Target 2020-2021	Head of Service	Strategic Lead	Committee	
Our Environment	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	Quarterly	Cumulative (Apr-Mar) 404 kgs Q4 (Dec-Mar) 90kgs	126 kgs	252 kgs (estimate)	Sustain during Yr1 (404kgs)	Adrian Lowery, Head of Operational Services	Allison Thomas, Strategic Director, Service Delivery	E&DS		
				E1.1B	% of collected waste recycled and composted	Quarterly	Cumulative (Apr-Mar) 45% Q4 (Jan-Mar)39%	53%	52% (estimate)	Sustain during Yr1 (45% or >)	Adrian Lowery, Head of Operational Services	Allison Thomas, Strategic Director, Service Delivery	E&DS		
			E1.2 Reduce fly tipping and litter through education, engagement and zero tolerance enforcement action where appropriate	E1.2A	Number of fly tipping incidents	Quarterly	714 (total figure for 2019/20)	Q1 - Target ≤ 179 Actual - 260	Q1-2 Target ≤ 357 Actual - 528	< 714	Matt Holford, Head of Environmental Services	Allison Thomas, Strategic Director, Service Delivery	E&DS		
				E1.2B	Improve the quality of the District through the Local Environmental Quality Survey	Annual	The first survey was completed in January 2020 the result was 89.67% above grade C+. Committee report being prepared. Some service PIs developed to assist overall performance.	Reported Bi-Annually in Q1 and Q3	A full report will be provided in Q4 20-21.	>95%	Adrian Lowery, Head of Operational Services	Allison Thomas, Strategic Director, Service Delivery	E&DS		
			E1.3 Enhance biodiversity across the District	E1.3A	% of eligible new homes and commercial developments to achieve net gain in Biodiversity by a minimum of 10% compared to the sites pre-development baseline	Annual	Not possible to provide as outputs not held in software until April 2020. Monitoring underway and baseline data to be provided Q1 and Q2.	First Report due October 2020. No qualifying decisions in Q1.	66.7%	85%	Steffan Saunders, Head of Planning and Strategic Housing	Allison Thomas, Strategic Director, Service Delivery	E&DS		
		E2. Tackle climate change	E2.1 Strive to make South Derbyshire District Council carbon neutral by 2030	E2.1A	Reduce South Derbyshire District Council carbon emissions	Annual	No update required for Q4. First update to be provided Q1 2020-21.	The three targeted C&EAP actions for Q1 are all complete	Six targeted C&EAP actions for Q1-2. Three have been completed. Three are long term projects which are all now in progress and on-track	Achievement of Actions contained in the South Derbyshire Climate and Environment Action Plan 2020-24 (C&EAP)	Matt Holford, Head of Environmental Services	Allison Thomas, Strategic Director, Service Delivery	E&DS		
			E2.2 Work with residents, businesses and partners to reduce their carbon footprint	E2.2A	% of new homes to meet water efficiency targets as set out in the Part G optional standard of 110 litres of potable water usage per person per day	Bi Quarterly (Q2 & Q4)	Baseline figure of 50% based on 18 qualifying decisions in Q4.	78%	89%	85%	Steffan Saunders, Head of Planning and Strategic Housing	Allison Thomas, Strategic Director, Service Delivery	E&DS		
		E3. Enhance the attractiveness of South Derbyshire	E3.1 Enhance the appeal of Swadlincote town centre as a place to visit	E3.1A	Increase Swadlincote Town Centre visitor satisfaction	Annual	49% of respondents would recommend Swadlincote Town Centre - May 2019. No update required for Q4. First update to be provided Q2 2020-21	Update due Q3	Update due Q3	50%	Mike Roylance, Head of Economic Development and Growth	Frank McArdle, Chief Executive	F&M		
			E3.2 Improve public spaces to create an environment for people to enjoy	E3.2A	The number of Green Flag Awards for South Derbyshire parks	Annual	2	Action planning scheduled for later in the year	Dialogue commenced about potential and preferred sites.	Four Year Target - 4	Mary Bagley, Head of Cultural and Community Services	Allison Thomas, Strategic Director, Service Delivery	H&CS		
				E3.2B	Proportion of good quality housing development schemes	Annual	92%	Reported Annually in Q4	Reported Annually in Q4	90.0%	Steffan Saunders, Head of Planning and Strategic Housing	Allison Thomas, Strategic Director, Service Delivery	E&DS		
		Our People	Meeting the 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	Quarterly	36	28	38	Proxy	Mary Bagley, Head of Cultural and Community Services	Allison Thomas, Strategic Director, Service Delivery	H&CS
					P1.2 Help tackle anti-social behaviour & crime through strong and proportionate action	P1.2A	Number of ASB interventions by type	Quarterly	2,893 ASB reports	ASB reports in Q1: Target ≤ 849 Actual - 1776	Q2 ASB reports are only available from all relevant agencies one month after the end of the reporting period	Proxy	Matt Holford, Head of Environmental Services	Allison Thomas, Strategic Director, Service Delivery	H&CS
P2. Supporting and safeguarding the most vulnerable	P2.1 With partners encourage independent living and keep residents healthy and happy in their homes.			P2.1A	Number of households prevented from Homelessness	Quarterly	103 cases	Q1= 64 cases total- 19 cases prevention & 45 cases relief	127 (Q2 = 63 cases total 21 Prevention cases and 42 Relief cases)	Proxy	Paul Whittingham, Head of Housing	Allison Thomas, Strategic Director, Service Delivery	H&CS		
				P2.1B	Continue to undertake interventions per year to keep families out of fuel poverty	Quarterly	Numbers of interventions in 2019/20 were not recorded	Q1 Target - 125 interventions Actual - 108	Q1&2 Target - 210 interventions Actual - 216 (Data not yet complete)	300 interventions	Matt Holford, Head of Environmental Services	Allison Thomas, Strategic Director, Service Delivery	E&DS		
	P2.2 Promote health and wellbeing across the District			P2.2A	Deliver the objectives identified in the South Derbyshire Health & Wellbeing Group	Bi monthly	Not applicable for Q4	Draft plan tabled at H&W Group and approved by the group	Ongoing delivery of the action plan by partners	100% of actions delivered	Mary Bagley, Head of Cultural and Community Services	Allison Thomas, Strategic Director, Service Delivery	H&CS		
	P2.3 Improve the condition of housing stock and public buildings.			P2.3A	Deliver the Planned Maintenance Housing programme over four years	Quarterly	£2,717,193.80	35%	88.95%	100% against the annual plan 2020-21	Paul Whittingham, Head of Housing	Allison Thomas, Strategic Director, Service Delivery	H&CS		
				P2.3B	Develop and deliver the Public Buildings programme over four years	Quarterly	Project Plan for 2020-21 developed	Software tested and calibrated	Condition surveys on the five largest assets have been completed	25% of assets to be surveyed and the planned maintenance programme for phase one to be created	Steve Baker, Head of Corporate Property	Kevin Stackhouse, Strategic Director, Corporate Resources	F&M		
				P2.3C	Average time taken to re-let Council homes	Quarterly	Q4 157 days YTD 122 days	Q1 Target 21 days Q1 Actual 206 days	Q2 Target 21 days. Q2 Actual 209 days	Median Quartile Performance (Benchmark via Housemark)	Paul Whittingham, Head of Housing	Allison Thomas, Strategic Director, Service Delivery	H&CS		
	P2.4 Support social mobility to ensure people have the opportunity to access skilled jobs, higher and further education.			P2.4A	South Derbyshire's ranking in the Social Mobility Commissions Social Mobility Index increases	Annual	311	Reported Annually in Q4	Reported Annually in Q4	Ranked >311 on the Social Mobility Index	Mike Roylance, Head of Economic Development and Growth	Frank McArdle, Chief Executive	F&M		

Page 13 of 233

Priority	Key Aim	Outcome	PI Ref	How success will be measured	Frequency	(Q4) Jan 20 - Mar 20 Outturn	April 20 - June 20 (Qtr. 1)	April 20 - September 20 (Qtr. 2)	Annual Target 2020-2021	Head of Service	Strategic Lead	Committee	
People	Working with communities and organisations	P3. Deliver Excellent Services	P3.1 Ensuring consistency in the way the Council deal with service users	P3.1A	Increase the number of customers who interact digitally as a first choice	Quarterly	1,219 Covid-19 business grants forms, 1,282 council tax & benefits forms and 12,343 online web form submissions. 14,844 in total (annual figure).	4,474	10,174	Upward Trend	Elizabeth Barton, Head of Customer Services	Kevin Stackhouse, Strategic Director, Corporate Resources	F&M
			P3.2 Have in place methods of communication that enables customers to provide and receive information.	P3.2A	Reduce face-to-face contact to allow more time to support those customers who need additional support	Quarterly	2,463 enquiries dealt with at Customer Services Desk. Visitors to office 4,490. Please note this was up to 20 March 2020, when offices closed due to Covid 19. Quarter 4 figures.	No visitors due to Covid-19	No visitors due to Covid-19	Downward trend in Face to Face interactions	Elizabeth Barton, Head of Customer Services	Kevin Stackhouse, Strategic Director, Corporate Resources	F&M
			P3.3 Ensuring technology enables us to effectively connect with our communities.	P3.3A	Number of customer telephone calls answered by Customer Service	Quarterly	Total Calls 26,280 (21,350 calls handled & 4,930 automated call payments). Quarter 4 figures.	22,387	44,701	Downward Trend	Elizabeth Barton, Head of Customer Services	Kevin Stackhouse, Strategic Director, Corporate Resources	F&M
				P3.3B	Increase digital engagement (Twitter, Instagram, Facebook)	Quarterly	Total FACEBOOK fans: 22,440, total TWITTER followers: 11,448, No Instagram account yet, total ALL SOCIAL MEDIA fans: 33,888. Social Media queries: 287	Total FACEBOOK fans:26,369 , total TWITTER followers: 7,971, No Instagram account yet, total ALL SOCIAL MEDIA fans: 34,340. Social Media queries: 182	Total FACEBOOK fans:27,919 , total TWITTER followers: 12,005, No Instagram account yet, total ALL SOCIAL MEDIA fans:39,924. Social Media queries: 190	Upward Trend	Fiona Pittam, Head of Organisational Development & Performance	Kevin Stackhouse, Strategic Director, Corporate Resources	F&M
			P3.4 Investing in our workforce	P3.4A	Increase the level of staff engagement	Annual	No Q4 Update. First Staff survey to take place in 20/21.	Reported annually in Q4	The employee survey has been postponed until early 2021	No target for Yr1.Baseline Data only	Fiona Pittam, Head of Organisational Development & Performance	Kevin Stackhouse, Strategic Director, Corporate Resources	F&M
				P3.4B	Number of apprenticeships	Annual	4 (1.2% of head count)	4 (1.2% head count) (3 vacancies currently, one advertisement active, mitigating factors updated)	4 (1.2% head count) (actions taken towards funding new apprenticeships despite Covid hardships)	>2.3% of head count	Fiona Pittam, Head of Organisational Development & Performance	Kevin Stackhouse, Strategic Director, Corporate Resources	F&M
				P3.4C	Average number of staff days lost due to sickness	Quarterly	3.58	3.68	4.34	Downward Trend	Fiona Pittam, Head of Organisational Development & Performance	Kevin Stackhouse, Strategic Director, Corporate Resources	F&M
				P3.4D	% of employees that consider that the Council has a positive health and safety culture	Annual	No Q4 update for 19/20. First Staff survey to take place in 20/21.	Reported annually in Q4	Reported annually in Q4	No target for Yr1.Baseline Data only	Fiona Pittam, Head of Organisational Development & Performance	Kevin Stackhouse, Strategic Director, Corporate Resources	F&M
Our Future	Growing our District and our skills base	F1. Develop skills and careers	F1.1 Attract and retain skilled jobs in the District	F1.1A	Increase the number of employee jobs in South Derbyshire	Annual	32,000		Reported Annually in Q4	More than Q4 2019/20	Mike Roylance, Head of Economic Development and Growth	Frank McArdle, Chief Executive	F&M
			F1.2 Support unemployed residents back into work										
		F2. Support economic growth and infrastructure	F2.1 Encourage and support business development and new investment in the District	F2.1A	Annual net growth in new commercial floorspace (sqm)	Annual	2885 sqm	Reported Annually in Q4	Reported Annually in Q4	12,269.5 sqm	Mike Roylance, Head of Economic Development and Growth	Frank McArdle, Chief Executive	F&M
				F2.1B	Total Rateable Value of businesses in the District	Quarterly	£67,486,786	£67,528,690	67,316,577	More than Q4 2019/20	Mike Roylance, Head of Economic Development and Growth	Frank McArdle, Chief Executive	F&M
			F2.2 Enable the delivery of housing across all tenures to meet Local Plan targets	F2.2A	Speed of decision on discharging conditions on housing applications	Quarterly	80%	100%	100%	90% within 8-13 weeks or as agreed with the applicant	Steffan Saunders, Head of Planning and Strategic Housing	Allison Thomas, Strategic Director, Service Delivery	E&DS
				F2.2B	% of planning applications determined within the statutory period	Quarterly	93%	94%	99%	>90%	Steffan Saunders, Head of Planning and Strategic Housing	Allison Thomas, Strategic Director, Service Delivery	E&DS
			F2.3 Influence the improvement of infrastructure to meet the demands of growth.	F2.3A	Secure new facilities and contributions through Section106 to mitigate impacts of development. Achieve all necessary highway, education, healthcare, and recreation contributions	Annual	No Q4 update for 19/20. New indicator, data will be collected from April 2020 onwards as retrospective data is not possible to collect.	Reported Annually in Q4	Reported Annually in Q4	90%	Steffan Saunders, Head of Planning and Strategic Housing	Allison Thomas, Strategic Director, Service Delivery	E&DS
		F3. Transforming the Council	F3.1 Provide modern ways of working that support the Council to deliver services to meet changing needs.	F3.1A	Deliver against the Transformation Action Plan	Quarterly	No Q4 update for 19/20. Transformation plan to report from Q1 onwards		All projects on track and have enjoyed some focused attention and a few large projects in particular have had major milestones reached.	Deliver 100% against action plan	Anthony Baxter, Head of Business Change and ICT	Kevin Stackhouse, Strategic Director, Corporate Resources	F&M
			F3.2 Source appropriate commercial investment opportunities for the Council	F3.2A	Develop our approach towards the commercialisation of services which include grants, sponsorship, fees and charges and operating models and increase the income generated from these activities	Quarterly	Preliminary discussion between Operational Services and Finance have taken place, working group and action plan not yet established			Form a working group & Action Plan	Adrian Lowery, Head of Operational Services	Allison Thomas, Strategic Director, Service Delivery	F&M

Corporate Plan 2020-2024

Performance Measure Report Index

Environmental and Development Services Committee

Team: Organisational Development and Performance

Date: November 2020

Page 15 of 233



Our Environment | Our People | Our Future

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Performance Measure Report Index

Corporate Plan 2020-2024

Summary

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

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

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

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

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

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

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

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



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

Our Environment

Measure

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

Our People

Measure

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

Our Future

Measure

- Speed of decision on discharging conditions on housing applications
- % of planning applications determined within the statutory period
- Secure new facilities and contributions through Section106 to mitigate impacts of development. Achieve all necessary highway, education, healthcare, and recreation contributions



PRIORITY: OUR ENVIRONMENT

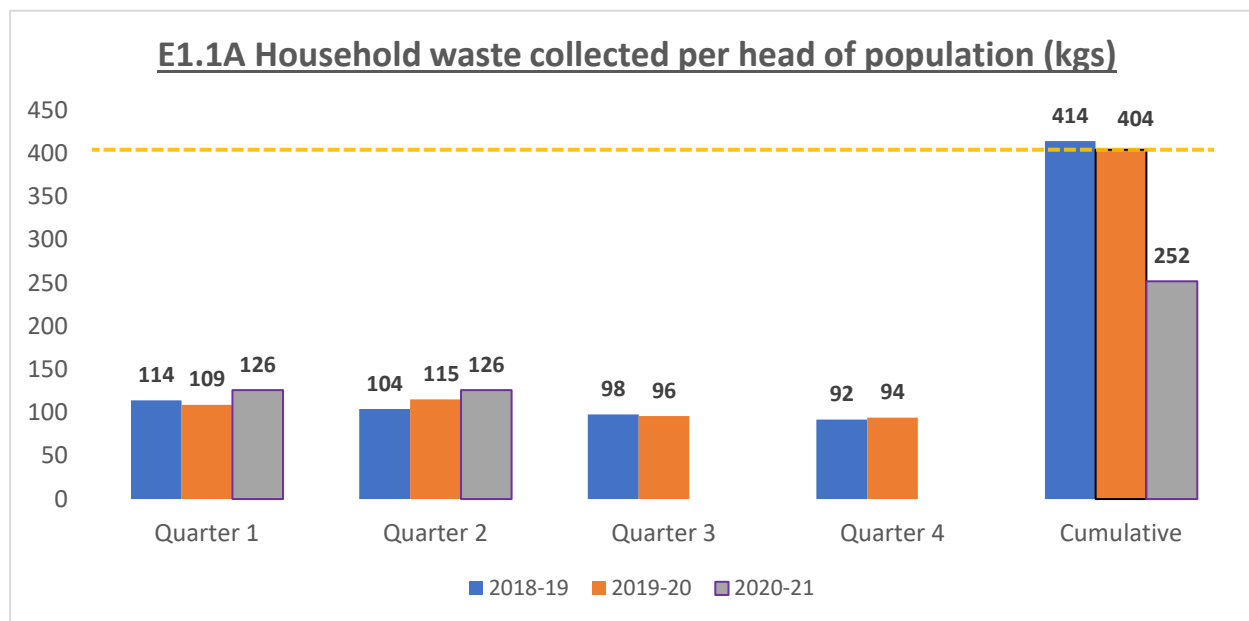
OUTCOME: E1.1 Reduce the amount of waste sent to landfill

Measure and Ref	E1.1A- Household waste collected per head of population (kg)			Committee	E&DS
Definition	This indicator is the number of kilograms of household waste collected per head of population. ‘Household waste’ means those types of waste which are to be treated as household waste as defined by the Environmental Protection Act 1990.			Why this is important	To measure the change in household waste disposal levels as a result of householders’ waste reduction and recycling activities
What good looks like	Top performing authorities outturn <400kgs per year				
History with this indicator	The Council employs 40 staff and utilises 15 vehicles and a number of external contractors to deliver waste collection services.			Mitigating actions	A consultation is being considered to review the way the Council collects household waste, to encourage more recycling in the District.
2019/20 baseline data		The estimated figure reported in Q4 was 407 kgs. This figure has now been validated and the confirmed out turn for Q4 is 404 kgs.			
	Annual target	Q1 Outturn (Apr-June)	Q2 Outturn (Apr - Sept)	Q3 Outturn (Apr - Dec)	Q4 Outturn (Apr 20 - Mar 21)
2020/21	Sustain Current levels	126 kgs	252kgs (estimate)		
2021/22	Sustain Current levels				
2022/23	Downward Trend				
2023/24	Downward Trend				



Performance Overview – Quarterly update

The estimated figure of 252 kgs is well above the figure reported this time last year. The target for 200/21 is to sustain the current levels. The increase directly relates to the lockdown measures put in place due to the Covid – 19 pandemic, in particular no Household Waste Recycling Centres open until August and more waste being generated at home.



Actions to sustain or improve performance

Currently reviewing all Waste Collection Services

Benchmarking

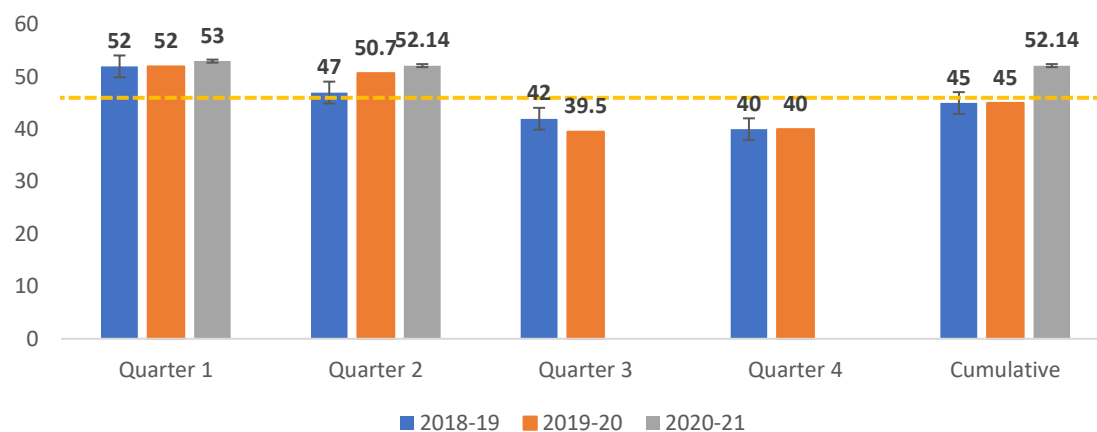
Annual benchmarking will be provided when available through the Government's Wastedataflow reporting tool.



PRIORITY: OUR ENVIRONMENT					
OUTCOME: E.1.1 Reduce waste and increase composting and recycling					
Measure and Ref	E1.1B - % of collected waste recycled and composted			Committee	E&DS
Definition	Kerbside collected household waste is waste presented for collection by households in the black, green and brown bins and the normal alternate week collections. Recycled or composted is waste presented in the green and brown bins.			Why this is important	To establish the success of the Council’s recycling scheme and to ensure the compost scheme continues to perform
What good looks like	The top performing authorities achieve >60%, the top 25% achieve >50%				
History with this indicator	Currently on a downward trend, the tonnages collected have remained stable, however increasing residual waste is pushing the percentage down.			Mitigating actions	The current contract expires in 2021 and full waste service review will be undertaken in 2020 to establish future delivery standards and delivery model.
2019/20 baseline data		The estimated figure reported in Q4 was 46%. This figure has now been validated and the confirmed out turn for Q4 is 45%.			
	Annual target	Q1 Outturn (Apr-June)	Q2 Outturn (Apr - Sept)	Q3 Outturn (Apr - Dec)	Q4 Outturn (Apr 20 - Mar 21)
2020/21	50%	53	52.14% (estimated)		
2021/22	50%				
2022/23	55%				
2023/24	60%				
<u>Performance Overview – Quarterly update</u> The estimated outturn of 52.14% is a slight increase compared with 2019/20 of 50.7%. This is mainly due to the increased tonnages collected on the kerbside recycling scheme.				<u>Actions to sustain or improve performance</u> A review of all Waste Collection Services is being undertaken.	



E1.1B % of collected waste recycled and composted



Benchmarking

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



PRIORITY: OUR ENVIRONMENT

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

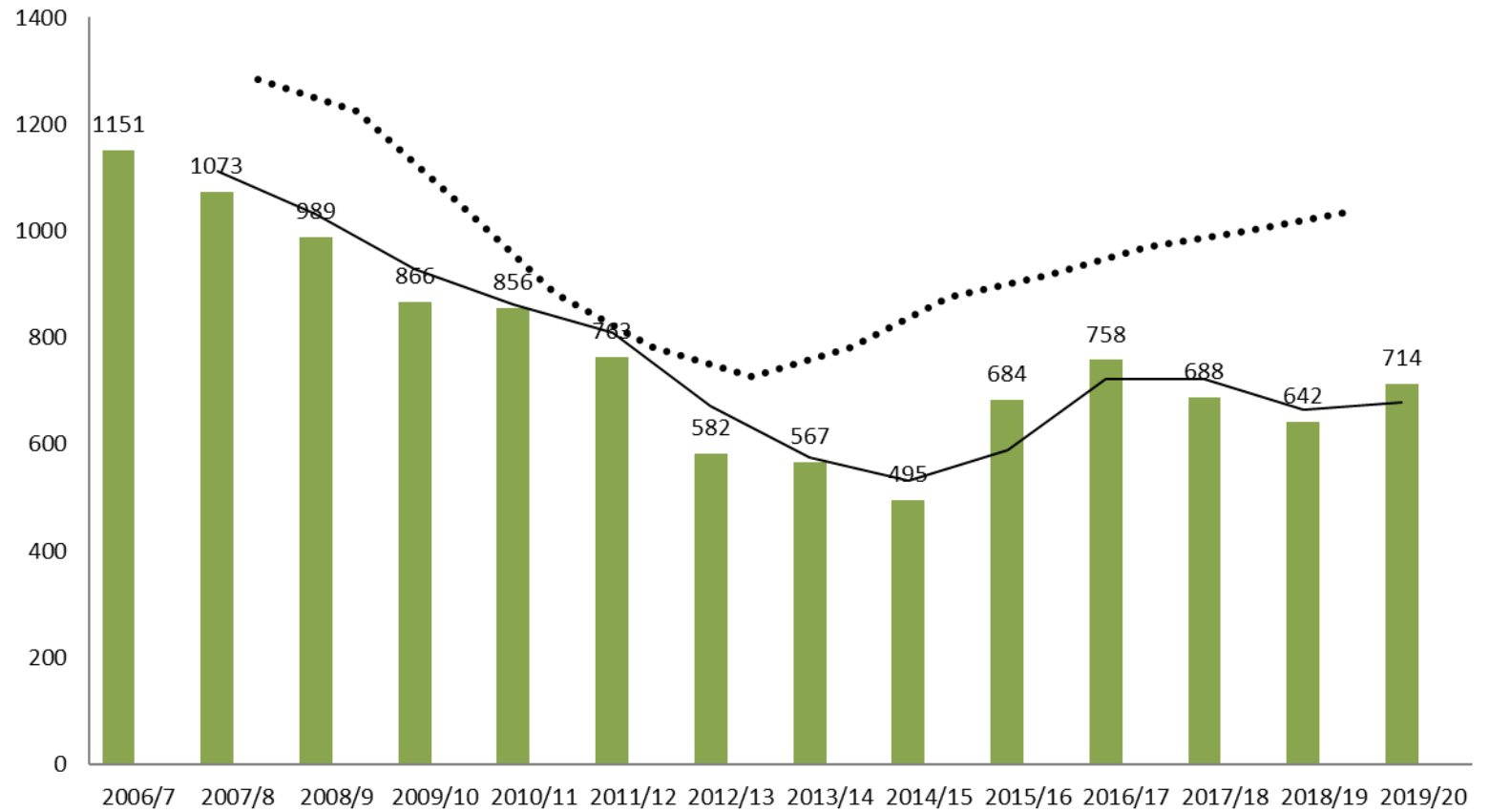
Measure and Ref	E1.2A - Number of fly tipping incidents					Committee	E&DS		
Definition	A reduction in fly-tipping incidents is defined as a numerical reduction in the sum of the number of fly tipping incidents reported to the Council, plus the number of fly tips proactively collected by Council staff while performing their duties, compared to the reference period.					Why this is important	Prevent an increase in fly-tipping incidents through education, engagement and enforcement action where appropriate		
What good looks like	The purposes of this Indicator is to see a downward trend in fly tipping incidents as a rolling average over the four-year period of the Corporate Plan.					Mitigating actions	A new gate to finally implement the PSPO at Lowes Lane, Swarkestone has now been installed.		
History with this indicator	There have been long term reductions in fly tipping incidents both nationally and locally since 2000, however this trend has reversed in very recent years. Between 2016 and 2019 fly tipping incidents nationally have increased.								
2019/20 baseline data		714 reported incidents							
	Annual target	Q1 Target (Apr-June)	Q1 Outturn (Apr – Jun)	Q2 Target (Apr - Sept)	Q2 Outturn (Apr - Sept)	Q3 Target (Apr - Dec)	Q3 Outturn (Apr - Dec)	Q4 Target (Apr 20 - Mar 21)	Q4 Outturn (Apr 20 - Mar 21)
2020/21	Downward trend	<179 incidents	260	<357 incidents	528	<536 incidents		<714 incidents	
2021/22	Downward trend								
2022/23	Downward trend								
2023/24	Downward trend								
<u>Performance Overview – Quarterly update</u>						<u>Actions to sustain or improve performance</u>			
Fly tipping incidents have markedly increased during COVID-19 and anecdotally officers understand that this is a trend which has occurred across the UK. Incidents increased						Officers have reviewed the locations and nature of fly tipping incidents over the last two years to identify locations for possible further interventions.			



<p>significantly at the start of lock-down (March 2020). There was a hope that there would be a subsequent reduction in incidents as lock-down eased, however this has not occurred.</p>	<p>A capital bid has been approved for the procurement of mobile surveillance equipment to assist officers with investigations.</p>
<p>Benchmarking</p>	<p>There is no formal benchmarking process for fly tipping. The Council provides long-term comparisons in local fly tipping trends compared to national trends which is summarised in the graph below.</p> <p>Until 2016/17 fly tipping trends in South Derbyshire broadly followed the same trend line as the national data (dotted line) with a one-year lag. In 2017/18 fly tipping incidents in South Derbyshire reduced, and then again in 2018/19, which bucked the national trend. This should give the Council some confidence that the concerted efforts to address fly tipping over the course of the previous Corporate Plan has been having positive outcomes.</p>



Reported Fly Tipping Incidents National / South Derbyshire 2006 - 2019



PRIORITY: OUR ENVIRONMENT

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

Measure and Ref	E1.2B - Improve the quality of the District through the Local Environmental Quality Survey		Committee	E&DS														
Definition	Percentage of inspected areas above a grade C for cleanliness as defined in the government code of Practice for Litter and refuse.		Why this is important	Gives assurance that the cleansing regimes and resources deployed are delivering the Council's service standards.														
What good looks like	<div>>95% above grade C</div> <div>This table below provides an overview of the grading:</div> <table><tr><td>Grade A</td><td>No issues present</td></tr><tr><td>Grade B+</td><td>No formal description</td></tr><tr><td>Grade B</td><td>Predominantly free with some minor instances of the issue</td></tr><tr><td>Grade B-</td><td>No formal description</td></tr><tr><td>Grade C</td><td>Widespread with some accumulations of the issue</td></tr><tr><td>Grade C-</td><td>No formal description</td></tr><tr><td>Grade D</td><td>Heavily affected by the issue</td></tr></table> <div>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.</div>				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
	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																
History with this indicator	New indicator		Mitigating actions	To be determined following confirmation of baseline data														
2019/20 baseline data		89.67% above grade C																



	Annual target	Q1 Outturn (Apr-June)	Q2 Outturn (Apr - Sept)	Q3 Outturn (Apr - Dec)	Q4 Outturn (Apr 20 - Mar 21)
2020/21	>95%	Reported in Q4	Reported in Q4	Reported in Q4	
2021/22					
2022/23					
2023/24					
<u>Performance Overview – quarterly update</u> The first survey completed in Jan 2020. A report to Committee recommends a survey for October and the target is increased from >90% to >95% due to outturn of first survey Some service PIs have been developed to assist overall performance and have been built into the Service Plans for 2020/21. A full report will be provided in Q4 20-21.				<u>Actions to sustain or improve performance</u>	
Benchmarking					



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



PRIORITY: OUR ENVIRONMENT					
OUTCOME: E2.1- Strive to make South Derbyshire District Council carbon neutral by 2030					
Measure and Ref	E2.1A- Reduce South Derbyshire District Council carbon emissions			Committee	E&DS
Definition	Achievement of Actions contained in the South Derbyshire Climate and Environment Action Plan 2020-24 (C&EAP)			Why this is important	To enable emissions from all relevant identified Council sources to be controlled over the Corporate Plan timeframe
What good looks like	Achievement of Actions contained in the South Derbyshire Climate and Environment Action Plan 2020-24 (C&EAP)				
History with this indicator	No previous targets to achieve carbon neutrality have been set			Mitigating actions	
2019/20 baseline data		The baseline carbon emissions from SDDC activities has been calculated as 2,500 tonnes of CO ₂ e in 2018/19			
	Annual target	Q1 Outturn (Apr-June)	Q2 Outturn (Apr - Sept)	Q3 Outturn (Apr - Dec)	Q4 Outturn (Apr 20 - Mar 21)
2020/21	9 actions complete	3 actions complete	6 actions complete		
2021/22	10 actions complete				
2022/23	10 actions complete				
2023/24	10 actions complete				
<u>Performance Overview – quarterly update</u> The Healthy Homes Assistance Fund has been launched and is progressing well, The Derbyshire Healthy Homes Programme has also been launched and is progressing well, The Housing Environmental Impact Project has been commissioned and has started, The Council’s new electricity contract is produced from 100 per cent renewable, non-nuclear sources (wind, hydro, geo-thermal and solar), Carbon neutrality has been embedded into the Civic Hub project brief, The revised Procurement Strategy and Guidance Manual 2020-24 was approved on 28/8/2020 to include improved carbon neutral questions and scoring criteria				<u>Actions to sustain or improve performance</u>	
Benchmarking					



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



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



PRIORITY: OUR PEOPLE

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

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



<p><u>Performance Overview – quarterly update</u></p> <p>148 legal notices have been issued to private sector landlords requiring the energy performance of their properties to meet legal standards. An additional 26 Property Level Flood Resilience Grants are being processed following the damage caused in February by Storms Ciara and Dennis. Following the launch of a new Healthy Home Assistance Fund (HHAF) in May £49,000 from a budget of £100,000 has already been spent making improvements to private homes occupied by vulnerable people.</p>	<p><u>Actions to sustain or improve performance</u></p> <p>Now that the HHAF is fully operational the target of 300 interventions in 2020/21 is expected to be achieved.</p>
<p>Benchmarking</p>	



PRIORITY: OUR FUTURE

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

Measure and Ref	SF2.2A - Speed of decision on discharging conditions for housing applications			Committee	E&DS
Definition	The purpose of the performance indicator is to measure the percentage of planning condition applications determined in the statutory period of eight or 13 weeks or as may be otherwise agreed with applicants.			Why this is important	Unnecessary delays in the determination of applications holds up the delivery of development and therefore a potential disincentive to inward investment
What good looks like	All applications determined as soon as possible without compromising quality.				
History with this indicator	New			Mitigating actions	A recent service review introduced new and improving performance management processes and software
2019/20 baseline data		80% based on Q4 (up to 85% if including first 27 days of 2020/21 Q1, following new procedure with team)			
	Annual target	Q1 Outturn (Apr-June)	Q2 Outturn (Apr - Sept)	Q3 Outturn (Apr - Dec)	Q4 Outturn (Apr 20 - Mar 21)
2020/21	90% within 8-13 weeks	100%	100%		
2021/22	90% within 8-13 weeks				
2022/23	90% within 8-13 weeks				
2023/24	90% within 8-13 weeks				
<u>Performance Overview – quarterly update</u> Despite pressures on planning delivery resources, the effect of the COVID-19 pandemic and difficulties in obtaining timely responses from consultees, proactive dialogue with applicants has seen decisions issued in time and/or with agreed extension to determination periods.				<u>Actions to sustain or improve performance</u> Key staff to see indicator feature in annual Personal Development Reviews. Team Leaders regularly monitoring performance.	
Benchmarking					



PRIORITY: OUR FUTURE

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

Measure and Ref	F2.2B - % of planning applications determined within the statutory period			Committee	E&DS
Definition	The purpose of the performance indicator is to measure the percentage of planning applications determined in the statutory period of eight or 13 weeks or as may be otherwise agreed with applicants.			Why this is important	Unnecessary delays in the determination of planning applications holds up the delivery of development and therefore a potential disincentive to inward investment
What good looks like	All applications determined as soon as possible without compromising quality.				
History with this indicator	Generally, the Council has performed well for most recent years against a notional target of 90%			Mitigating actions	A recent service review introduced new and improving performance management processes and software
2019/20 baseline data		93%			
	Annual target	Q1 Outturn (Apr-June)	Q2 Outturn (Apr - Sept)	Q3 Outturn (Apr - Dec)	Q4 Outturn (Apr 20 - Mar 21)
2020/21	90%	94%	99%		
2021/22	90%				
2022/23	90%				
2023/24	90%				
Performance Overview – quarterly update Performance in determining major schemes recovered to 100% in this quarter (well above national indicator of 65%) with minors also standing at 100%. These application types capture the largest proportion of investment within the District, so this performance is very positive. The others category achieved 98% as consequence of two decisions (of an overall 176) being determined outside of the statutory or agreed timeframe Continued attainment of Corporate Performance Indicator across continuous quarters despite effects of COVID-19 continuing to cause delays beyond officer control.				Actions to sustain or improve performance Further software development to improve efficiency of processes, etc. Continued performance monitoring of individual staff and workloads. Resourcing of the development management team is noted to be an emerging issue, with staff leaving the authority at the same time as a large increase in applications being received (circa 20% more compared to the same period last year).	
Benchmarking					



PRIORITY: OUR FUTURE

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

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



SERVICE DELIVERY RISK REGISTER (AS AT Q2 2020/21)

Appendix C

Risk	Rating and current position	Risk treatment	Mitigating actions	Change since last quarter	Risk Owner
SD1 - Loss of income to the Housing Revenue Account	Rent reduction controls relaxed and rent increase now in place. Reduction of income through the Impact of COVID19 on Universal Credit (UC) claims is now greater. Likelihood is high and impact is now moderate	Treat the risk through continuous action and review.	Income policies/processes are being revised. The Council has invested in I.T. solutions to maximise opportunities to collect income and support those in financial difficulty. Increased focus on collection of rent and other housing debt. New dwellings mitigate revenue lost through Right to Buy (RTB). New Builds can still be purchased under (RTB) after three years for Secure Tenancies. The uptake of UC has risen sharply through the impact of COVID19 on Council tenants, the rate of increase slowed as lockdown was eased. The Housing Service and DWP have made operational changes to deal with this increase in the short-term	No change to rating. Mitigating actions updated	Housing Services
SD2 - Failure to collect financial contributions or to enforce the delivery of obligations within Section 106 Agreements.	Failure to collect financial contributions or to enforce obligations within Section 106 Agreements. Slight increase in likelihood of requests to defer payments or review viability of development schemes in response to COVID-19 impacts. Likelihood is unlikely but the impact is significant.	Treat the risk through continuous action and review.	Implementation of new software is now complete. Team Leader overseeing the process with dedicated officer monitoring and reviewing progress of agreements relating to 'live' sites. The Service has been recently audited and has put in place actions to address the minor recommendations. Continued use of District Valuer in vetting additional requests for viability review. Discretion over enforcement or payment plans can ensure collection of fees over longer period if cashflow a problem for developers. Page 36 of 233	No change to rating or mitigating actions	Planning and Strategic Housing

			Once S106 funds are received, Planning Policy team send regular reminders to colleagues including external bodies to minimise the risk of S106 money going unspent.		
SD3 – Safety standards	<p>Failure to comply with basic safety standards in flats/blocks with communal areas.</p> <p>Work has been undertaken to put specialist fire asbestos, legionella contracts in place.</p> <p>Likelihood is medium and impact has potential to be significant.</p>	Treat the risk through continuous action and review.	<p>Process underway to update safety procedures for fire, gas, electricity, legionella and asbestos to ensure the Council has appropriate controls in place to manage risks. Progress made so far includes:</p> <ul style="list-style-type: none"> • Fire safety contractor appointed • Gas servicing 100% compliant • Electrical testing contractor appointed • Legionella - sheltered schemes testing in place, void properties shower heads/dead legs removed • Asbestos testing contractor appointed • Asbestos removal contractor appointed • Successful completion of an asbestos audit by the Health and Safety Executive <p>Whilst the likelihood reduces as contracts are in place, works programmes to the value of £250,000 per annum are required for the next two years to achieve full compliance, so the overall likelihood remains medium. Fire safety work is now underway in communal blocks, including consultation with tenants affected by the work. Additional contractor capacity is being negotiated in order to increase volume of programme.</p> <p>Revised and updated Housing Safety policies are to be presented to Housing and Community Services Committee in November 2020.</p>	No change to rating, mitigating actions updated	Housing Services

SD4 – Universal Credit	<p>Loss of income to the Housing Revenue Account through full roll out of Universal Credit (UC) from November 2018.</p> <p>There is still uncertainty as to the financial impact of this, but the Council has plans in place working with internal/ external stakeholders to manage this process.</p> <p>Likelihood is high and the impact is moderate.</p>	Treat the risk through continuous action and review.	<p>Welfare Reform Group, including key internal/external partners, meets on a monthly basis to manage roll-out against an agreed action plan.</p> <p>Invested in I.T. solutions to maximise opportunities to collect income and support those in financial difficulty.</p> <p>The Impact of COVID19 on Council tenants has seen a sharp rise in the number of UC Claimants although the rate of increase slowed as lockdown was eased</p> <p>Delays in UC payments have led to a rise in rent arrears. The Housing Service, in partnership with DWP, has have made operational changes to mitigate this risk.</p>	No change to rating. Mitigating actions updated	Housing Services
SD5 – Reduction in funding for Cultural and Community Services	<p>Reduction of Council funding into Cultural and Community Services. Unable to source external funding to service.</p> <p>There is likely to be additional funding needed to replace income lost through Covid-19</p> <p>Likelihood is moderate and the impact is moderate</p>	Treat the risk through continuous action and review of funding streams and Cultural and Community Services Restructure.	<p>Forward budget planning over a number of years. Approvals for reserve spend to secure staffing positions up to March 2021 initially for Active Communities.</p> <p>Maintain current funding contribution that the Council makes towards the Active Communities service.</p> <p>The Council is in the final year of a three-year funding agreement with the Police and Crime Commissioner (PCC) for £25,000 per year Community Safety Funding.</p> <p>The Council receives £35,000 per year Basic Command Unit funding from the Chief Superintendent. This is received annually with no long-term commitment.</p> <p>Rolls Royce new three-year sponsorship of the Environmental Education Project confirmed.</p> <p>Continually seek external funding opportunities to support service delivery. This will extend to Covid-19 new funding pots.</p> <p>Monthly assessment of income lost through Covid-19 restrictions on service</p>	No change to rating or mitigating actions	Cultural and Community Services

SD6 - Ageing infrastructure at Rosliston Forestry Centre	<p>Need to upgrade Infrastructure at Rosliston Forestry Centre.</p> <p>Regular meetings held at operational and strategic levels with the Forestry Commission.</p> <p>Likelihood is moderate but the impact would be moderate</p>	Treat the risk through continuous action and review.	<p>Condition survey updated as part of procurement exercise for new contractor.</p> <p>Focus on implementing infrastructure requirements identified in external consultant's report.</p> <p>Capital Programme bid successful with the majority of the projects needed supported.</p> <p>Project plans for the delivery of the capital projects being prepared</p> <p>Collaboration with Head of Corporate Property on improvements to the Planned Preventative Maintenance (PPM).</p> <p>Engage tenants and keep Senior Leadership Team informed</p> <p>Covid-19 pandemic has enabled an opportunity to do some minor health and safety works whilst the site was closed to the public.</p>	Rating changed to green. Mitigating actions updated to include health and safety works	Cultural and Community Services
SD7 - Failure to meet housing delivery targets set out in the five-year supply.	<p>Failure to meet housing delivery targets.</p> <p>Local Plan is in place which sets out the five-year supply. Latest monitoring for 19/20 indicates the Council was performing above target.</p> <p>Likelihood is low but could move to moderate in light of COVID-19 impacts pushing delivery back in the Plan period, but the impact would be significant.</p>	Treat the risk through continuous action and review.	<p>Monitoring/review of performance ongoing.</p> <p>Active pursuit of schemes and opportunities. Increased focus on facilitating prompt commencement of development.</p> <p>Develop action plan(s) where necessary.</p> <p>Current five-year housing land supply rate at 5.92 years - most sites started are building at a rate above that originally anticipated such that c.1300 were completed in 2019/20 - work to accelerate progress on two sites continues.</p> <p>Support government proposals to offer flexibility in supply and delivery requirements in light of COVID-19 effects.</p>	No change to rating or mitigating actions	Planning and Strategic Housing
SD8 - Failure of IT infrastructure that supports	Ongoing issues with IT infrastructure that supports Planning systems.	Treat the risk through continuous	<p>New system went live on the 1st August 2019. Work continues towards implementing remaining 'modules' of the software, migrating data and decommissioning old systems.</p>	No change to rating or mitigating actions	

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

SD13 – Covid 19 Pandemic out break	Loss of a significant number of front-line employees to Covid 19 and the subsequent loss of front-line services.	Treat the risk through continuous action and review	Preventative measures in place to protect employees whilst at work. Provision of appropriate PPE to all employees. Measures in place to deal with any confirmed cases. All employees routinely advised to follow latest government advice	N/A	Operational Services
SD14- Performance of kerbside recycling contractor	Kerbside recycling contractor is failing to deliver the service on scheduled dates	Treat the risk through continuous action and review	Ongoing discussions are taking place with the contractor. Assistance may be given by the Council to take account of the additional tonnages generated through the Covid-19 pandemic. Contingency plans are also being developed should the contractor not be in a position to deliver the contract at short notice	New Risk	Operational Services

	SERVICE DELIVERY RISK MATRIX			
Likelihood				
4 High		SD1, SD4		
3 Medium		SD5, SD6	SD3, SD12	SD14
2 Low		SD10 SD6	SD7, SD9, SD11	
1 Unlikely			SD2, SD8	
	1 Minor	2 Moderate	3 Significant	4 Catastrophic
	Impact			

Risk Description

SD1 Loss of income to the Housing Revenue Account

[Page 41 of 233](#)

SD2 Failure to collect financial contributions/enforce obligations within S106 Agreements

- SD3** Safety standards
- SD4** Universal Credit
- SD5** Reduction in funding for Cultural and Community Services
- SD6** Ageing infrastructure at Rosliston Forestry Centre
- SD7** Failure to meet housing delivery targets set out in the five-year supply.
- SD8** Failure of IT infrastructure that supports Planning Systems, LLPG and Land Charges.
- SD9** Melbourne Sports Park
- SD11** Tree Management
- SD12** Green Bank Leisure Centre
- SD13** Covid 19 Pandemic
- SD14** Performance of kerbside recycling contractor

REPORT TO:	ENVIRONMENTAL AND DEVELOPMENT SERVICE COMMITTEE	AGENDA ITEM: 7
DATE OF MEETING:	12th NOVEMBER 2020	CATEGORY: DELEGATED/ RECOMMENDED
REPORT FROM:	CHIEF EXECUTIVE	OPEN/EXEMPT PARAGRAPH NO:
MEMBERS' CONTACT POINT:	EMMA McHUGH 01283 595 716 emma.mchugh@south-derbys.gov.uk	DOC:
SUBJECT:	CONSIDERATION OF STATUTORY TAXI AND PRIVATE HIRE STANDARDS	REF:
WARD(S) AFFECTED:	ALL	TERMS OF REFERENCE:

1. Recommendations

- 1.1 That Members note the consideration of the Statutory Taxi and Private Hire Standards.
- 1.2 That the proposed changes to the Private Hire Licensing Policy and Private Hire Vehicle, Driver and Operator Conditions are approved to come into effect in January 2021.

2. Purpose of Report

- 2.1 To provide Members with the necessary information to be able to give full consideration to the recommendation contained in paragraph 1.1 and 1.2 of this report.

3. Detail

- 3.1 In July 2020, the Department of Transport issued the Statutory Taxi and Private Hire Standards ("the Standards"). The Standards include recommendations on the exercising the taxi and private hire licensing functions to protect, in particular, children and vulnerable adults in addition to all users of the trade. The Standards require that the recommendations are implemented by each Licensing Authority unless there is a compelling local reason not to do so. The Standards require all licensing authorities to publish their consideration of the recommendations detailed in the Standards. This Licensing Authorities consideration of the recommendations is attached as **Appendix 1**.

Amendment of Private Hire Licensing Policy and Private Hire Vehicle, Driver and Operator Conditions

- 3.2 As a result of the consideration of the recommendations within the Standards, minor

amendments were required to update the Private Hire Licensing Policy as well as the Private Hire Vehicle, Driver and Operator Conditions. Officers conducted a 12 weeks consultation exercise on the minor amendments with all existing licence holders and members of the public via the Council's website.

3.3 One response was received during the consultation period in relation to the proposed minor amendments. The response identified a typo within the documents which has been amended.

3.6 A copy of the draft Policy and Conditions with the proposed changes highlighted are attached as **Appendix 2 to 5**.

4. Financial Implications

4.1 There are no financial implications to the Council.

5. Corporate Implications

Employment Implications

5.1 None

Legal Implications

5.2 None

Corporate Plan Implications

5.3 These proposals will continue to demonstrate to members of the public that the Council takes the protection of local residents, children, and vulnerable adults from the potential harms of private hire licensing seriously, which contributes to the value of taking pride in our place and striving for excellence in all we do.

Risk Impact

5.4 None

6. Community Impact

Consultation

6.1 Consultation has taken place with all relevant bodies.

Equality and Diversity Impact

6.2 None

Social Value Impact

6.3 The proposals will protect all residents in South Derbyshire from the potential harms of poor private hire licensing standards.

Environmental Sustainability

6.4 None

6. **Background Papers**

Local Government (Miscellaneous Provisions) Act 1976
Statutory Taxi and Private Hire Standards

Consideration of Statutory Taxi and Private Hire Standards

Recommendation	Considerations
Licensing authorities should review their licensing policies every five years, but should also consider interim reviews should there be significant issues arising in their area, and their performance annually.	<p>Private Hire Licensing Policy been in place for several years and is reviewed on a regular basis in order to keep the Policy relevant in order to protect the public.</p> <p>KPI standards are in place for the Department and reported to Committee on a quarterly basis. An annual enforcement report is reported to Committee.</p> <p>Policy states 3 year review so amended to 5 year in line with the Standards</p>
Short term licences to only be issued when asked by an applicant or licence holder, if immigration issues or when appropriate but not to be used on a probationary period.	<p>Currently, 3 year licences are issued to all applicants unless there is a restriction on their immigration rights and the Committee think it is appropriate to issue for a lesser time in the circumstances of the case. Do not issue licences for less time if requested by applicant.</p> <p>Policy amended so licences can be issued for a period of less than 3 years if requested in writing by the applicant. No fee currently in place for a 2 year driver's licence so new fee to be introduced in a report to be considered by Committee.</p>
Licensing authorities should have effective internal procedures in place for staff to raise concerns and for any concerns to be dealt with openly and fairly. Local authorities should ensure they have an effective 'whistleblowing' policy and that all staff are aware of it.	Procedures are in place including a corporate whistleblowing policy for staff to raise any concerns. Staff are aware of the whistleblowing policy and how to raise any concerns to the Senior Licensing Officer or higher as required.
Any decision taken to alter the licensing regime is likely to have an impact on the operation of the taxi and private hire vehicle sector in	Policy changes are consulted to local neighbouring authorities and Officers regularly attend the Derbyshire Licensing Forum which discusses any proposed and upcoming changes to any authorities licensing regime.

neighbouring areas; and licensing authorities should engage with these areas to identify any concerns and issues that might arise from a proposed change.	
Any changes in licensing requirements should be followed by a review of the licences already issued.	Every change to a Policy is followed by a review of existing licences and action taken as appropriate.
Licence holders should be required to notify the issuing authority within 48 hours of an arrest and release, charge or conviction of any sexual offence, any offence involving dishonesty or violence and any motoring offence.	Currently, the conditions state 72 hours so conditions have been amended to read 48 hours.
Licensing authorities should maintain close links with the police to ensure effective and efficient information sharing procedures and protocols are in place and are being used.	<p>No information sharing procedures and protocols are in place with the Police for private hire licensing purposes. The Licensing Authority has requested such procedures and protocols are put in place several times over the past few years however this has not been supported by the Police.</p> <p>However, the recommendations regarding procedures and protocols within the Standards have been notified to the Police and they have an initial meeting is to be arranged for procedures and protocols to be considered.</p>
A decision to refuse or revoke a licence as the individual is thought to present a risk of harm to a child or vulnerable adult, should be referred to the DBS	Internal procedure is in place to refer such cases to the DBS.
Action taken by the licensing authority as a result of information received should be fed-back to the police	Internal procedure is in place to notify the Police during the course of an investigation and the outcome of any investigation as a result of Police information.
Applicants and licensees should be required to disclose if they hold or have previously held a licence with another authority. An applicant should also be required to disclose if they have	This is a question on the application form for a licence.

had an application for a licence refused, or a licence revoked or suspended by any other licensing authority.	
Tools such as NR3 should be used by licensing authorities to share information on a more consistent basis to mitigate the risk of nondisclosure of relevant information by applicants.	This Licensing Authority is a member of NR3 (database for the refusal or revocation of taxi and private hire driver licences) and is used on a regular basis to check applicants and to notify any other authorities in relation to action taken by this Licensing Authority.
All licensing authorities should have a robust system for recording complaints, including analysing trends across all licensees as well as complaints against individual licensees	Licensing database used to record all complaints received. Complaints are analysed through the quarterly KPI Standards report and the annual enforcement report. Action is taken if trends are identified to reduce the number of complaints received.
Licensing authorities should seek or require applicants to provide where possible criminal records information or a 'Certificate of Good Character' from overseas in this circumstance to properly assess risk and support the decision-making process.	Any applicant that has lived abroad for more than 6 months since the age of 18 years old is required to submit a Certificate of Good Conduct from the relevant country as part of their application.
All individuals that determine whether a licence is issued should be required to undertake sufficient training.	All Members of the Licensing Committee receive annual training and are not permitted to sit on any hearing until the training has been completed.
All licensing authorities should consider arrangements for dealing with serious matters that may require the immediate revocation of a licence.	Under the Constitution, the Head of Legal and Democratic Services can immediately revoke a private hire driver's licence as required.
In the interests of public safety, licensing authorities should not, as part of their policies, issue a licence to any individual that appears on either barred list.	The Council has adopted the Conviction Policy produced by the Institute of Licensing and it is within the Policy not to issue a licence to any individual that appears on either barred list.
All licensing authorities should provide safeguarding advice and guidance to the trade	All new and existing drivers have undertaken safeguarding training. All drivers must undertake refresher training which is commencing in January 2021.

and should require taxi and private hire vehicle drivers to undertake safeguarding training	
A licensing authority's test of a driver's proficiency should cover both oral and written English language skills.	All new drivers must prove their language proficiency through the knowledge test and through conversations with Officers. The procedure is to refer to Committee if there are any concerns.
Licensing authorities should require a basic disclosure from the DBS and that a check is undertaken annually	Currently, this is not covered by the Private Hire Licensing Policy so amendment to the Policy proposed to include this in future applications.
All licensing authorities should consult to identify if there are local circumstances which indicate that the installation of CCTV in vehicles would have either a positive or an adverse net effect on the safety of taxi and private hire vehicle users, including children or vulnerable adults, and taking into account potential privacy issues.	The Licensing Authority has a CCTV policy in place but it is not mandatory to have CCTV within private hire vehicles. A consultation will take place in early 2021.
Stretch limousines should be licensed under the Licensing Authorities Policy	Stretch limousines are licensed by this Licensing Authority.
Licensing authorities should request a basic disclosure from the DBS and that a check is undertaken annually	All operators, who are not licensed drivers, are required to submit a basic DBS on application and on an annual basis.
Licensing authorities should, as a condition of granting an operator licence, require a register of all staff that will take bookings or dispatch vehicles is kept.	It is a condition of the private hire operator's licence that a register of booking and dispatching staff is kept by the operator.
Licensing authorities should also require operators or applicants for a licence to provide their policy on employing ex-offenders in roles that would be on the register as above.	It is a condition of the private hire operator's licence to have an ex-offender policy for any booking and dispatching staff.
Licensing authorities should as a minimum require private hire vehicle operators to record the following information for each booking: • the name of the passenger;	All are a condition of the booking records for an operator except there is no requirement to put the dispatcher name or person who dealt with the booking so conditions amended to include this.

<ul style="list-style-type: none"> • the time of the request; • the pick-up point; • the destination; • the name of the driver; • the driver's licence number; • the vehicle registration number of the vehicle; • the name of any individual that responded to the booking request; • the name of any individual that dispatched the vehicle. 	
<p>The use of a driver who holds a PCV licence and the use of a public service vehicle (PSV) such as a minibus to undertake a private hire vehicle booking should not be permitted as a condition of the private hire vehicle operator's licence without the informed consent of the booker</p>	<p>Not currently in the conditions so conditions amended to include this.</p>



SOUTH DERBYSHIRE DISTRICT COUNCIL

PRIVATE HIRE LICENSING POLICY

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976

Issue **109**: **December 2019#**

1 INTRODUCTION

Powers and Duties

- 1.1 This Statement of Licensing Policy ("the Policy") is written pursuant to the powers conferred by the Local Government (Miscellaneous Provisions) Act 1976 ("the Act"), as amended, which places on South Derbyshire District Council ("the Council") the duty to carry out its licensing functions in respect of private hire vehicles, drivers, and operators.

Objectives

- 1.2 The private hire trade has a specific role to play in an integrated transport system. The trade are able to provide services in situations where public transport is either not available (for example in rural areas, or outside "normal" hours of operation such as in the evenings or on Sundays), or for those with mobility difficulties.
- 1.3 In setting out this Policy, the Council seeks to promote the following objectives:
- the protection of the health and safety of the public;
 - the maintenance of a professional and respected private hire trade;
 - access to an efficient and effective local transport service;
 - the protection of our local environment.
- 1.4 It is the aim of the Council in this context, to use the licensing powers available to ensure that licensed vehicles in the district are safe, comfortable, properly insured and available where and when required, and that operators and drivers of these vehicles have been sufficiently vetted so as to be considered "fit and proper".
- 1.5 The Council in composing this Policy has been mindful of the need to justify each requirement against the risk it seeks to address, or objective it seeks to promote. Where the cost of implementing a proposed requirement was not commensurate with the perceived benefit in either of these areas, the introduction of the requirement was not pursued.
- 1.6 In carrying out their regulatory functions, the Council will have regard to this Policy and in particular, the objectives set out above. Notwithstanding the existence of this Policy, each application or enforcement measure will be considered on its own merits. Where it is necessary for the Council to depart substantially from this Policy, clear and compelling reasons will be given for doing so.
- 1.7 The Policy refers to guidance that is available to applicants, drivers and operators to assist them with the application processes and the running of the service. This Policy, relevant application forms and the current fees are available on the Council's website.

Background to Policy

- 1.8 The Council gave a commitment to subject the Policy to regular review. Statutory Guidance for Licensing Authorities ("the Guidance") has been issued by the Department for Transport under Section 177 of the Policing and Crime Act 2017, and internal procedures have been further revised.
- 1.9 There is recognition within the Guidance that unduly stringent licensing requirements are likely to unreasonably restrict the supply of private hire vehicles by increasing the

cost of their operation, or by restricting access to the trade. The Council is aware, therefore, that a too restrictive approach may be detrimental to the public interest and could have adverse safety implications.

- 1.10 In light of this and in order for the Council to maintain a modern, forward thinking licensing function, the Policy was initially in place in 2014 with a full review completed in 2017. The Policy was further amended in 2019 to incorporate changes introduced by legislation and amendments to criminal record checks and the Conviction Policy. This Policy is intended to ensure that both the trade, public and Officers have a document that fully explains the licensing procedures in a clear and transparent manner. The Policy was amended in 2020 to make changes in line with the Secretary of State's Taxi and Private Hire Standards.

Policy Duration

- 1.11 This Policy will take effect from ~~1st July 2019~~ for a period of ~~three~~ five years.
- 1.12 Prior to the end of the ~~three-five~~-year period, a full consultation will be undertaken with a view to publishing a new Policy to take effect no later than the date of expiry of the existing Policy.
- 1.13 The Policy will be kept under constant review and amended as and when necessary to reflect changes in legislation and case law.

2 VEHICLES

Specifications and Conditions

- 2.1 The Council has a wide range of discretion over the types of vehicle that they can license as private hire vehicles.
- 2.2 The Council is empowered to impose such conditions, as it considers reasonably necessary, in relation to the grant of a private hire vehicle licence. Private hire vehicles provide a necessary service to the public, however, it is appropriate to set standards for the external and internal condition of the vehicle and the mechanical fitness of the vehicle.
- 2.3 All private hire vehicles must meet the standards as laid down by the Council with regard to standard of appearance. Vehicles shall be right hand drive, be able to carry no more than 8 passengers, have a minimum of 4 doors and shall not have an engine capacity of less than 1250cc. Vehicles with any unrepaired accident damage, panels of a different colour to the rest of the vehicle, missing trims, dirty or damaged upholstery or generally shabby appearance will not be licensed.

Appearance of the Vehicles

- 2.4 The exterior of all licensed vehicles shall be maintained in a clean, safe and proper manner at all times. In particular, the exterior of the vehicle shall:
- (i) be free of dents;
 - (ii) be free of visible rust;
 - (iii) be free of any scratches over 10cm in length;
 - (iv) be free of unrepaired accident damage;
 - (v) have uniform paintwork equivalent to that applied by the manufacturer;
 - (vi) not be missing any exterior trim;

- (vii) have all 4 hub caps (if part of the original specification) present, matching and scuff free; and
 - (viii) be maintained in an acceptable state of cleanliness.
- 2.5 The interior of all licensed vehicles shall be maintained in a clean, safe and proper manner at all times. In particular, the interior of the vehicle shall:
- (i) be free of stains to the upholstery including carpets, and door trim;
 - (ii) be free of splits and tears to the passenger seats;
 - (iii) be maintained in an acceptable state of cleanliness;
 - (iv) have no edges or damaged items likely to cause injury to a passenger;
 - (v) be free from damp and odour that may cause passenger discomfort; and
 - (vi) provide seats functioning in accordance with the manufacturers' specification.

Liquid Petroleum Gas (LPG)

- 2.6 An applicant for a licence involving a vehicle that has been converted to run on LPG is required to produce, prior to a licence being issued, a certificate issued by a member of the LPG Association confirming satisfactory installation, examination and testing of the vehicle in accordance with the LPG Association's Code of Practice. This certification is required to ensure that the vehicle is considered safe by an approved inspector.
- 2.7 Any licence holder wishing to convert their licensed vehicle to run on LPG must notify the Council prior to any conversion taking place. Once the conversion has taken place, the licence holder must provide the Council with a certificate issued by a member of the LPG Association confirming satisfactory installation, examination and testing of the vehicle in accordance with LPG Association Code of Practice. This certification is required to ensure that the vehicle is considered safe by an approved inspector. The licence will be suspended until the changes have been made. The licence plate must be returned to the Council.
- 2.8 If an LPG conversion involves installation of an LPG fuel tank in a vehicle's boot space (and possible relocation of the spare wheel) it shall be a requirement that an amount of space shall remain free for the stowage of a reasonable amount of luggage and any spare wheel displaced as a result must be stowed in a location that does not impinge on the passenger carrying area of a vehicle.

Wheelchair Accessible

- 2.9 The Council is committed to social inclusion and ensuring a wide variety of opportunities is available to those with mobility difficulties in order to enjoy a high quality of life. It fully supports the view of the Equality and Human Rights Commission that:
- "Making successful journeys is critical to the social inclusion of disabled people. Without the ability to travel, disabled people are denied access to life opportunities. Their access to education, shopping, employment, healthcare, as well as social and family life is significantly improved when journeys become accessible."*
- 2.10 The Council maintains a designated list of wheelchair accessible private hire vehicles placing duties on the drivers of these vehicles under section 165 of the Equality Act 2010 in relation to wheelchair users.

- 2.11 The private hire trade should be aware of a good practice guide produced by the Equality and Human Rights Commission, as private hire operators also have a duty under the Equality Act 2010 to ensure disabled people are not discriminated against or treated less favourably.
- 2.12 The licence holder and all other drivers of wheelchair accessible vehicles must be suitably trained on how to use the equipment in the licensed vehicle and how to handle a person in a wheelchair. A Wheelchair Test Assessment pass certificate will be required for all drivers of the wheelchair accessible vehicle. The pass certificates must be provided to the Council on application and before any additional driver drives the wheelchair accessible vehicle.
- 2.13 Any equipment fitted to the vehicle for the purpose of lifting a wheelchair into the vehicle must be tested every 6 months in accordance with the requirements of the relevant legislation. Any such equipment must be maintained in good working order and be available for use at all times. The certificate must be provided to the Council. Failure to provide an updated certificate before the expiry of the current document will result in the licence being suspended until such a time as a new satisfactory document has been received.
- 2.14 Wheelchair accessible vehicles must be less than 8 years old from the date of registration on initial grant of a private hire vehicle licence. A wheelchair accessible vehicle may continue to be licensed until it reaches 15 years of age provided the vehicle complies with the list at 2.16 below except for (ii) as a MOT pass certificate is required every 6 months for a wheelchair accessible vehicle.

Age of Vehicles

- 2.15 On the initial grant of a private hire vehicle licence, all vehicles must be less than 8 years old from the date of first registration. The date will be taken from the V5C logbook.
- 2.16 A licensed vehicle may continue to be licensed until it reaches ten years of age from the date of first registration provided that it:
- (i) is mechanically tested by the Council Depot every 6 months,
 - (ii) obtains a MOT pass certificate; and
 - (iii) is compliant with the standards of appearance for a private hire vehicle (detailed at 2.3, 2.4 and 2.5 above).
- 2.17 Any vehicle aged between 8 years and 10 years (or 15 years if wheelchair accessible vehicle) may have their renewal application refused or their vehicle licence revoked if the vehicle fails its Depot re-test on any issues which could undermine the public safety objective. If the vehicle proprietor is aggrieved by the decision of the Depot then any concerns can be raised with a Licensing Officer to determine whether the requirements of the Council have been met or not.
- 2.18 Once a licensed vehicle reaches ten years old, the licence will not be renewed.

Vehicle Testing

- 2.19 All vehicles over 3 years of age must have a valid MOT pass certificate upon first application and annually thereafter.

- 2.20 In addition to the MOT testing, the vehicle must also be mechanically tested and inspected by the Council's depot every 6 months.
- 2.21 A valid MOT certificate and compliance test pass sheet must continuously be in place throughout the course of the licence. Failure to provide an updated MOT certificate or compliance test pass sheet before the expiry of the current documents will result in the licence being suspended until such a time as new satisfactory documents have been received.
- 2.22 The licence of any vehicle which fails its inspection requirements will be immediately suspended on public safety grounds until such time as the vehicle has been re-examined and the necessary pass certificates obtained. The licence plate must be returned to the Authorised Officer within 7 days of receipt of the suspension notice. The licence holder must not use the vehicle after they have been served this suspension notice until such time as the inspection requirements are met, the relevant fee paid and the licence holder is in receipt of a letter confirming that the suspension has been lifted by an Authorised Officer.
- 2.23 Any vehicle licence suspended due to failing to meet its inspection requirements will automatically be revoked two months after the date of suspension in line with the legislative requirements.
- 2.24 In addition to the above testing requirements, all licensed vehicles shall be liable to be randomly inspected and tested by an Authorised Officer. These tests will be undertaken at the Council Offices, or any other location. The tests may be conducted in conjunction with the Police and/or DVSA inspectors. If it is discovered during an inspection that a vehicle is not being properly maintained, a suspension notice may be served under section 68 of the Act on public safety grounds. This notice will specify the defects and the action required to remedy the problem. The vehicle may not be used for private hire work until an Authorised Officer lifts the suspension. The licence plate must be returned to the Authorised Officer within 7 days of receipt of the suspension notice.
- 2.25 Failure to comply with the requirements of a section 68 notice will be considered a serious breach of licensing requirements and dealt with accordingly. If the requirements of a section 68 notice are not rectified within two months, the vehicle licence will be revoked in accordance with the Act.
- 2.26 A re-test fee is payable if the vehicle fails the compliance test at the Depot. A test fee is payable if any test is carried out at the Depot in addition to the two tests included in the vehicle licence fee.

Alteration of Vehicle

- 2.27 If a licence holder wishes to make any material alteration or change in the specification, design, condition or appearance of the vehicle then they must notify the Council in writing before any changes are made.
- 2.28 If the vehicle is already licensed, the licence will be suspended while the changes to the vehicle are being made. The licence plate must be returned to the Council.
- 2.29 Once any changes have been made, the licence holder will need to provide the Council with a Confirmation of Compliance notification from the Driver and Vehicle Standards Agency (DVSA).

Tinted Windows

- 2.30 For safety reasons, it must be possible to be able to observe the driver and the passenger(s) being carried in a licensed vehicle. Many licensed vehicles are used for the carriage of children and vulnerable adults and for this reason vehicles which have tinted windows which prevent clear vision into the vehicle will not be licensed. The minimum light transmission permitted for the wind screen is 75% and all other windows in the licensed vehicle shall be 70%.
- 2.31 The only exception to this requirement is for executive type vehicles being used exclusively for executive hire, corporate contracts or work of a similar nature. A request for exemption should be submitted in writing with supporting evidence.
- 2.32 When purchasing new or used vehicles for use as a private hire vehicle, vehicle proprietors are advised to contact the Licensing Department to ensure the vehicle is compliant with the required light transmission values.
- 2.33 The above requirement for tinted windows will only apply to private hire vehicle licences issued after 1st July 2019. Existing private hire vehicle licences may continue to have tinted windows that do not meet the required light transmission values as long as the tints are manufacture fitted. Any licensed vehicle with retro fitted tinted windows will have to remove the additional tints.

Insurance

- 2.34 A valid insurance certificate must continuously be in place throughout the course of the licence. The insurance policy must cover the licence holder for hire and reward purposes and all drivers of the vehicle for that purpose. Failure to provide an updated insurance certificate before the expiry of the current documents will result in the licence being suspended until such a time as new satisfactory documents have been received.
- 2.35 Any person named on an insurance certificate must be a licensed private hire driver with this Council. The Council will not accept any insurance certificates that name any person other than a licensed private hire driver.
- 2.36 If a licensed driver is added to the insurance policy during the term of the licence, an updated insurance certificate must be sent to the Council as soon as possible.

Taximeters

- 2.37 It is not compulsory to have a taximeter installed in a private hire vehicle. Where a taximeter is fitted, the licence holder must provide the Council with:
- (i) a calibration certificate;
 - (ii) details of the fare that the meter is set to.
- 2.38 A tariff card must be displayed in the vehicle showing the current fares payable.
- 2.39 The Council will require a new calibration certificate and new fare details each time a licence holder changes the private hire operator that they work for or the fare table changes.

Accidents

- 2.40 With the safety of the public being a predominate factor of this Policy, all vehicles involved in an accident, collision or damage, however minor, will be required to complete the Council's accident report form and submit to the Council within 72 hours of the accident. On receipt of an accident report form, the Authorised Officer will carry out an inspection of the damaged vehicle and decide the course of action to be taken in respect of the vehicle.
- 2.41 If the vehicle is not fit for purpose due to accident damage, the vehicle licence will be suspended with immediate effect. The licence holder must not use this vehicle after they have been served this suspension notice until such time as the inspection requirements are met, the relevant fee paid and the licence holder is in receipt of a letter confirming that the suspension has been lifted by an Authorised Officer.
- 2.42 Any vehicle licence suspended due to accident damage will automatically be revoked two months after the date of suspension in line with the legislative requirements.

Signage and Advertising

- 2.43 No licensed vehicle will be permitted to have a roof sign or any other kind of fixing on the roof.
- 2.44 All licensed vehicles must display signs stating the name of the private hire operator, their telephone number, and the statement, "Advanced Bookings Only" on both external sides of the vehicle. The signs should be legible for members of the public to read easily. The signs must be displayed on the licensed vehicle at all times during the period of the licence.
- 2.45 For any signage in addition to the above, approval must first be obtained from the Council in writing.
- 2.46 Where a licensed vehicle is used by more than one operator the licence holder must ensure that the correct identifying signs are attached to the vehicle when fulfilling any booking.
- 2.47 No signage shall include the word "TAXI", "CAB" or the words "FOR HIRE" or combinations of the above, or any other words that are likely to cause a person to believe that the vehicle is a hackney carriage and available for instant hire.
- 2.48 Written permission must be obtained from the Council prior to any commercial advertising being placed on or in the vehicle.
- 2.49 No signage must be placed in or on any of the windows of the licensed vehicle so as to avoid the driver's view from being obscured.

Plate exemption

- 2.50 Licensed vehicles are required to display licence plates externally on the rear of the vehicle and a plate in the front windscreen and rear passenger windows. Exemptions may be given for certain types of private hire vehicle not to display the rear plate, however, a letter of exemption from the Council and the licence plate must be carried in the vehicle at all times.
- 2.51 Exemption requests must be submitted in writing. Exemptions will only be granted to licensed vehicles used for executive hire, corporate contracts, or work of a similar nature. Evidence will be required before any exemption is granted by the Council.

Vehicles that are used for a combination of 'exempt' work and normal private hire work will be required to display the licence plate at all times when the exemption does not apply.

Trailers

- 2.52 The Council permits the use of trailers for private hire vehicles. The trailer must meet the requirements set out in the private hire vehicle licence conditions. An application form must be submitted to the Council with the required documentation. The trailer must be tested by the depot. A fee is payable.
- 2.53 Once the application has been received, a plate and licence will be issued. The plate must be displayed on the rear of the trailer at all times that the trailer is in use. The trailer must only be used with the licensed vehicle that it was presented with at the Depot test.

Hire Vehicles

- 2.54 A hire vehicle is a vehicle provided to a licensed driver when their own vehicle cannot be used for private hire purposes usually after an accident. This vehicle must be licensed as a private hire vehicle in order to be used for private hire purposes. Hire vehicle companies license vehicles as private hire and/or hackney carriage with different Licensing Authorities throughout the country.
- 2.55 As a hire vehicle is only used for a short period of time and to avoid any offences being committed under the private hire legislation, a private hire vehicle licence issued to a hire company will be issued for a period of 3 months only.
- 2.56 The Council must be notified in writing as soon as the nominated licensed driver is no longer using the hire vehicle. On receipt of this notice, the private hire vehicle licence will be suspended until notification is received of any new driver. The licence plate must be returned to the Council within 7 days of the date of the suspension notice. The vehicle should not be used for private hire purposes until the licence holder has received written confirmation that the suspension has been lifted and that the proposed driver is a licensed driver with this Authority.
- 2.57 Before any hire vehicle is licensed with any other Licensing Authority, the licence must be surrendered and the plate returned to the Council.

Application Procedures

- 2.58 The application procedures for a private hire vehicle licence are prescribed by the Council. Applications must be made on the specified application form in accordance with the application procedure set out in Appendix 1.
- 2.59 The Council will consider all applications on their own merits once it is satisfied that the appropriate criteria have been met and the application form and supporting documents are complete.
- 2.60 Private hire vehicle licences will be issued for a maximum one year period from the date of grant, subject to the power to grant a licence for a shorter period, should this be appropriate in the circumstances.

- 2.61 A private hire vehicle licence is issued to a specific vehicle, and proprietor, therefore, any change of vehicle or proprietor during the period of the licence would require the relevant application process to be completed.
- 2.62 The Council will undertake to send a renewal reminder to a licence holder's registered address 1 month prior to the expiry date. However, licence holders are reminded that the responsibility to renew a licence in accordance with this Policy remains their responsibility.
- 2.63 An application will not be validated until all of the relevant documentation and the fee have been received. Once a valid application has been received, the Council will determine the application within **five** working days.
- 2.64 If the renewal application has not been determined when the existing licence expires, the licence holder must not use the vehicle for private hire purposes until the new licence has been received.
- 2.65 Once the date of expiry of an existing licence has passed and a valid renewal application has not been received, the licence automatically expires. Expired licences cannot be re-instated. A new licence application will be required.

Conditions of Licence

- 2.66 The Council is empowered to attach such conditions to a private hire vehicle licence as are considered reasonably necessary. All private hire vehicle licences will be issued with the private hire vehicle licence conditions attached.

Non-Standard Private Hire Vehicles (Limousines, Novelty Vehicles and Vintage and Classic Cars)

- 2.67 Stretched limousines are elongated saloon cars that have been increasingly used for mainstream private hire work. The number of stretched limousines being imported, particularly from the United States, has been increasing. Their use generally includes all private hire work plus special occasions such as days at the races, stag/hen parties and children's birthday parties.
- 2.68 A novelty vehicle is a vehicle that has been specially adapted, or converted by a low volume specialist vehicle manufacturer or modifier, and has been specially modified from its original design or specification. For the avoidance of doubt, any vehicle capable of being licensed as a standard private hire vehicle would not be considered a novelty vehicle.
- 2.69 Due to the nature of the work undertaken by limousines and novelty vehicles, both can be licensed for private hire work providing they carry no more than eight passengers and meet the requirements of the Act. This Council requires that all limousines and novelty cars are licensed if they undertake private hire work. In addition to the requirements for a standard private hire vehicle, the Council will require the following:
- (i) there are no more than 8 seats provided for customers and there is no facility for seats to be added after the licence has been granted;
 - (ii) proof of an Individual Vehicle Type Approval (IVA) test;
 - (iii) MOT certificate every 6 months.

- 2.70 All applications to license stretched limousines, or novelty vehicles as private hire vehicles will be treated on their own merits. It is, however, proposed that imported stretched limousines, and novelty type vehicles be granted an exemption from the requirement to be right hand drive and from the age restrictions relating to standard private hire vehicles.
- 2.71 Classic and vintage cars will be exempt from the age restrictions relating to standard private hire vehicles so long as they meet the relevant criteria to be licensed as a private hire vehicle.
- 2.72 Once granted, limousines, novelty vehicles, classic and vintage cars will automatically receive an exemption from displaying the external plate. The letter of exemption and plate should be carried in the vehicle at all times. The internal badge should be displayed in the interior of the vehicle at all times.
- 2.73 It would be an offence under the Licensing Act 2003 to provide facilities for the sale of alcohol within a limousine, or novelty vehicle. If a limousine is to be provided whereby part of the booking includes "free alcohol", the premises which accepts the booking and supplies the alcohol within the vehicle would need an appropriate licence under the Licensing Act 2003, otherwise a criminal offence would be committed. Further information on this matter can be obtained from the Licensing Department.

Dual Plating

- 2.74 The Council will not grant a private hire vehicle licence for any vehicle already licensed by another licensing authority.

Air Quality Taxi and Private Hire Vehicles Database

- 2.75 The Council provides data to DEFRA in line with the Air Quality (Taxi and Private Hire Vehicles Database) Regulations 2019. The 2019 Regulations have been introduced to assist authorities that are introducing charging Clean Air Zones to differentiate between taxis, private hire vehicles and normal private vehicles in order to charge the correct fee if a vehicle enters their Clean Air Zone.
- 2.76 It is mandatory for Licensing Authorities to share this data and the data is shared with DEFRA on a minimum weekly basis via a secured portal. The data sent to DEFRA is limited to:
- the vehicle registration mark of the vehicle;
 - the issue date of the licence;
 - the expiry date of the licence;
 - confirmation that the vehicle is a private hire vehicle;
 - licence number;
 - whether the vehicle is a wheelchair accessible vehicle.
- 2.77 At the introduction of the 2019 Regulations, all existing private hire vehicle licence holders were notified that their data would be shared with DEFRA in line with the 2019 Regulations. All new applicants for a private hire vehicle licence are notified via a privacy statement on the application form.
- 2.78 Information will be processed in accordance with the Data Protection Act 2018 (DPA) and General Data Protection Regulation (GDPR). Any provision of data to DEFRA is necessary to comply with the statutory obligation placed on the Council by the 2019

Regulations. Data will be retained by DEFRA for a period of seven years and will not be transferred outside of the UK.

- 2.79 Details of how the Council will deal with requests by other Licensing Authorities for further information about entries on the database will be processed in line with the NR3 Policy (except information will be held for a period of seven years rather than 25 years) which can be found at Appendix 3 of this Policy. As the Council does not have a Clean Air Zone, the Licensing Authority will not be requesting further information from other Licensing Authorities.

Criminal Record Checks

- 2.81 All vehicle licence holders who are not licensed as a private hire driver or operator with the Council will be required to undertake a basic DBS check on an annual basis. The certificate must be less than one month old when the application is submitted to the Council.

3 DRIVERS

Licences

- 3.1 Under the Act, the Council must be satisfied that an applicant is a fit and proper person to hold a private hire driver's licence.
- 3.2 Private hire drivers are expected to demonstrate appropriate professional conduct at all time, whether in the context of their work or otherwise. Private hire drivers should be courteous, avoid confrontation, not be abusive or exhibit prejudice in any way. In no circumstances, should private hire drivers take the law into their own hands. Private hire drivers are expected to act with integrity and demonstrate conduct befitting the trust that is placed in them.
- 3.3 All private hire driver licences will be issued for a period of three years. A private hire driver's licence may be issued for a lesser period if the Licensing and Appeals Sub-Committee think it is appropriate in the circumstances of the case or the applicant has a time-limited right to work in the UK. In addition, a private hire driver's licence may be issued for a lesser period on request of the applicant.

Age and Experience

- 3.4 A licence will not be granted to anyone who has not held a full DVLA driving licence for a period of at least twelve months immediately prior to the application.
- 3.5 Driving licences issued by another Member State of the European Community (EC) or one of the countries in the European Economic Area (EEA) are acceptable providing the applicant has held the licence for at least 12 months. An applicant who meets the licensing requirements by virtue of an acceptable non-UK driving licence must obtain a confirmation of registration document (D91) from the DVLA prior to the issue of the private hire driver's licence, which can be attached to the non-UK driving licence and used by the DVLA to monitor penalty points obtained whilst driving in the UK.
- 3.6 All private hire drivers are required to demonstrate a good level of English in order to fulfil their duties including in any emergency or challenging situations. A good level of English is required for passengers and the driver's safety.

- 3.7 An applicant's level of English will be assessed during the initial application appointment by assessing their ability to hold a conversation with the Licensing Officer. If there are any concerns, the applicant will be advised to take steps to improve their English language proficiency. If any concerns are raised by the Licensing Officer then a further assessment will be carried out at the knowledge test to assess if their English has improved. This will be in the format of a conversation with the Licensing Officer. If there are still concerns over an applicant's level of English when a full application has been submitted then their application will be referred to the Licensing and Appeals Sub-Committee for determination.

Driver Knowledge Tests

- 3.8 The Council recognises that private hire drivers require a working knowledge of the District as a whole, and an understanding of the laws and conditions they are required to comply with. To this extent, the Council requires all applicants to undertake a knowledge test.
- 3.9 The knowledge test will consist of:
- (i) Writing a receipt;
 - (ii) Questions on giving the correct change to customers;
 - (iii) Questions on the Council's private hire conditions and Policy;
 - (iv) Questions on the highway code;
 - (v) Questions on the legislation relating to private hire;
 - (vi) Shortest route questions;
 - (vii) Identifying the location of places of interest;
 - (viii) Road signs
- 3.10 A fee will be payable for each test taken. The test fee will be non-refundable and subject to regular review. If an applicant fails to attend the knowledge test without notifying the Council, the fee paid will be forfeited. A further fee will be required to book on to another test date.
- 3.11 An applicant must achieve an 80% pass rate. An applicant will have 3 attempts to pass the knowledge test. Failure to pass the test on the 3rd attempt will result in the application for a private hire driver's licence being rejected and the applicant will not be permitted to sit the knowledge test for one year from the date of the 3rd failure.
- 3.12 Any person found to be cheating on the knowledge test will be disqualified from that test and the test paper will not be marked. However, the test will count towards the total of 3 attempts.
- 3.13 The Senior Licensing Officer, in consultation with the Legal and Democratic Services Manager, shall be authorised to amend the administration of the knowledge test and to add/delete questions to reflect any changes in legislation or local issues. The administration of the knowledge test will be transparent and all applicants will be made aware of the current criteria and applicable fees on application.

Driving Practical Test

- 3.14 All applicants must complete and pass a taxi/private hire assessment course prior to application to ensure they are aware of the hazards of driving. The requirement to take a driving course helps raise the standard of driving and ensure persons are aware of other road users. The applicant must provide a signed copy of the assessment pass

certificate before their application can be considered. The pass certificate must be less than 12 months old when submitted to the Council.

- 3.15 With regards to existing licensed drivers, there is no requirement to pass the taxi/private hire assessment test. However, where a driver obtains 6 points or more in a two year period on their DVLA driving licence, there will be the requirement to pass the test. A maximum time limit of 6 months is allowed to pass the test. A copy of the pass certificate must be provided to the Council. Failure to pass the test within the 6 month period will result in the suspension of the private hire driver's licence until a certificate has been submitted.

Disability Awareness Training

- 3.16 To ensure compliance with the Equality Act 2010, the Council requires all drivers to undertake disability awareness training. The training will be provided by an external provider and will be arranged by the applicant. A fee will be payable. If the applicant as undertaken an equivalent training course, they will not need to complete the training as long as a certificate has been provided to the Council.
- 3.17 Existing drivers were required to have completed the disability awareness training by November 2016.
- 3.18 For all new applicants, the training certificate must be provided by the applicant before their application can be considered.

Medical and Eyesight Examination

- 3.19 All drivers are required to provide a prescribed certificate signed by a registered medical practitioner, and a registered ophthalmic practitioner to the effect that they are physically fit to be the driver of a private hire vehicle:

- (i) on initial application;
- (ii) for medicals, every 5 years* until the age of 65, and every 12 months thereafter;
- (ii) for eye tests, every 2 years* until the age of 65, and every 12 months thereafter.

* unless the driver is restricted to a shorter period for medical reasons.

- 3.20 The applicant is responsible for the payment of all fees required for any medical or eye examination.
- 3.21 The Council will follow the DVLA Group 2 medical standards when considering the medical fitness of new applicants with insulin dependent diabetes and other illnesses or existing licence holders diagnosed with insulin dependent diabetes or other illnesses during the period of their licence.
- 3.22 A medical and eye test document required under section 3.15 above must be no older than 3 months at the time a valid new driver or renewal application is submitted.
- 3.23 Where there is reasonable doubt over a driver's fitness, the Council may direct the driver for a medical examination by a specified registered medical practitioner at any time. The licence holder will be responsible for the payment of all fees required for any medical examination.

- 3.24 The Council requires all licence holders, who have an illness or injury that affects their fitness to drive, to notify the Council of this fact in writing within 72 hours.

Medical Exemption Certificates

- 3.25 Private hire drivers must allow assistance dogs to be carried in their vehicles. Drivers of private hire vehicles on the designated list of wheelchair accessible vehicles must provide assistance to wheelchair users. However, it is possible to apply for an exemption from carrying assistance dogs and/or providing physical assistance to wheelchair users on medical grounds. To request an exemption, the driver must complete an application form. Medical evidence will be required to support the exemption request.
- 3.26 Once an exemption has been granted, the driver will be issued with a medical exemption certificate. The driver must display a notice of exemption on the nearside of and immediately behind the windscreen of the vehicle. The notice must be displayed in a manner that readily permits its removal. The notice must be displayed so that its front is clearly visible from the outside of the vehicle and its back is clearly visible from the driver's seat of the vehicle.
- 3.27 In the absence of a medical exemption certificate from the Council, it would be a criminal offence for a private hire driver to refuse to carry an assistance dog, to refuse to allow the assistance dog to remain with the passenger throughout the journey, or to make any additional charge for the carriage of the assistance dog. It would be an offence for a private hire driver to refuse the carriage of wheelchair users, fail to provide them with assistance or to charge them extra. This Council takes complaints of this nature very seriously and will look to take action against a private hire driver and/or operator on any complaint received.

Disclosure and Barring Service (DBS) Disclosures

- 3.28 Under the Rehabilitation of Offenders Act 1974, private hire drivers are an exempt occupation therefore all convictions even if they are considered spent can be taken into consideration when determining an applicant's fitness and propriety. All convictions, except protected cautions and convictions must be declared on the application form and failure to do so will be treated as a dishonest act.
- 3.29 All applicants are required to obtain a Disclosure and Barring Service (DBS) Enhanced Disclosure upon first application. A check of the barred lists is also carried out by this Council. The applicant or licence holder will be responsible for any associated fees. Please note that the Council will not receive a copy of the DBS certificate therefore the applicant must submit their copy to the Council. No application will be granted until a DBS certificate has been received.
- 3.30 Any applicant who has lived overseas for more than a period of six continuous months since the age of 18 will be required to submit a certificate of good conduct or similar document from the relevant embassy before an application will be considered valid. This certificate must be in English and the applicant will be responsible for any fees incurred in obtaining the certificate.
- 3.31 It is mandatory for all private hire drivers to be signed up to the DBS online checking service. The private hire driver will be responsible for any associated fees.

- 3.32 As all private hire drivers will be signed up to the DBS online checking service, the Council will carry out a criminal record check every 6 months. The Council may carry out further checks if they have reasonable cause to do so.
- 3.33 In order to carry out an online check, the Council will require the following:
- (i) confirmation of ID in line with a DBS check;
 - (ii) original DBS certificate to an enhanced level including a check of the barred lists and checked to the required workforce;
 - (iii) consent form signed by the driver permitting the Council to carry out an online check.
- 3.34 Please note that if the online check shows that the licence holder has received any convictions or cautions since the issue of the DBS certificate then a new DBS certificate will have to be applied for and obtained. The licence holder will be responsible for any associated fees. The Council may suspend the private hire driver's licence pending the receipt of the DBS certificate.
- 3.35 If the Council is unable to carry out online criminal record check prior to the due date then notification will be sent to the driver so a new DBS certificate can be obtained. The private hire driver's licence will be suspended if a satisfactory check cannot be carried out before the due date.
- 3.36 The licence holder must notify the Council immediately if their subscription to the DBS online checking service lapses. A new DBS certificate will have to be applied for. If the online check is due then the private hire driver's licence will be suspended until a satisfactory check can be carried out

Relevance of Convictions and Cautions upon initial application

- 3.37 Any application containing convictions, cautions, or information considered relevant to the application by the Police will be considered at the time of application in accordance with the Relevance of Convictions section of this Policy in Appendix 2.
- 3.38 In assessing whether the applicant is a 'fit and proper person' to hold a licence, the Council will consider each case on its own merits.
- 3.39 All applications will be referred to the Licensing and Appeals Sub-Committee for determination if an applicant has any convictions.

Convictions during any period of licence

- 3.40 The Council requires all licence holders who are arrested, receive a summons or a postal requisition notice to report this fact to the Council within ~~48~~72 hours. A representative may fulfil this requirement if the licence holder is unable to.
- 3.41 The Council requires all licence holders who are charged or convicted of a sexual offence, offence involving dishonesty or violence or any motoring offence to report this information to the Council within 48 hours of being convicted or cautioned. The Council requires all licence holders who are subsequently convicted or cautioned for any other criminal ~~or motoring~~ offence during the period covered by their existing licence to report this information to the Council within 7 days of being convicted, or cautioned, or receiving a fixed penalty notice.

- 3.42 In the case of a deferred sentence, the penalty must be disclosed to the Council within 7 days of sentencing. Any fixed penalty notice should be reported to the Council upon acceptance of the notice as opposed to when the driving licence has been updated.

Right to work

- 3.43 All applicants will be required to submit proof of right to work on initial application. The proof should be submitted along with the identification at the DBS appointment. A list of acceptable documents can be found on the Council's website. If an applicant is not able to provide proof of right to work then they will not be permitted to apply for a private hire driver's licence.
- 3.44 From October 2016, all existing drivers were required to submit proof of their right to work in the UK. All right to work checks on existing drivers were completed within one year of October 2016.
- 3.45 Please note that proof of an applicant's and licence holder's right to work will be stored securely on file by the Council as evidence that the right to work check has been completed.
- 3.46 If the right to work is for a limited period then the licence will only be issued up until the expiry of the right to work. The licence holder will be required to submit a renewal application if they wish to continue to work as a private hire driver after this date. Proof of their right to work will be required as part of the renewal application.
- 3.47 If a licence holder's right to work is withdrawn at any time, the licence holder is required to notify the Council immediately. In addition, the Home Office will notify the Council that the right to work has been withdrawn. If the right to work is withdrawn then the private hire driver's licence will lapse. It is an offence to work as a private hire driver without a valid private hire driver's licence.

Child Sexual Exploitation Awareness Training

- 3.48 The Council requires all drivers to undertake child sexual exploitation awareness training. The training will be arranged by the Council. No fee will be payable. If a driver has undertaken an equivalent training course, they will not need to complete the training as long as a certificate has been provided to the Council.
- 3.49 Existing drivers will have until 1st November 2019 to complete the child sexual exploitation training. If a driver has not completed the training by this date, their private hire driver's licence will be suspended until the training has been completed.
- 3.50 For all new applicants, the training must be completed prior to the grant of a private hire driver's licence.
- 3.51 Every licence holder will have to complete refresher training every 3 years in line with the renewal of their private hire driver's licence. An application to renew the private hire driver's licence will not be determined until the refresher training has been completed.

DVLA Licence Checking

- 3.52 It will be necessary for a DVLA mandate to be signed which enables the Council to obtain a driver's complete driving history from the DVLA upon initial application and

annually during the period of the licence. The cost of this check is included in the application fee.

National Register of Taxi Licence Refusals and Revocations (NR3)

- 3.53 The Council provides information to the National Register of Taxi Licence Refusals and Revocations (NR3), a mechanism for licensing authorities to share details of individuals who have had a hackney carriage or private hire driver's licence revoked, or an application for one refused. This is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the licensing authority; that is, assessing whether an individual is a fit and proper person to hold a private hire driver's licence.
- 3.54 The Council will provide information to NR3 in the following circumstances:
- when a private hire driver's licence application is refused;
 - when a private hire driver's licence is revoked.
- 3.55 All applications for the grant or renewal of a private hire driver's licence will automatically be checked on NR3. If a search of NR3 indicates a match with an applicant, the Council will seek further information about the entry on the register from the Licensing Authority which recorded it. Any information received as a result of an NR3 search will only be used in respect of the specific licence application and will not be retained beyond the determination of that application.
- 3.56 The information recorded on NR3 itself will be limited to:
- name;
 - date of birth;
 - address and contact details;
 - national insurance number;
 - driving licence number;
 - decision taken;
 - date of decision;
 - date decision effective.
- 3.57 Information will be retained on NR3 for a period of 25 years.
- 3.58 Details of how the Council will deal with requests by other Licensing Authorities for further information about entries on NR3, and about the use it will make of any further information provided to it can be found at Appendix 3 of this Policy.
- 3.59 Information will be processed in accordance with the Data Protection Act (DPA) and General Data Protection Regulation (GDPR). Any searches, provision or receipt of information of or under NR3 are necessary to the Council's statutory licensing functions of ensuring that all drivers are fit and proper to hold the applicable licence. It is not intended that any NR3 data will be transferred out of the United Kingdom.

Application Procedure

- 3.60 The application procedures for a private hire driver's licence are prescribed by the Council. Applications must be made on the specified application form in accordance with the application procedure set out in Appendix 1.

- 3.61 The Council will undertake to send a renewal reminder to a licence holder's registered address 3 months prior to the expiry date. However, licence holders are reminded that the responsibility to renew a licence in accordance with this Policy remains their responsibility.
- 3.62 An application will not be validated until all of the relevant documentation and the fee have been received. Once a valid application has been received, the Council will determine the application within **ten** working days.
- 3.63 If the renewal application has not been determined when the existing licence expires, the licence holder must not work as a private hire driver until the new licence has been received.
- 3.64 Once the date of expiry of an existing licence has passed and a valid renewal application has not been received, the licence automatically expires. Expired licences cannot be re-instated. A new licence application will be required.

Conditions of Licence

- 3.65 The Council is empowered to attach such conditions to a private hire driver's licence as are considered reasonably necessary. All private hire driver's licences will be issued with the private hire driver's licence conditions attached.

4 PRIVATE HIRE OPERATORS

Requirements and Obligations

- 4.1 Any person who operates a private hire service utilising one or more private hire vehicles must apply to the Council for a private hire operator's licence.
- 4.2 A private hire vehicle may only be dispatched to a customer by a private hire operator who holds a private hire operator's licence. Such a licence permits the operator to make provision for the invitation or acceptance of bookings for a private hire vehicle.
- 4.3 A private hire operator must ensure that every private hire vehicle has a current private hire vehicle licence and is driven by a person who holds a current private hire driver's licence, and that the vehicle is fit for purpose before being used to fulfil a booking. The operator must ensure that all drivers of a licensed vehicle are named on the insurance policy in place for that vehicle.
- 4.4 An operator must also be able to demonstrate what steps he is taking to ensure that any licensed driver remains a fit and proper person. The operator shall be able to demonstrate that they are taking steps to ensure that all private hire vehicles operated by the operator remain fit for purpose to continue to hold a private hire vehicle licence.
- 4.5 All three licences; private hire operator's licence, private hire driver's licence and private hire vehicle licence must be issued by the same Council.
- 4.6 Sub-contracting to other operators licensed by this Council and other Councils is permitted under the Act. It is advised that an operator takes steps to ensure that the operator is licensed along with the driver and vehicle dispatched to carry out the sub-contracted booking. The operator must be able to demonstrate that he has taken steps to ensure that the operator, vehicle and driver are licensed.

- 4.7 Applications for a private hire operator's licence must be made on the prescribed form, together with the appropriate fee. The Council will decide whether the applicant is a fit and proper person to hold an operator's licence.
- 4.8 Applicants for an operator licence must provide proof that planning permission has been obtained, or that it is not required for the location they wish to license before an application will be considered.
- 4.9 All private hire operator licences will be issued for a period of five years. A private hire operator's licence may be issued for a lesser period if the Licensing and Appeals Sub-Committee think it is appropriate in the circumstances of the case or the applicant has a time-limited right to work in the UK.

Criminal Record Checks

- 4.10 Private hire operators, that are not licensed drivers, cannot be required to produce an enhanced DBS disclosure. In order to satisfy the public safety objective, the Council will require a basic disclosure certificate and a certificate of good conduct from the relevant embassy where the applicant has lived overseas for more than six continuous months. The certificate must be less than one month old and be submitted with the application form. Applicants that hold a current private hire driver's licence with the Council will be exempt from this requirement.
- 4.11 A basic disclosure certificate will be required annually from any operator who is not a licensed private hire driver.
- 4.12 If the operator is a limited company, a basic disclosure certificate will be required from all directors and partners of the company on initial application and on an annual basis if these individuals are not a licensed private hire driver. It is a requirement that the Council is notified of any change of director and/or partner within a company in order that a basic disclosure certificate can be obtained from any new individuals. If any of the individuals are not fit and proper to hold a private hire operator's licence then the licence will be referred to the Licensing and Appeals Sub-Committee for consideration.
- 4.13 If the operator employs any ancillary staff to take bookings in person or over the telephone or to dispatch any bookings, a register of all staff that will take bookings or dispatch vehicles must be kept. A basic disclosure certificate will be required from all members of staff who take bookings or dispatch vehicles. These members of staff have access to information about customers that needs to be protected by way of ensuring that the people in these positions do not impose an undue risk to the public and are not liable to be exploited by criminals. The register of members of staff must be updated by the operator when someone joins or leaves the operator's employment. A basic disclosure certificate should be obtained and provided to the Council on request.
- 4.14 An operator must produce and maintain a policy on employing ex-offenders in roles that are required to be on the register at 4.12 above.

DVLA Licence Checking

- 4.15 It will be necessary for a DVLA mandate to be signed which enables the Council to obtain an operator's complete driving history from the DVLA upon initial application and annually during the period of the licence. The cost of this check is included in the application fee.

Right to work

- 4.16 All applicants will be required to submit proof of right to work on initial application. A list of acceptable documents can be found on the Council's website. If an applicant is not able to provide proof of right to work then they will not be permitted to apply for a private hire operator licence.
- 4.17 Please note that proof of an applicant's and licence holder's right to work will be stored securely on file by the Council as evidence that the right to work check has been completed.
- 4.18 If the right to work is for a limited period then the licence will only be issued up until the expiry of the right to work. The licence holder will be required to submit a renewal application if they wish to continue to work as a private hire operator after this date. Proof of their right to work will be required as part of the renewal application.
- 4.19 If a licence holder's right to work is withdrawn at any time, the licence holder is required to notify the Council immediately. In addition, the Home Office will notify the Council that the right to work has been withdrawn. If the right to work is withdrawn then the private hire operator licence will lapse. It is an offence to work as a private hire operator without a valid private hire operator licence.

Insurance

- 4.20 Where an applicant has indicated that members of the public will be allowed to enter the bookings office/waiting area, the applicant must produce evidence that they have taken out appropriate public liability insurance for the premises to be licensed before a private hire operator's licence can be granted.
- 4.21 Adequate employee liability insurance must be taken out for any operator who will employ any licensed driver or any other member of staff prior to any application being determined.

Address from which an operator may operate

- 4.22 Upon the grant of a private hire operator's licence, the Council will specify on the licence the address from which the operator may operate. This address will be the address stated on the application form. Proof of ownership or contract of use must be provided to the Council with the application form.
- 4.23 The operator must notify the Council in writing of any change of trading or home address during the period of the licence by submitting the necessary form within 7 days of such a change taking place. The operator must also provide proof of public liability insurance for the new premises, if members of the public will be allowed to enter, proof of ownership or contract of use and proof of planning permission status. A fee will be payable for the change of address.

Note: Operators are reminded that it is their responsibility to obtain appropriate planning, building control or any other relevant permissions in respect of the premises.

Bases outside the South Derbyshire District Council Area

- 4.24 The Council will not grant a private hire operator's licence for an operator with an operating base that is outside the South Derbyshire District. This is to ensure that proper regulation and enforcement measures may be taken by the Council.

Renewal of Operator's Licence

- 4.25 The Council will undertake to send a renewal reminder to an operators' registered address 2 months prior to the expiry date. However, operators are reminded that the responsibility to renew a licence in accordance with this Policy remains their responsibility.
- 4.26 An application will not be validated until all of the relevant documentation and the fee have been received. Once a valid application has been received, the Council will determine the application within **five** working days.
- 4.27 If the renewal application has not been determined when the existing licence expires, the licence holder must not work as a private hire operator until the new licence has been received.
- 4.28 Once the date of expiry of an existing licence has passed and a valid renewal application has not been received, the licence automatically expires. Expired licences cannot be re-instated. A new licence application will be required.

Conditions

- 4.29 The Council has power to impose such conditions on a private hire operator's licence as is reasonably necessary. All private hire operators' licences will be issued with the private hire operator's licence conditions attached.

5 ENFORCEMENT

- 5.1 It is recognised that well-directed enforcement activity by the Council benefits not only the public but also the responsible members of the private hire trade.
- 5.2 The Council will adhere to the Corporate Enforcement Policy and Associated Guidance to ensure that its enforcement is reasonable, transparent and proportionate.

6 FEES

Fee Structure

- 6.1 The legislation provides that the fees charged should only cover the cost of administering the private hire licence scheme. This will include the cost of determining and issuing the licences and ensuring compliance with the relevant legislation and conditions attached to the relevant licences.
- 6.2 The fees currently payable for the grant and renewal of private hire licences are set out on the Council's website. The fee structure is reviewed annually as part of the Council's budgetary process.
- 6.3 The setting of fees is the responsibility of the Finance and Management Committee or its equivalent Committee.

Refunds and Duplicate Copies

- 6.4 In the case of any licence where the licence holder voluntarily surrenders their licence prior to the expiry date, the Council may make a refund in respect of the whole months of the unexpired portion of the licence fee less an appropriate administrative charge.
- 6.5 Any request for a refund must be made in writing and the licence, plate and badge returned to the Council.
- 6.6 In the case of a licence that has been suspended, or revoked, no refund will be made by the Council.
- 6.7 Where the Council receives a request for a duplicate copy of any previously issued licence, an appropriate fee will be paid to cover the associated administrative costs.

7 AMENDMENTS TO THE POLICY

- 7.1 Any substantial amendment to this Policy will only be implemented after further consultation with the trade and the public. All substantial amendments must be authorised by the Elected Members of the Environmental and Developmental Services Committee, or its equivalent Policy Committee.

For the purpose of this section, any substantial amendment is defined as one that:

- will have a significant financial impact on licence holders or the public, or
- will have a significant procedural impact on licence holders or the public, or
- may not be perceived by the trade or the public to be consistent with the published objectives detailed in this Policy.

- 7.2 Any minor amendment to this Policy may be authorised by the Legal and Democratic Services Manager and approved by the Chairman of the Environmental and Developmental Services Committee or its equivalent Policy Committee and the Chairman of the Licensing Committee. For the purpose of this section, any minor amendment is an amendment not defined as substantial in section 7.1 of this Policy.

8 RIGHTS OF APPEAL

- 8.1 The Local Government (Miscellaneous Provisions) Act 1976 details an applicant's right of appeal.
- 8.2 In general terms, where an applicant is aggrieved by the Council's decision to refuse to grant, or refuse to renew a licence, or the Council's decision to suspend or revoke a licence, the applicant has a right of appeal to the local Magistrates' Court.
- 8.3 Any appeal must be lodged at the Magistrates Court within twenty-one days of the applicant receiving written notification of the Council's decision. The appeal must state the grounds upon which the appeal is based.

9 CONTACT DETAILS

The Licensing Department can be contacted on the following details:

In writing: South Derbyshire District Council
Council Offices
Civic Way
Swadlincote
Derbyshire

DE11 0AH

Telephone: 01283 595 716 / 890 / 724

Email: licensing@southderbyshire.gov.uk

DOCUMENT HISTORY

Issue No	Issue Date	Approved by
1	January 2009	Council
2	April 2012	Council
3	November 2014	Council
4	October 2015	Council
5	November 2015	Chairman of the Environmental and Developmental Services Committee and the Chairman of the Licensing Committee by way of a minor amendment
6	October 2016	Council
7	November 2017	Council
8	July 2019	Council
9	December 2019	Chairman of the Environmental and Developmental Services Committee and the Chairman of the Licensing Committee by way of a minor amendment
<u>10</u>	<u>#</u>	<u>Council</u>

APPLICATION PROCEDURES

PRIVATE HIRE DRIVERS

1 New Drivers

- 1.1 An application for a private hire driver's licence may be made at any time of the year.
- 1.2 Applications must be made on the form called New Driver's Licence Application Form.
- 1.3 In support of a completed application form, the applicant must provide the following original documentation:
 - (i) a current full UK or EU driving licence;
 - (ii) proof of right to work;
 - (iii) an enhanced DBS disclosure application form, obtained via the Council or DBS online checking service to the required level with consent form;
 - (iv) identification for the completion of the DBS form (3 required);
 - (v) the specified fee;
 - (vi) a medical certificate (no older than 3 months);
 - (vii) an eye examination certificate (no older than 3 months);
 - (viii) a completed DVLA mandate form;
 - (ix) a passport style colour photo which must reflect current image;
 - (x) a driving assessment certificate;
 - (xi) safeguarding training certificate, arranged through the Council;
 - (xii) disability discrimination awareness training certificate;
 - (xiii) a local knowledge test pass, arranged through the Council.
- 1.4 In order to apply for a private hire driver's licence, an appointment must be made with the Licensing Department to submit the DBS application form or DBS certificate for the DBS online checking service. The application form will be provided by the Licensing Department at the appointment. The applicant must provide three pieces of identification and the fee for the DBS. At the appointment, the applicant will be provided with details of the next available knowledge test date. The right to work check will be carried out at this initial appointment.
- 1.5 Once the DBS has been returned to the applicant and the knowledge test has been passed, the application form with all the remaining documentation and fee can be submitted to the Licensing Authority.
- 1.6 An application will not be validated until all of the above documents have been received. Once a valid application has been received, the Licensing Department will determine the application within 10 working days.

2 Renewals

- 2.1 Applicants are advised to submit their renewal no less than 28 days before the expiry date to ensure continuity. Any applicant with new adverse information on their application form may have their renewal application referred to the Licensing and Appeals Sub-Committee for determination, therefore, the applicant is advised to apply for their renewal at least two months prior to their expiry date.

- 2.2 Applications must be made on the form called Renewal of a Driver's Licence Application Form.
- 2.3 In support of a completed renewal application form, the applicant must provide the following original documentation:
- (i) a current full UK or EU driving licence
 - (ii) the specified fee;
 - (iii) a completed DVLA mandate form;
 - (iv) a Passport style colour photo which must reflect your current image;
 - (v) DBS online checking service consent form.
- 2.4 A new medical certificate and eye examination certificate (no older than 3 months) will be required prior to the expiry of the current documents. Reminders will be sent out 2 months prior to the expiry of the documents. If the documents are not received then the private hire driver's licence will be suspended until satisfactory documents have been received by the Council.
- 2.5 An application will not be validated until all of the above documents have been received. Once a valid application has been received, the Licensing Department will determine the application within 10 working days.
- 2.6 A private hire driver will still be able to act as a private hire driver whilst their application is being determined as long as their current licence is in force. If the private hire driver's licence has expired and the renewal application has not been determined, the applicant is not permitted to act as a private hire driver until he is in possession of the new licence and badge.

PRIVATE HIRE VEHICLES

3 New Vehicles

- 3.1 An application for a private hire vehicle licence may be made at any time of the year.
- 3.2 Applications must be made on the relevant form called New Private Hire Vehicle Licence Application Form.
- 3.3 In support of a completed application form, the applicant must provide the following **original** documentation:
- (i) the full V5C registration document. (If the vehicle is not registered in the applicant's name, proof of proprietorship for the proposed vehicle will be required);
 - (ii) proof of road tax;
 - (iii) insurance certificate for hire and reward purposes for all proposed drivers;
 - (iv) depot pass certificate;
 - (v) the specified fee;
 - (vi) SVA or IVA certificate (limousines and novelty vehicles only);
 - (vii) MOT certificate (if more than 3 years old);
 - (viii) Meter certificate (if applicable);
 - (ix) LPG certificate (if applicable);
 - (x) Tailgate certificate (if applicable);
 - (xi) Wheelchair Test Assessment pass certificate for all drivers (if applicable);
 - (xii) Basic DBS certificate dated less than one month old if not already licensed driver or operator.-

- 3.4 An application will not be validated until all of the above documents have been received. Once a valid application has been received, the Licensing Department will determine the application within 5 working days.

4 Renewals

- 4.1 Applicants are advised to submit their renewal application at least 28 days before the expiry date to ensure the new licence will be ready before your old licence expires, in order to ensure continuity.
- 4.2 Applications must be made on the form called Renewal Private Hire Vehicle Licence Application Form.
- 4.3 If the vehicle is aged between 8 years old and 10 years old (or 15 years for a wheelchair accessible vehicle), the applicant must contact the Licensing Department prior to submitting an application so a check of the vehicle can be carried out and a decision made as to whether a renewal application will be accepted.
- 4.4 In support of a completed renewal application form, the applicant must provide the following **original** documentation:
- (i) the specified fee;
 - (ii) depot pass certificate;
 - (iii) insurance certificate for hire and reward purposes for all proposed drivers;
 - (iv) MOT certificate (if more than 3 years old);
 - (v) Basic DBS certificate dated less than one month old if not already licensed driver or operator.
 - (iv)(vi) -
- 4.5 No faxes or emails from the applicant will be accepted in place of original documents. Faxes and emails will be accepted for insurance if sent direct from the insurance company.
- 4.6 An application will not be validated until all of the above documents have been received. Once a valid application has been received, the Licensing Department will determine the application within 5 working days.
- 4.7 With regards to the expiry of any documents during the term of the licence, the Council will notify the licence holder 5 days before the date of expiry via text message. The licence holder must then submit up to date documents to the Council within 5 days of this notification. Failure to submit the documents within this period will result in the vehicle licence being suspended until the documents are received.
- 4.8 A vehicle will still be able to be used as a private hire vehicle whilst the renewal application is being determined as long as their current licence is in force. If the private hire vehicle licence has expired and the renewal application has not been determined, the applicant is not permitted to use the vehicle as a private hire vehicle until he is in possession of the new licence and plate.

5 Transfer of Vehicle Ownership

- 5.1 Applications must be made on the form called Transfer of Vehicle Ownership Application Form.

5.2 In support of a completed transfer application form, the applicant must provide the same documentation as per a new vehicle application.

5.3 A fee is payable.

5.4 An application will not be validated until all of the above documents have been received. Once a valid application has been received, the Licensing Department will determine the application within 5 working days.

6 Replacing a vehicle

6.1 If you wish to replace the existing vehicle with a new vehicle, you must surrender the old vehicle licence. This must be in writing and the old plate returned to the Council.

6.2 A refund will be issued for the remaining full months remaining on the licence minus reasonable administration costs incurred in granting the licence.

6.3 A new vehicle application will be required with all the supporting documentation and relevant fee.

7 Hire Vehicles

7.1 The application process is the same as a new vehicle licence application as detailed above.

PRIVATE HIRE OPERATORS

8 New Operators

8.1 An application for a private hire operator's licence may be made at any time of the year.

8.2 Applications must be made on the form called New Private Hire Operator Licence.

8.3 In support of a completed application form, the applicant must provide the following original documentation:

- (i) Relevant basic disclosure certificates (if not a private hire driver. The certificate must be less than one month old);
- (ii) completed DVLA mandate form;
- (iii) the specified fee;
- (iv) proof of right to work;
- (v) proof of planning permission for the proposed operator base;
- (vi) proof of ownership or a contract of use for the proposed operator base;
- (vii) public liability insurance (if applicable);
- (viii) employees liability insurance (if applicable).

8.4 Original documents should be submitted for the right to work and these can be sent through the post or presented at the Customer Contact Centre for verified copies to be taken. The Council accepts no responsibility for original documents sent through the post.

8.5 An application will not be validated until all of the above documents have been received. Once a valid application has been received, the Licensing Department will determine the application within 5 working days.

9 Renewals

- 9.1 Applicants are advised to submit their renewal no less than 28 days before the expiry date to ensure continuity. Any applicant with new adverse information on their application form may have their renewal application referred to the Licensing and Appeals Sub-Committee for determination, therefore, the applicant is advised to apply for their renewal at least two months prior to their expiry date.
- 9.2 Applications must be made on the form called Renewal of a Private Hire Operator Licence.
- 9.3 In support of a completed renewal application form, the applicant must provide the following original documentation:
- (i) Basic disclosure certificate (if not a private hire driver. The certificate must be less than one month old);
 - (ii) completed DVLA mandate form;
 - (iii) the specified fee;
 - (iv) public liability insurance (if applicable);
 - (v) employees liability insurance (if applicable).
- 9.4 An operator will still be able to take private hire bookings whilst the renewal application is being determined, as long as their current licence is in force. If the private hire operator licence has expired and the renewal application has not been determined, the applicant is not permitted to act as a private hire operator until he is in possession of the new licence.

10 GENERAL PROCEDURES

- 10.1 All required paperwork with the exception of DBS application forms must be provided to the Council either by post or by hand at the Council Offices.
- 10.2 An appointment must be made with the Licensing Department to submit all DBS application forms as the original documentation must be checked and copies taken. DBS application forms will not be completed without an appointment.
- 10.3 In order to carry out an online check, the Council will still require the following:
- (i) confirmation of ID in line with a DBS check;
 - (ii) original DBS certificate to an enhanced level including the barred lists check and checked to the required workforce;
 - (iii) consent form signed by the driver permitting the Council to carry out an online check.
- 10.4 Local knowledge tests are run on a monthly basis and all new applicants must contact the Licensing Department to book a place. A fee is payable.
- 10.5 Depot tests are completed on an appointment basis. Prior to submitting vehicles for testing at the depot, applicants must obtain an appointment and ensure that the vehicle is clean enough to be inspected and is mechanically sound. The initial test and the six monthly inspection is included in the application fee but any further re-inspections i.e. re-test following failure or test after an accident will be charged at the specified fee. Appointments are booked directly with the depot on 01283 595991 or by calling the Licensing Department at any time during normal office hours. A fee may be chargeable if the appointment is cancelled with less than 24 hours' notice or if the appointment is missed.

- 10.6 Plates, badges and licences may be collected from the Council Offices during office hours. All licence holders will be notified by phone or text once their documents are ready to collect. Existing licence holders must return their old plates and/or badges to collect their new ones.

11 CONSIDERING APPLICATIONS

- 11.1 The Council will only consider complete applications with all the necessary documentation and fee.
- 11.2 When submitting applications, applicants should be aware that it may take up to **ten** working days to process and issue a licence.
- 11.3 Renewal applications must be submitted before the existing licence expires. Failure to do so will result in the old licence expiring and the applicant will need to comply with the entry requirements for a new application.

APPENDIX 2

GUIDANCE ON DETERMINING THE SUITABILITY OF APPLICANTS AND LICENSED DRIVERS IN THE PRIVATE HIRE TRADES

1 General

1.1 For the purposes of this Guidance, a conviction is defined as:

- A sentence imposed by a Court;
- A formal caution;
- A fixed penalty notice;
- Community resolution.

Convictions for attempt or conspiracy will be regarded as convictions for the substantive crime.

1.2 In all the cases, the Council will consider the conviction or behavior in question and what weight should be attached to it and each case will be determined on its own merits having regard to this Guidance.

1.3 This Guidance is the baseline for acceptability and it shall only be departed from in exceptional circumstances. Where it is appropriate for the Council to depart from this Guidance, clear and compelling reasons will be given for doing so. The purpose of this Guidance is to formulate guidelines, consistent with national guidance, which detail the Council's position on the relevance of convictions and cautions in respect of applications for the grant of new licences, and the renewal of existing licences, for private hire driver and operator licences. As the Council has the power to suspend or revoke a licence, this Guidance will also relate to the consideration of convictions and/or cautions received during the course of a licence.

1.4 The legislation states that the Council may grant a licence only if it is satisfied that the applicant is a 'fit and proper' person.

1.5 'Fit and proper' means that the individual (or in the case of a private hire operator's licence, the limited company together with its directors and secretary, or all members of a partnership) is 'safe and suitable' to hold the licence.

1.6 In determining safety and suitability, the Council is entitled to take into account all matters concerning that applicant or licensed driver. They are not simply concerned with that person's behaviour whilst working in the hackney carriage or private hire trade. This consideration is far wider than simply criminal convictions or other evidence of unacceptable behaviour, and the entire character of the individual will be considered. This can include, but is not limited to, the individual's attitude and temperament.

1.7 It is important to recognise that matters which have not resulted in a criminal conviction (whether that is the result of an acquittal, a conviction being quashed, decision not to

prosecute or an investigation which is continuing where the individual has been bailed) can and will be taken into account by the Council. In addition, complaints where there was no police involvement will also be considered. Within this document, any reference to "conviction" will also include matters that amount to criminal behaviour, but which have not resulted in a conviction.

- 1.8 In addition to the nature of the offence or other behaviour, the quantity of matters and the period over which they were committed will also be considered. Patterns of repeated unacceptable or criminal behaviour are likely to cause greater concern than isolated occurrences as such patterns can demonstrate a propensity for such behaviour or offending.

- 1.9 In relation to single convictions, the following time periods should elapse following completion of the sentence (or the date of conviction if a fine was imposed) before a licence will be granted.

2. Crimes resulting in death

- 2.1 Where an applicant or licensed driver has been convicted of a crime which resulted in the death of another person or was intended to cause the death or serious injury of another person they will not be licensed.

3. Exploitation

- 3.1 Where an applicant or licensed driver has been convicted of a crime involving, related to, or has any connection with abuse, exploitation, use or treatment of another individual irrespective of whether the victim or victims were adults or children, they will not be licensed. This includes slavery, child sexual exploitation, grooming, psychological, emotional or financial abuse, but this is not an exhaustive list.

4. Offences involving violence

- 4.1 Where an applicant has a conviction for an offence of violence, or connected with any offence of violence, a licence will not be granted until at least 10 years have elapsed since the completion of any sentence imposed.

5. Possession of a weapon

- 5.1 Where an applicant has a conviction for possession of a weapon or any other weapon related offence, a licence will not be granted until at least 7 years have elapsed since the completion of any sentence imposed.

6. Sex and indecency offences

- 6.1 Where an applicant has a conviction for any offence involving or connected with illegal sexual activity or any form of indecency, a licence will not be granted.
- 6.2 In addition to the above, the Council will not grant a licence to any applicant who is currently on the Sex Offenders Register or on any 'barred' list.

7. Dishonesty

- 7.1 Where an applicant has a conviction for any offence of dishonesty, or any offence where dishonesty is an element of the offence, a licence will not be granted until at least 7 years have elapsed since the completion of any sentence imposed.

8. Drugs

- 8.1 Where an applicant has any conviction for, or related to, the supply of drugs, or possession with intent to supply or connected with possession with intent to supply, a licence will not be granted until at least 10 years have elapsed since the completion of any sentence imposed.
- 8.2 Where an applicant has a conviction for possession of drugs, or related to the possession of drugs, a licence will not be granted until at least 5 years have elapsed since the completion of any sentence imposed. In these circumstances, any applicant will also have to undergo drugs testing at their own expense to demonstrate that they are not using controlled drugs.

9. Discrimination

- 9.1 Where an applicant has a conviction involving or connected with discrimination in any form, a licence will not be granted until at least 7 years have elapsed since the completion of any sentence imposed.

10. Motoring convictions

- 10.1 Private hire drivers are professional drivers charged with the responsibility of carrying the public. Any motoring conviction demonstrates a lack of professionalism and will be considered seriously. It is accepted that offences can be committed unintentionally, and a single occurrence of a minor traffic offence would not prohibit the grant of a licence or may not result in action against an existing licence. Subsequent convictions reinforce the fact that the licensed driver does not take their professional responsibilities seriously and is therefore not a safe and suitable person to be granted or retain a licence.

Drink driving/driving under the influence of drugs/using a hand-held telephone or hand held device whilst driving

- 10.2 Where an applicant has a conviction for drink driving or driving under the influence of drugs, a licence will not be granted until at least 7 years have elapsed since the completion of any sentence or driving ban imposed. In these circumstances, any applicant will also have to undergo drugs testing at their own expense to demonstrate that they are not using controlled drugs.
- 10.3 Where an applicant has a conviction for using a held-hand mobile telephone or a hand-held device whilst driving, a licence will not be granted until at least 5 years have elapsed since the conviction or completion of any sentence or driving ban imposed, whichever is the later.

Other motoring offences

- 10.4 A minor traffic or vehicle related offence is one which does not involve loss of life, driving under the influence of drink or drugs, driving whilst using a mobile phone, and has not resulted in injury to any person or damage to any property (including vehicles). Where an applicant has 7 or more points on their DVLA licence for minor traffic or similar offences, a licence will not be granted until at least 5 years have elapsed since the completion of any sentence imposed.

- 10.5 A major traffic or vehicle related offence is one which is not covered above and also any offence which resulted in injury to any person or damage to any property (including vehicles). It also includes driving without insurance or any offence connected with motor insurance. Where an applicant has a conviction for a major traffic offence or similar offence, a licence will not be granted until at least 7 years have elapsed since the completion of any sentence imposed.

11. Hackney carriage and private hire offences

- 11.1 Where an applicant has a conviction for an offence concerned with or connected to hackney carriage or private hire activity (excluding vehicle use), a licence will not be granted until at least 7 years have elapsed since the completion of any sentence imposed.

Vehicle use offences

- 11.2 Where an applicant has a conviction for any offence which involved the use of a vehicle (including hackney carriages and private hire vehicles), a licence will not be granted until at least 7 years have elapsed since the completion of any sentence imposed.

APPENDIX 3

Policy for in respect of requests for information, disclosure of information, and use of information as a result of an entry on NR3

In this Policy, the 'first authority' refers to a licensing authority which made a specific entry onto the National Register of Refusals and Revocations; the 'second authority' refers to a licensing authority which is seeking more detailed information about the entry.

Overarching principles

This Policy covers the use that the Council will make of the ability to access and use information contained on the National Register of Taxi Licence Revocations and Refusals (NR3). The NR3 contains information relating to any refusal to grant, renew or revocation of a hackney carriage or private hire driver's licence. This information is important in the context of a subsequent application to another Licensing Authority for a drivers' licence by a person who has had their licence refused or revoked in the past.

The Council has signed up to the NR3. This means that when an application for a private hire drivers' licence is refused, or when an existing private hire drivers' licence is revoked, that information will be placed upon the register.

When an application for a new drivers' licence, or renewal of an existing drivers' licence is received, the Council will make a search of the NR3. The search will only be made by an Officer who has been trained in the use of the NR3 and who is acting in accordance with this Policy. If details are found that appear to relate to the applicant, a request will be made to the Licensing Authority that entered that information for further details.

Any information that is received from any other Licensing Authority in relation to an application will only be used in relation to that application, and the determination of it, and will not be used for any other purpose. Any data that is received will only be kept for as long as is necessary in relation to the determination of that application. This will include the period of processing that application, making a decision, notifying the applicant of the outcome of that decision, and the appeal processes.

For the avoidance of doubt, any such data will be kept for a period of no more than 35 days from the date of the service of the written notification of the determination of the application. Where an appeal to the Magistrates' Court is made, the data will be retained until that appeal is determined or abandoned. Where the appeal is determined by the Magistrates' Court, there is a further right of appeal to the Crown Court. In these circumstances, the data will be retained for a period of no more than 35 days from the date of the decision of the Magistrates' Court. If an appeal is made to the Crown Court, the data will be retained until that appeal is determined or abandoned. Where the appeal is determined by the Magistrates' Court or the Crown Court, it is possible to appeal the decision by way of case stated. Accordingly, the data will be retained for a period of no more than 35 days from the date of the decision of the Crown Court (if the decision was made by the Magistrates' Court, the retention period has already been addressed). If an appeal by way of case stated is made, the data will be retained until all court proceedings relating to that appeal by way of case stated (which will include potential appeals to the Court of Appeal and Supreme Court) have been determined.

The data will be held securely in accordance with the Council's general policy on the secure retention of personal data which is available at www.southderbyshire.gov.uk. At the end of

the retention period, the data will be erased and/or destroyed in accordance with Council's general policy on the erasure and destruction of personal data which is available at #.

Making a request for further information regarding an entry on NR3

When an application is made to the Council for the grant of a new or renewal of a private hire driver's licence, the Council will check the NR3.

The Council will make and retain a clear written record of every search that is made of the register. This will detail:

- the date of the search;
- the name or names searched;
- the reason for the search (new application or renewal);
- the results of the search; and
- the use made of the results of the search (this information will be entered to the register at a later date).

This record will not be combined with any other records (i.e. combined with a register of licences granted) and will be retained for the retention period of 25 years.

If the Council discovers any match (i.e. there is an entry in the register for the same name and identifying details) a request will be made to the Licensing Authority that entered those details (the first authority) for further information about that entry. That request will also include details of Council's data protection policy in relation to the use of any data that is obtained as a result of this process.

This request will be made in writing in accordance with the prescribed form. It will be posted or emailed to the contact address of the Licensing Authority that entered those details (the first authority) which will be detailed in the register.

Responding to a request made for further information regarding an entry on NR3

When the Council receives a request for further information from another Licensing Authority, a clear written record will be made of the request having been received. This record will not be combined with any other records (i.e. combined with a register of licences granted) and will be retained for the retention period of 25 years.

The Council will then determine how to respond to the request. It is not lawful to simply provide information as a blanket response to every request.

The Council will conduct a Data Protection Impact Assessment. This will consider how the other Licensing Authority (the second authority) will use the data, how it will store that data to prevent unauthorised disclosure, the retention period for that data, and the mechanism for erasure or destruction of the data at the end of that period. It is expected that if the second authority has adopted a policy similar to this, that should be a reasonably straightforward process.

If Council is satisfied that the other authority's (the second authority) data protection procedures are satisfactory, consideration will then be given as to what information will be disclosed. This will be determined by an officer who has been trained to discharge this function.

Any disclosure must be considered and proportionate, taking into account the data subjects' rights and the position and responsibilities of a licensed driver. Data is held on the NR3 register for a period of 25 years, but Council (the first authority) may not disclose information relating to every entry. Each application will be considered on its own merits.

The Council will disclose information relating to a revocation or refusal to grant a drivers' licence in accordance with the timescales contained within the Conviction Policy detailed at Appendix 2 above. Where the reason for refusal to grant or revocation relates to a conviction (or similar as defined) which is within the timescales determined in those guidelines, the information will be disclosed. Where the reason for refusal to grant or revocation relates to a conviction (or similar as defined) which is outside the timescales determined in those guidelines, the information will not be disclosed. However, in every case, consideration will be given to the full circumstances of the decision and there may be occasions where information is provided other than in accordance with this Policy.

Any information about convictions will be shared in accordance with this Policy under part 2 of Schedule 1 of the Data Protection Act (DPA) 2018; that is, the processing is necessary for reasons of substantial public interest in connection with the exercise of a function conferred on the authority by an enactment or rule of law.

The officer will record what action was taken and why. The Council will make and retain a clear written record of every decision that is made as a result of a request from another Licensing Authority. This will detail:

- the date the request was received;
- how the data protection impact assessment was conducted and its conclusions;
- the name or names searched;
- whether any information was provided;
- if information was provided, why it was provided (and details of any further advice obtained before the decision was made);
- if information was not provided, why it was not provided (and details of any further advice obtained before the decision was made) and
- how and when the decision (and any information) was communicated to the requesting Licensing Authority.

This record will not be combined with any other records (i.e. combined with a register of licences granted) and will be retained for the retention period of 25 years.

Using any information obtained as a result of a request to another Licensing Authority

When the Council receives information as a result of a request that has been made to another Licensing Authority, it will take that information into account when determining the application for the grant or renewal of a private hire drivers' licence. This will be in accordance with the usual process for determining applications as detailed above.

The Council will make and retain a clear written record of the use that is made of the results of the search (this information will be added to the register detailed above).

Information that is received may warrant significant weight being attached to it, but it will not be the sole basis for any decision that the Council will make in relation to the application.



**South
Derbyshire
District Council**

PRIVATE HIRE DRIVER'S LICENCE CONDITIONS

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 ("the Act")

The following conditions are made by South Derbyshire District Council ("the Council") in pursuance of the powers conferred by Part II of the Act to ensure efficient and effective regulation of private hire vehicle use and to ensure that proper vehicular and driver standards are maintained in the interests of public safety.

1 GENERAL

- 1.1 The licence holder shall ensure that he or she complies in all respects with the requirements of any Act and Regulations affecting the operation of private hire vehicles and motor vehicles, these conditions and any Code of Practice implemented by the Council.

2 MAINTENANCE OF THE VEHICLE

- 2.1 The licence holder shall:
- Ensure that the vehicle to be driven by him or her is in a roadworthy condition, thoroughly cleansed, all equipment fittings and fixtures are present and serviceable and complies with the conditions attached to the licence relating to the vehicle before the commencement of any journey.
 - Record details of checks and inspections in the record book provided by the proprietor of the vehicle.
 - Report any defect discovered by the licence holder to the proprietor of the vehicle.

3 CONDUCT OF THE LICENCE HOLDER

- 3.1 The licence holder shall:
- at all times be clean and respectable in his or her dress;
 - behave in a civil and orderly manner;
 - work cooperatively with and be civil and respectful towards Officers of any Licensing Authority who are carrying out their duties;
 - confirm the name, destination, method of payment and fare with every passenger prior to commencing any journey;
 - take all reasonable steps to ensure the safety of passengers conveyed in, entering or alighting from the vehicle;
 - assist any passenger in gaining access to or from the vehicle;

- assist any passenger with the loading and unloading of luggage into and out of the vehicle;
- take all reasonable steps to ensure the safety of luggage conveyed in, being loaded in or removed from the vehicle;
- afford reasonable assistance in removing a passenger's luggage to or from the entrance of any house, station or place at which he or she may collect or set down a person;
- unless otherwise directed by the passenger, proceed to the destination requested by the passenger by the shortest possible route;
- not drive the vehicle without the written consent of the proprietor of the vehicle. The written consent must be kept in the vehicle at all times;
- not drink, eat, or play audio equipment in the vehicle without the express permission of the passenger;
- ensure that no annoyance or disturbance is caused to residents or other road users whilst driving the vehicle
- not use the horn or lights of the vehicle or shout in order to signify to the passenger that the driver is waiting for the passenger;
- not drive a vehicle in a manner that may intimidate or have the potential to intimidate another road user;
- not cause or permit the vehicle to stand in such a manner as to suggest that it is standing or otherwise plying for hire or that it is a hackney carriage
- not tout or solicit any person to hire or be carried in any vehicle; and not cause or procure any other person to tout or solicit any person to hire or be carried for hire in any vehicle;
- not smoke or permit a passenger to smoke in the vehicle;
- ensure that "No Smoking" signs are prominently displayed on the front passenger window or dashboard and on the rear passenger window of the vehicle;
- not use a mobile phone, PDA, or similar communication device whilst the engine of the vehicle is running unless it is connected to a suitable handsfree device, and the use of such a device would not infringe any road laws;
- not initiate and/or engage in any inappropriate dialogue with a passenger.

4 TAXIMETER

- 4.1 If the vehicle to be driven by the licence holder is fitted with a taximeter, he or she shall not drive the vehicle as a private hire vehicle unless the taximeter is in working condition, has been sealed by a company with a calibration certificate being held by the Council and the tariff of the taximeter has been submitted to the Council. If the vehicle being driven by the licence holder is fitted with a taximeter, he or she shall not cause the fare recorded to be cancelled or concealed until the hirer has had a reasonable opportunity of examining it and has paid the fare.
- 4.2 The licence holder shall not tamper with or permit any person to tamper with any taximeter with which the vehicle is fitted, with the fittings thereof, or with the seals affixed thereto. The licence holder shall ensure that when the vehicle is not in use the taximeter is switched off.
- 4.3 The licence holder shall submit to the Council a new calibration certificate and tariff if they change private hire operator or the tariff changes during the course of the licence.

5 WRITTEN RECEIPT

- 5.1 The licence holder shall, if requested by the hirer, provide a written receipt of the fare paid. This receipt should include the name of the private hire operator, the name of the driver, the name of the passenger, the date, time and details of the journey and the fare paid.

6 ACCIDENTS AND DAMAGE TO THE VEHICLE

- 6.1 All accidents, collisions and damage involving the licensed vehicle, however minor, must be reported to the Council in writing as soon as reasonably practicable, and in any case within 72 hours of the occurrence thereof, regardless of whether any party was injured.

7 PROMPT ATTENDANCE

- 7.1 When the vehicle has been hired to be in attendance at an appointed time and place, the licence holder shall, unless delayed or prevented by some sufficient cause, punctually attend with the vehicle at such appointed time and place. Prior to collecting the hirer, the licence holder shall ensure that he or she is aware of the destination and how to reach the destination.

8 DRIVER'S IDENTITY BADGE

- 8.1 The licence holder shall wear the driver's identity badge issued by the Council in a position where it may be seen at all times. The licence holder shall return the identity badge within 7 days upon termination of the licence, whether such termination is through suspension, surrender, revocation or normal expiry.
- 8.2 Any loss of badge must be reported to the Council as soon as the loss becomes known. A fee will be payable for all replacement badges. The licence holder must not drive for hire or reward purposes until they receive their updated badge.

9 FARES

- 9.1 The licence holder shall:
- not demand from any hirer a fare in excess of any previously agreed for that hiring between the hirer and the operator or, if the vehicle is fitted with a taximeter and there has been no previous agreement as to the fare, the fare shown on the face of the taximeter. The licence holder shall not demand any fare higher than that shown on the face of the taximeter;
 - contact the private hire operator for a new fare if the hirer alters the original route;
 - not demand from any hirer their personal belongings in lieu of payment;
 - cause any statement of fares provided by the operator to be exhibited inside the vehicle, in clearly distinguishable letters and figures.
- 9.2 In the event of a customer being unable to pay the required fare, the licence holder shall contact the operator immediately.

10 PASSENGERS

- 10.1 The licence holder shall not:
- convey or permit to be conveyed in the vehicle a greater number of persons than that prescribed on the licence for the vehicle;

- without the consent of the hirer convey or permit to be conveyed any other person in the vehicle.

10.2 The licence holder shall ensure that all passengers over three years of age must use an adult seat belt in the rear of the vehicle.

11 CARRIAGE OF ANIMALS

11.1 The licence holder shall not permit any animal belonging to or under the care of him or her to ride in the vehicle when using the vehicle for private hire, without the consent of the hirer.

11.2 Any animal belonging to a passenger must be conveyed in the rear seating area of the vehicle and shall, when necessary, be contained so as not to present a nuisance or hazard to the occupants of the vehicle.

11.3 The licence holder shall not refuse any request to carry an assistance or guide dog, accompanying a person with a disability, unless the licence holder has been exempted in writing from this requirement by the Council. An assistance or guide dog must be carried free of charge in the vehicle. The notice of exemption must be displayed in the licensed vehicle at all times.

12 PRIVATE HIRE VEHICLE OPERATOR

12.1 The licence holder shall not use the vehicle for private hire unless the bookings are invited and accepted by an operator. The licence holder shall ensure the operator has a current private hire vehicle operator's licence issued by the Council.

12.2 The licence holder shall notify the Council in writing of the name and address of the operator he or she is permitted or employed to drive for within 7 days from the date he or she commenced driving for that operator.

12.3 If the licence holder ceases driving for the operator, he or she shall notify the Council in writing within 7 days.

13 DEPOSIT OF PAPER LICENCE

13.1 The licence holder shall deposit a copy of his or her paper private hire driver's licence with the vehicle licence holder and operator before driving the vehicle.

13.2 The licence shall be retained by the vehicle licence holder and operator until such time as the driver ceases to drive that vehicle or ceases to be registered/employed by the operator.

13.3 Any loss of paper licence must be reported to the Council. A fee is payable for the replacement licence.

14 INSURANCE

14.1 The licence holder shall ensure that he or she is covered by a valid insurance policy for hire and reward before driving the vehicle.

14.2 The licence holder shall, on being requested to do so, produce the insurance certificate to a Police Officer or the Authorised Officer.

15 LOST PROPERTY

- 15.1 The licence holder shall ensure that, immediately after the termination of any hiring or as soon as practicable thereafter, the vehicle is searched thoroughly for any property which may have been accidentally left therein, and the operator informed immediately.
- 15.2 Any property found by the licence holder, or handed to the licence holder, must be taken to any Police Station within the South Derbyshire District boundary if not claimed by or on behalf of the customer within 24 hours. Licence holders must leave it in the custody of the officer in charge of the Police Station and obtain a receipt. If the Police do not accept any article of lost property, the licence holder must pass the property to the operator.

16 MEDICAL FITNESS

- 16.1 The licence holder must maintain the standard of medical fitness required by the Council which is DVLA Group 2 medical standards throughout the term of the licence.
- 16.2 The licence holder shall notify the Council in writing as soon as possible, and in any event not later than 72 hours, of any illness or injury affecting his or her fitness to drive in any way.
- 16.3 Where there is reasonable doubt over a driver's fitness, the Council may direct the driver for a medical examination by a specified registered medical practitioner at any time. The applicant is responsible for the payment of all fees required for any medical examination.

17 CONVICTIONS AND DVLA DRIVING LICENCE

- 17.1 The licence holder shall immediately, and in event not later than **4872** hours, disclose to the Council in writing if they are arrested, receive a summons or a postal requisition notice during the term of their licence. The licence holder's representative may fulfil this requirement if the licence holder is detained.
- 17.2 The licence holder shall, within 48 hours, notify the Council in writing of any charge or conviction of any sexual offence, of any offence involving dishonesty or violence and any motoring offence. The licence holder shall, within 7 days, notify the Council in writing of any other caution or conviction ~~(including motoring offences)~~ received during the term of their licence.
- 17.3 Fixed Penalty Notices (FPN) shall be reported to the Council in writing upon acceptance from the Authorised Officer, as opposed to when the driving licence has been updated.
- 17.4 The licence holder shall notify the Council of any suspension or revocation of their DVLA driving licence within **4872** hours. The licence holder shall make his or her DVLA/EU driving licence available for inspection by the Council or a Police Officer upon request.
- 17.5 The licence holder shall be signed up for the DBS online checking service for the length of the licence. The licence holder must notify the Council immediately if their subscription lapses.

18 CHANGE OF PERSONAL DETAILS

- 18.1 The licence holder shall notify the Council in writing of any change in his or her personal details within 14 days. Changes shall include changes of address, name, phone number, mobile number, and e-mail address.

19 WHEELCHAIR ACCESSIBLE VEHICLES

- 19.1 All drivers of wheelchair accessible vehicles must:
- (i) be fully conversant with the correct method of operation of all ramps, lifts and wheelchair restraints fitted to the vehicle;
 - (ii) before any movement of the vehicle takes place, ensure that all wheelchairs are firmly secured to the vehicle using an approved restraining system and the brakes of the wheelchair have been applied;
 - (iii) ensure that any wheelchairs, equipment and passengers are carried in such a manner that no danger is likely to be caused to those passengers, or to anyone else, in accordance with the regulations detailed in Section 100 of the Road Vehicles (Construction and Use) Regulations 1986.
- 19.2 All wheelchair accessible vehicles are placed on the Council's designated list under section 167 of the Equality Act 2010. The driver of the licensed vehicle must comply with the duties and responsibilities placed on them as a driver of a wheelchair accessible vehicle unless the driver has been exempted in writing from them by the Council. The notice of exemption must be displayed in the licensed vehicle at all times.

20 INTERIM DOCUMENTS

- 20.1 All necessary paperwork to support these conditions including medical, eye test, and online criminal record check shall be kept up to date during the currency of any licence, and deposited with the Council.

21 VARIATION OF CONDITIONS

- 21.1 The Council reserves the right to vary, delete or waive any of these conditions.

DOCUMENT HISTORY

Issue No	Issue Date	Approved by
1	January 2009	Council
2	April 2012	Council
3	November 2014	Council
4	July 2019	Council
<u>5</u>	<u>January 2021</u>	<u>Council</u>



**South
Derbyshire
District Council**

PRIVATE HIRE VEHICLE LICENCE CONDITIONS

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 ("the Act")

The following conditions are made by South Derbyshire District Council ("the Council") in pursuance of the powers conferred by Part II of the Act to ensure efficient and effective regulation of private hire vehicle use and to ensure that proper vehicular and driver standards are maintained in the interests of public safety.

1 GENERAL

- 1.1 The licence holder shall ensure that they comply in all respects with the requirements of any Act and Regulations affecting the operation of private hire vehicles and motor vehicles, these conditions and any Code of Practice implemented by the Council.

2 APPEARANCE OF THE VEHICLE

- 2.1 Vehicles shall be right hand drive, be able to carry no more than 8 passengers, have a minimum of 4 doors and shall not have an engine capacity of less than 1250cc.

- 2.2 The exterior of all licensed vehicles shall be maintained in a clean, safe and proper manner at all times. In particular, the exterior of the vehicle shall:

- (i) be free of dents;
- (ii) be free of visible rust;
- (iii) be free of any scratches over 10cm in length;
- (iv) be free of unrepaired accident damage;
- (v) have uniform paintwork equivalent to that applied by the manufacturer;
- (vi) not be missing any exterior trim;
- (vii) have all 4 hub caps (if part of the original specification) present, matching and scuff free; and
- (viii) be maintained in an acceptable state of cleanliness.

- 2.3 The interior of all licensed vehicles shall be maintained in a clean, safe and proper manner at all times. In particular, the interior of the vehicle shall:

- (i) be free of stains to the upholstery, including carpets and door trim;
- (ii) be free of splits and tears to the passenger seats;
- (iii) be maintained in an acceptable state of cleanliness;
- (iv) have no edges or damaged items likely to cause injury to a passenger;
- (v) be free from damp and odour that may cause passenger discomfort; and
- (vi) provide seats functioning in accordance with the manufacturers' specification.

- 2.4 All licensed vehicles must be tested at the Council's depot every 6 months. Any vehicle not passing this depot check will be suspended until such time as a pass certificate is provided to the Licensing Department and the relevant fee paid.

3 MAINTENANCE OF THE VEHICLE

- 3.1 The licence holder shall:
- ensure that the vehicle is in a roadworthy condition, thoroughly cleansed, all equipment fittings and fixtures are present and serviceable and complies with the conditions attached to the licence relating to the vehicle before the commencement of any journey;
 - record details of checks and inspections in the record book;
 - repair any reported defect before the commencement of any journey.

4 ALTERATION OF VEHICLE

- 4.1 No material alteration or change in the specification, design, condition or appearance of the vehicle shall be made without written approval of the Council prior to any changes to be made.
- 4.2 If the vehicle is already licensed, the licence will be suspended while the changes to the vehicle are being made. The licence plate must be returned to the Council.
- 4.3 Once any changes have been made, the licence holder must provide the Council with a Confirmation of Compliance notification from the Driver and Vehicle Standards Agency (DVSA).

5 SEAT BELTS

- 5.1 All vehicles must be fitted with fully operational seat belts, one for each passenger to be carried, fully compliant with the relevant British Standard, except where legislation specifically provides an exemption.
- 5.2 In relation to the carriage of all passengers, including children, the requirements of all relevant legislation must be complied with.

6 PASSENGER CAPACITY

- 6.1 The licence holder shall not convey or permit to be conveyed in the licensed vehicle a greater number of persons (regardless of the age or size of the passengers) than the number of persons prescribed in the licence for the vehicle and specified on the vehicle identification plate affixed to the rear of the vehicle.
- 6.2 The number of passengers must not exceed the number of restraints available in the vehicle.

7 FIRE EXTINGUISHERS

- 7.1 The vehicle shall contain a fire extinguisher which shall meet the requirements of the relevant legislation and be in the licensed vehicle at all times.
- 7.2 The fire extinguisher shall be indelibly marked with the licensed vehicle's plate number.

- 7.3 The fire extinguisher must be maintained in good working order, the operating instructions must be legible and the driver of the vehicle must be familiar with its use.

8 FIRST AID KIT

- 8.1 All licensed vehicles must carry a first aid kit suitable for treating minor injuries that complies with the advice of the Health and Safety Executive as a minimum. There is no requirement for a driver to administer first aid treatment. However, the first aid kit should be made available to passengers or any person(s) where appropriate.
- 8.2 The first aid kit should be stored in such a position so as to be readily available to the driver at all times.
- 8.3 The first aid kit should be indelibly marked with the licensed vehicle's plate number and replenished as necessary to conform with any product expiry date.

9 LUGGAGE

- 9.1 Adequate clean storage for passenger luggage must be available. Luggage carried must be suitably secured in place without obstructing any emergency exits.
- 9.2 No luggage may be carried on the roof of the licensed vehicle unless carried in an approved enclosed securely fitted device or secured to factory fitted roof rails with adequate protection for such luggage from adverse weather.
- 9.3 If the licensed vehicle is an estate, hatchback or multi-passenger type vehicle then whilst carrying luggage a grill or securely fitted net or manufacturers fitted parcel shelf must be fitted to prevent luggage entering the rear passenger compartments.

10 INSURANCE AND MOT

- 10.1 The licence holder must provide the Council with a continuous current insurance for the period of the licence. The insurance certificate must comply with the requirements of any relevant legislation. The insurance certificate must cover the licensed vehicle for use as a private hire vehicle and must insure all drivers of the vehicle for that purpose. Failure to provide an updated insurance certificate before the expiry of the current documents will result in the licence being suspended until such a time as a new insurance certificate has been received.
- 10.2 If a licensed driver is added to the insurance policy during the term of the licence, an updated insurance certificate must be sent to the Council as soon as possible.
- 10.3 The licence holder must ensure that there is a current certificate of MOT in place for the period of the licence. Failure to provide proof of an updated MOT certificate before the expiry of the current document will result in the licence being suspended until such a time as proof of a new MOT certificate has been received.

11 LICENCE PLATES

- 11.1 At all times, the licensed vehicle must display the licence plate provided by the Council unless an exemption has been granted in writing by the Council. The plate should be securely fixed in an external prominent position on or above the rear bumper of the vehicle. The internal plate must be displayed clearly in the front windscreen and in the rear passenger windows.

- 11.2 The licence plate remains the property of the Council and must be returned within 7 days upon termination of the licence which may be due to suspension, surrender, revocation or expiry.
- 11.3 If an exemption has been granted by the Council from displaying the licence plate as required in condition 11.1 above, the exemption letter issued by the Council and the licence plate must be carried in the vehicle at all times.

12 SIGNAGE AND ADVERTISING

- 12.1 No licensed vehicle will be permitted to have a roof sign or any other kind of fixing on the roof.
- 12.2 All licensed vehicles must display signs stating the name of the private hire operator, their telephone number, and the statement, "Advanced Bookings Only" on both external sides of the vehicle. The sign should be legible for members of the public to read easily. The signs must be displayed on the licensed vehicle at all times during the period of the licence.
- 12.3 Where a licensed vehicle is used by more than one operator, the licence holder must ensure that the correct identifying signs are attached to the vehicle when fulfilling any booking.
- 12.4 For any signage in addition to that detailed at condition 12.2, approval must be obtained from the Council in writing prior to any signage being added to the licensed vehicle.
- 12.5 No signage shall include the word "TAXI", "CAB" or the words "FOR HIRE" or combinations of the above, or any other words that are likely to cause a person to believe that the vehicle is a hackney carriage and available for instant hire.
- 12.6 No signage must be placed in or on any of the windows of the licensed vehicle so as to avoid the driver's view from being obscured.

13 COMMUNICATIONS DEVICES

- 13.1 Any radio equipment fitted to the vehicle shall be kept in a safe condition, comply with statutory requirements and not interfere with any radio or telecommunication equipment.
- 13.2 The use of a Citizen Band (CB) transmitter or receiver is prohibited.
- 13.3 The use of radio scanning devices is prohibited and such devices must not be fitted or carried in the vehicle.
- 13.4 Drivers relying on mobile phones, PDA or similar communication devices as their communication device shall ensure that they are connected to a bluetooth device to enable hands free operation. Nothing in this section overrides the law regarding the use of mobile phones, PDA or similar communication devices whilst driving on a public highway.

14 TAXIMETERS

- 14.1 It is not compulsory to have a taximeter installed in a licensed vehicle. Where a taximeter is fitted, the licence holder must provide the Council with:

- (i) a calibration certificate;
- (ii) details of the fare that the meter is set to.

- 14.2 A tariff card must be displayed in the vehicle showing the current fares payable.
- 14.3 The Council will require a new calibration certificate and new fare details each time a licence holder changes the private hire operator that they work for or the fare table changes.
- 14.4 The taximeter must be maintained in sound mechanical condition at all times, be securely fixed in the licensed vehicle, be clearly visible to passengers at all times and be fitted with seals so that it is not practicable for any person to tamper with except by breaking, damaging or permanently displacing the seals or other appliances.
- 14.5 Where a taximeter is not used, the cost of the journey must be agreed with the passenger(s) prior to undertaking the journey. At the conclusion of the journey, the fare charged should not exceed the amount previously agreed.

15 TRAILERS

- 15.1 Trailers may only be used with the prior written approval of the Council and subject to the following requirements:
- (i) The driver's DVLA driving licence must cover the categories that allow the towing of trailers, currently 'BE' for cars and 'D1E' for a minibus, as amended by any subsequent legislation;
 - (ii) The trailer must at all times comply with all requirements of road traffic legislation, in particular those as laid down in the Road Vehicles (Construction and Use) Regulations 1986;
 - (iii) The trailer must be presented for inspection at the Council depot every 6 months, with the licensed vehicle it is to be used with, the cost of which is to be paid by the licence holder;
 - (iv) The vehicle insurance must include the towing of a trailer;
 - (v) A suitable lid or other approved means of enclosure shall be fitted to secure and cover the contents of the trailer whenever in use;
 - (vi) A suitable tow-bar, with working electrics must be fitted to the vehicle;
 - (vii) It must not be left unattended anywhere on the highway;
 - (viii) The trailer must only be used on pre-booked journeys when excess luggage is to be carried and not for general use;
 - (ix) The trailer may only be used on the licensed vehicle that it was presented with at the Council Depot;
 - (x) No advertising shall be permitted anywhere on the trailer;
 - (xi) A spare wheel is carried at all times;
 - (xii) The trailer must be plated by the manufacturer stating the maximum load permitted
 - (xiii) The speed restrictions applicable to trailers must be observed at all times;
 - (xiv) Trailers must display an identical licence plate to the licensed vehicle at all times when attached to the licensed vehicle. The Council may charge an administrative fee for the duplicate plate.

16 WHEELCHAIR ACCESSIBLE VEHICLES

- 16.1 Any wheelchair accessible vehicle must comply with the following requirements:

- (i) Access to and exit from the wheelchair position must not be obstructed in any manner at any time except by wheelchair loading apparatus;
- (ii) Wheelchair internal anchorage must be of the manufacturer's design and construction and secured in such a position as not to obstruct any emergency exit;
- (iii) A suitable restraint must be available for the occupant of a wheelchair;
- (iv) Access ramps or lifts to the vehicle must be securely fixed prior to use, and be able to support the wheelchair, occupant and helper;
- (v) Ramps and lifts must be securely stored in the vehicle before it may move off;
- (vi) The licence holder and all drivers must be suitably trained on how to use the equipment, and how to handle a person in a wheelchair;

16.2 Any equipment fitted to the vehicle for the purpose of lifting a wheelchair into the vehicle must be tested every 6 months in accordance with the requirements of the relevant legislation. Any such equipment must be maintained in good working order and be available for use at all times. The certificate must be provided to the Council.

16.3 All wheelchair accessible vehicles are placed on the Council's designated list under section 167 of the Equality Act 2010. The driver of the licensed vehicle must comply with the duties and responsibilities placed on them as a driver of a wheelchair accessible vehicle unless the driver has been exempted in writing from them by the Council. The notice of exemption must be displayed in the licensed vehicle at all times.

17 LIQUID PETROLEUM GAS (LPG)

17.1 Any licence holder wishing to convert their licensed vehicle to run on LPG must notify the Council prior to any conversion taking place. Once the conversion has taken place, the licence holder must provide the Council with a certificate issued by a member of the LPG Association confirming satisfactory installation, examination and testing of the vehicle in accordance with LPG Association Code of Practice. This certification is required to ensure that the vehicle is considered safe by an approved inspector.

17.2 If an LPG conversion involves installation of an LPG fuel tank in a vehicle's boot space (and possible relocation of the spare wheel), an amount of space shall remain free for the stowage of a reasonable amount of luggage and any spare wheel displaced as a result must be stowed in a location that does not impinge on the passenger carrying area of a vehicle.

18 TINTED WINDOWS

18.1 For licences granted after 1st July 2019, the minimum light transmission permitted for the windscreen is 75% and all other windows in the licensed vehicle shall be 70%.

18.2 No film or tints should be added to the windows of the licensed vehicle in addition to the manufacturer's original specification.

19 CHANGE OF DETAILS

19.1 The licence holder shall notify the Council in writing of any change of his name, address, telephone number or email address during the period of the licence within 7 days of such change. Upon receiving notification, relevant documentation and fees, an amended licence shall be issued by the Council.

- 19.2 The licence holder should notify the Council in writing of any change of operator within 7 days of such a change.

20 INSPECTION

- 20.1 All private hire vehicles must be available for inspection at all times when requested by an Authorised Officer or a Police Officer.
- 20.2 All vehicle documentation must be produced within twenty four hours, or such other time as specified, when requested by an Authorised Officer or a Police Officer.

21 UNAUTHORISED USE

- 21.1 The licence holder shall not allow the vehicle to be driven by any person who does not hold an appropriate current private hire driver's licence issued by the Council.
- 21.2 A copy of the vehicle licence shall be lodged and will be held on record by the private hire operator until such time as the driver ceases to work for the operator. Upon such time the licence will be returned to the driver.

22 ACCIDENT AND DAMAGE TO THE VEHICLE

- 22.1 All accidents, collisions and damage involving the licensed vehicle, however minor, must be reported to the Council in writing as soon as reasonably practicable, and in any case within 72 hours of the occurrence thereof, regardless of whether any party was injured.

23 CARRIAGE OF ANIMALS

- 23.1 The licence holder shall not permit any animal belonging to or under the care of the licence holder to ride in the vehicle when using the vehicle for private hire, without the consent of the hirer.
- 23.2 Any animal belonging to a passenger must be conveyed in the rear seating area of the vehicle and shall, when necessary, be contained so as not to present a nuisance or hazard to the occupants of the vehicle.
- 23.3 The licence holder shall not refuse any request to carry an assistance or guide dog, accompanying a person with a disability, unless the licence holder has been exempted in writing from this requirement by the Council. An assistance or guide dog must be carried free of charge in the vehicle. The notice of exemption must be displayed in the licensed vehicle at all times.

24 LOSS OF LICENCE

- 24.1 The licence holder shall report the loss of the licence or licence plate to the Council in writing as soon as the loss becomes known. A replacement licence may be issued upon payment of a fee.

25 TRANSFER OF LICENCE

- 25.1 The licence holder shall notify the Council in writing of any transfer relating to the ownership of a vehicle within 14 days of the transfer taking place. Upon notification, relevant documentation and receipt of the current transfer fee, the Council will issue an amended licence to the new proprietor.

26 CONVICTIONS AND DLVA DRIVING LICENCE

26.1

The licence holder shall immediately, and in event not later than 48 hours, disclose to the Council in writing if they are arrested, receive a summons or a postal requisition notice during the term of their licence. The licence holder's representative may fulfil this requirement if the licence holder is detained.

26.2 The licence holder shall, within 48 hours, notify the Council in writing of any charge or conviction of any sexual offence, of any offence involving dishonesty or violence and any motoring offence. The licence holder shall, within 7 days, notify the Council in writing of any other caution or conviction received during the term of their licence.

~~The licence holder shall immediately, and in event not later than 72 hours, disclose to the Council in writing if they are arrested during the period of the licence. The licence holder's representative may fulfil this requirement if the licence holder is detained.~~

~~26.2 The licence holder shall, within 7 days, notify the Council in writing of any caution or conviction (including motoring offences) received during the period of their licence.~~

26.3 Fixed Penalty Notices (FPN) shall be reported to the Council in writing upon acceptance from the Authorised Officer, as opposed to when the driving licence has been updated.

26.4 The licence holder shall notify the Council of any suspension or revocation of their DVLA driving licence within ~~48~~⁷² hours. The licence holder shall make his or her DVLA/EU driving licence available for inspection by ~~a~~ Council or a Police Officer upon request.

27 DUAL PLATING

27.1 A licensed vehicle must not be licensed with another Council or subsequently be licensed with any other Council during the period of the licence.

28 HIRE VEHICLES

28.1 The Council must be notified in writing as soon as the nominated licensed driver is no longer using the hire vehicle. On receipt of this notice, the private hire vehicle licence will be suspended until notification is received of any new driver. The licence plate must be returned to the Council within 7 days of the date of the suspension notice. The vehicle should not be used for private hire purposes until the licence holder has received written confirmation that the suspension has been lifted and that the proposed driver is a licensed driver with this Authority.

28.2 Before any hire vehicle is licensed with any other Licensing Authority, the licence must be surrendered and the plate returned to the Council.

29 MISCELLANEOUS

29.1 The proprietor of a private hire vehicle shall not knowingly cause or permit the vehicle to be used for any illegal or immoral purpose.

29.2 Nothing in these conditions shall be interpreted as overriding the provisions of:

- (i) the Town Police Clauses Act 1847, as amended;

- (ii) the Local Government (Miscellaneous Provisions) Act 1976, as amended;
- (iii) the Transport Act 1986, as amended.

30 HEALTH ACT 2006

- 30.1 It is the responsibility of the driver, the vehicle proprietor, and the operator to ensure no smoking signage, as prescribed by the Health Act 2006, is displayed in the private hire vehicles at all times.
- 30.2 No smoking by any person is permitted in the licensed vehicle at any time during the period of the licence.

31 VARIATION OF CONDITIONS

- 31.1 The Council reserves the right to vary, delete or waive any of these conditions.

DOCUMENT HISTORY

Issue No	Issue Date	Approved by
1	January 2009	Council
2	April 2012	Council
3	November 2014	Council
4	July 2019	Council
<u>5</u>	<u>January 2021</u>	<u>Council</u>



**South
Derbyshire
District Council**

PRIVATE HIRE OPERATOR'S LICENCE CONDITIONS

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 ("the Act")

The following conditions are made by South Derbyshire District Council ("the Council") in pursuance of the powers conferred by Part II of the Act to ensure efficient and effective regulation of private hire vehicle use and to ensure that proper vehicular and driver standards are maintained in the interests of public safety.

1 CONDITION OF VEHICLE

- 1.1 The operator shall ensure that any private hire vehicle operated by him (regardless of who owns the vehicle) is maintained in the condition required by the private hire vehicle licence requirements.

2 STANDARD OF SERVICE

- 2.1 The operator shall provide a prompt, efficient and reliable service to members of the public at all times, and for this purpose shall:
- (i) Ensure that when a private hire vehicle has been hired to be in attendance at an appointed time and place, the vehicle shall, unless delayed or prevented by sufficient cause, punctually attend at that appointed time and place.
 - (ii) Keep clean, adequately heated, ventilated and lit any premises which the operator provides and to which the public have access, whether for the purpose of booking or waiting.
 - (iii) Ensure that any waiting area provided by the operator has adequate seating facilities.
 - (iv) Ensure all employees act in a civil and courteous manner.
 - (v) Ensure that any telephone facilities and radio equipment provided are maintained in a safe working condition and that any defects are repaired promptly.
 - (vi) Not tout or solicit any person to hire or be carried in any vehicle and not cause or permit any other person to tout or solicit any person to hire or be carried for hire in any vehicle.

3 COMPLAINTS

- 3.1 In any part of the premises to which the public have access, the operator shall prominently display a notice stating that “All complaints, compliments and comments are welcomed and should be directed in the first instance to: (Name of the Nominated Person)”.
- 3.2 On receipt of a complaint, the operator shall document in a suitably bound book or on any other approved system, the following information:
- (i) date and time of complaint;
 - (ii) contact details of the complainant;
 - (iii) name of driver(s) against whom the complaint has been made;
 - (iv) badge number of driver;
 - (v) vehicle registration number and plate number;
 - (vi) details of the complaint;
 - (vii) date investigation was completed;
 - (viii) action taken.
- 3.3 The complaint records referred to above shall be held and secured at the operator’s business address and shall be immediately available at the request of an Authorised Officer or Police Officer at all reasonable times. Records shall be kept for a period of three years.
- 3.4 The operator shall, within 7 days from the date of receipt of any complaint, notify the Council in writing of any unresolved complaint received by the operator.

4 NOMINATED PERSON

- 4.1 If the operator is a limited company then a person(s) should be nominated who is in charge of the day to day running of the operator’s business. This nomination should be notified to the Council.
- 4.2 Any changes to the nominated person(s) should be notified in writing to the Council within 7 days.

5 CONVICTIONS AND CAUTIONS

5.1

The licence holder shall immediately, and in event not later than 48 hours, disclose to the Council in writing if they are arrested, receive a summons or a postal requisition notice during the term of their licence. The licence holder’s representative may fulfil this requirement if the licence holder is detained.

5.2 The licence holder shall, within 48 hours, notify the Council in writing of any charge or conviction of any sexual offence, of any offence involving dishonesty or violence and any motoring offence. The licence holder shall, within 7 days, notify the Council in writing of any other caution or conviction received during the term of their licence.

~~The operator shall immediately, and in any event not later than 72 hours, disclose to the Council in writing if they are arrested during the term of their licence. The operator’s representative may fulfil this requirement if the operator is detained.~~

~~5.2 The operator shall, within 7 days, notify the Council in writing of any caution or conviction (including motoring offences) received during the term of their licence.~~

- 5.3 Fixed Penalty Notices (FPN) shall be reported to the Council in writing upon acceptance from the Authorised Officer, as opposed to when the driving licence has been updated.
- 5.4 If the operator is a company or partnership, this requirement shall equally apply if any of the directors or partners are arrested, cautioned, or convicted of an offence.
- 5.5 The Council must be notified in writing of any change of director and/or partner within a company within 7 days and a basic disclosure certificate must be submitted to the Council within 28 days of the change of individual.
- 5.6 If the operator employs any ancillary staff to take bookings in person or over the telephone or to dispatch any bookings, a register of all staff that will take bookings or dispatch vehicles must be kept. A basic disclosure certificate will be required from all members of staff who take bookings or dispatch vehicles. The register of members of staff must be updated by the operator when someone joins or leaves the operator's employment. A basic disclosure certificate should be obtained and submitted to the Council.
- 5.7 An operator must produce and maintain a policy on employing ex-offenders in roles that are required to be on the register at 5.6 above.

6 RECORD OF BOOKINGS

- 6.1 The record required to be kept by the operator under section 56(2) of the Act shall be kept on a prescribed booking pad, spreadsheet, or on a trade specific computer system. This software must be capable of providing the information listed below and capable of showing when entries are entered, amended and/or cancelled. The entries must be numbered consecutively and no pages should be removed. The operator shall enter the required information for each booking invited or accepted by him before the commencement of each journey.
- (i) The time and date of the booking;
 - (ii) The full name of the hirer;
 - (iii) How the booking was made (i.e. by telephone, personal call etc.);
 - (iv) The time of pick-up;
 - (v) The point of pick-up;
 - (vi) The destination;
 - (vii) Fare or indication that the meter was used;
 - (viii) The time at which a driver was allocated to the booking;
 - (ix) The driver and the registration number of the vehicle allocated to the booking;
 - (x) Remarks (including details of any sub-contract)
 - (xi) Name of person who dispatched the vehicle;
 - (xii) Name of person who responded to the booking.-
- 6.2 All records kept by the operator shall be preserved for a period of not less than 18 months, following the date of the last entry. In the case of computer records the entries must be capable of being printed on demand at the request of an Authorised Officer or Police Officer.
- 6.3 All records must be available for inspection and copying if required by an Authorised Officer or Police officer.

- 6.4 The operator shall have policies and procedures in place detailing how they will handle the sub-contracting of bookings and how they will ensure consumer protection of any sub-contracted bookings.

7 RECORD OF VEHICLES

- 7.1 In accordance with the provisions of section 56(3) of the Act, the operator shall keep a record of all private hire vehicles operated by him or her and such record shall include the following particulars:

- (i) The registration mark and licence number of each vehicle;
- (ii) The make, model, colour of the vehicle;
- (iii) The name and address of the vehicle proprietor;
- (iv) The name, address and licence number of the driver driving the vehicles;
- (v) Details of any radio call sign used;
- (vi) Expiry date of the vehicle plate, MOT, certificate of insurance, road tax and 6 month depot test.

- 7.2 Such records shall be retained at all times the vehicle is used to fulfill bookings for the operator.

- 7.3 All vehicles used by the operator to fulfill any bookings shall be licensed with South Derbyshire District Council only.

- 7.4 The operator shall be able to demonstrate that they are taking steps to ensure that all private hire vehicles operated by the operator remain fit for purpose to continue to hold a private hire vehicle licence.

8 RECORD OF DRIVERS

- 8.1 In accordance with the provisions of section 56(3) of the Act, the operator shall keep an up to date record of all drivers operated by him or her and such record shall include the following particulars:

- (i) The drivers of the vehicles, their call signs and their licence number;
- (ii) When any new driver begins service;
- (iii) When any drivers service ceases;
- (iv) Any change of address, email and telephone number of any driver in service;
- (v) The details of the vehicle driven by each driver;
- (vi) Any illness, disability or condition which may affect the driver's ability to safely carry out his duties (if the operator becomes aware of any such condition);
- (vii) Expiry dates of the driver's badge.

- 8.2 Such records shall be retained at all times the driver is used to fulfill bookings for the operator.

- 8.3 All drivers used by the operator to fulfill any bookings shall be licensed with South Derbyshire District Council only.

- 8.4 The operator shall be able to demonstrate that they are taking steps to ensure that all private hire drivers who receive bookings from the operator remain fit and proper to continue to hold a private hire driver's licence.

9 LOST PROPERTY

9.1 Any property left in a licensed vehicle and handed in by the driver must be retained by the operator for a period of not less than three months, unless sooner claimed by or on behalf of its owner, and during that period the operator shall take all reasonable steps to return the item to its owner.

9.2 The operator shall keep a record of all lost property retained by him at 9.1 above.

10 RADIO EQUIPMENT

10.1 The operator shall ensure that any radio equipment at his premises used in connection with his business shall be kept in a safe condition, in proper working order and not interfere with any radio or telecommunication equipment.

11 FARES AND FARE TABLE

11.1 The operator shall agree and confirm the fare for a journey booked, or explain that the journey will be metered. When a meter is to be used, an estimate of the fare should be given.

11.2 Should the operator dispatch a vehicle with a taximeter, they shall ensure that the vehicle is displaying the correct tariff, and the meter is calibrated to this tariff.

11.3 Where a meter is used, the operator shall ensure that the fare for such bookings does not exceed the rate on the meter.

11.4 The operator must provide a copy of their fare table to the Council. A new copy must be provided to the Council within 7 days if any changes are made to the fare table.

12 SMOKING

12.1 The operator shall ensure that:

- (i) all licensed vehicles used to fulfill bookings display 'No Smoking' signs;
- (ii) no person smokes in any building or any private hire vehicle at any time; and
- (iii) all buildings display 'No Smoking' signs.

13 INSURANCE AND MOT

13.1 The operator shall retain a copy of the insurance and MOT certificate for any vehicle they use to fulfill private hire bookings.

13.2 Where the operator maintains a bookings office open to members of the public, they shall ensure that the premises is covered by a suitable level of public liability insurance of at least £1million during the term of the licence.

13.3 Insurance cover for employee's liability shall be in force for the full term of the licence.

14 COPY OF DRIVER AND VEHICLE LICENCES

14.1 Before the operator permits or employs any person, he or she shall have retained a copy of their private hire driver's licence and private hire vehicle licence. This shall be retained until such time as the driver ceases to be employed by the operator. On

cessation of service or employment, the operator shall return the copy of the licence to the driver.

- 14.2 The operator shall notify the Council within 7 days of the details of any new driver commencing work with them, and any drivers who no longer work for them.

15 CHANGE OF PERSONAL DETAILS

- 15.1 Should any person named on the licence change their personal details they shall within 7 days notify the Council in writing. Changes shall include change of address (personal and trading), name (personal and trading), phone number, mobile number and e-mail address.

16 COPY OF OPERATOR LICENCE AND CONDITIONS

- 16.1 A copy of the operator's licence and these conditions must be kept at the premises to which they relate, and shall be made available to any person upon request.
- 16.2 A replacement copy may be obtained from the Council by requesting one in writing. A fee will be payable.

17 WHEELCHAIR ACCESSIBLE VEHICLES

- 17.1 The operator shall ensure that no wheelchair accessible vehicle is used to fulfil bookings unless the driver, or a driver's assistant is trained, and fully conversant with the correct method of operation of all ramps, lifts and wheelchair restraints fitted to the vehicle.
- 17.2 All wheelchair accessible vehicles are placed on the Council's designated list under section 167 of the Equality Act 2010. The operator shall ensure that the driver of the licensed vehicle complies with the duties and responsibilities placed on them as a driver of a wheelchair accessible vehicle unless the driver has been exempted in writing from them by the Council. The notice of exemption must be displayed in the licensed vehicle at all times.

18 SIGNS AND ADVERTISING

- 18.1 The operator shall not use the word, "Taxi", "Cab", or any combination of these words on any sign, notice, website including web address, e-mail, flyer, or advertisement displayed on or outside his/her premises, or on any stationary or business cards.
- 18.2 The operator shall ensure that all vehicles used to fulfill any bookings have the required signs on the vehicles with the correct wording.

19 BOOKING OFFICE ADDRESS

- 19.1 All bookings must be accepted at the address detailed on the licence.
- 19.2 The operator must maintain an office within the Council's area with a land line phone number at all times during the term of the licence.

20 USE OF PASSENGER CARRYING VEHICLES (PCV) LICENSED DRIVERS

- 20.1 The use of a driver who holds a PCV licence and the use of a public service vehicle (PSV) such as a minibus to undertake a private hire booking is not permitted without

the informed consent of the customer. The customer should be made aware that a PCV licensed driver is not subject to an enhanced DBS check like private hire drivers.

201 ACCESS

- 219.1 Access to the premises must be given to an Authorised Officer for the purpose of checking and obtaining copies of records that an operator is required to keep. The Council will endeavour to make all inspection visits at a reasonable time.

224 SPECIFIC CONDITIONS FOR OPERATORS BASED IN DOMESTIC HOMES

- 224.1 No vehicles other than those directly owned by the registered occupier(s) of the property may be dispatched directly from the premises to fulfill a booking.
- 224.2 No restroom, or refreshment facilities shall be provided at the property for any drivers employed by the operator.
- 224.3 No employed or self-employed drivers shall visit the premises during their hours of work other than to drop off takings, or pick up wages.
- 224.4 No radio mast must be used, unless relevant planning permission has been obtained.

232 VARIATION OF CONDITIONS

- 232.1 The Council reserves the right to vary, delete or waive any of these conditions.

DOCUMENT HISTORY

Issue No	Issue Date	Approved by
1	January 2009	Council
2	April 2012	Council
3	November 2014	Council
4	July 2019	Council
<u>5</u>	<u>January 2021</u>	<u>Council</u>

REPORT TO:	ENVIRONMENTAL AND DEVELOPMENT SERVICE COMMITTEE	AGENDA ITEM: 8
DATE OF MEETING:	12th NOVEMBER 2020	CATEGORY: DELEGATED/ RECOMMENDED
REPORT FROM:	CHIEF EXECUTIVE	OPEN/EXEMPT PARAGRAPH NO:
MEMBERS' CONTACT POINT:	EMMA McHUGH 01283 595 716 emma.mchugh@southderbyshire.gov.uk	DOC:
SUBJECT:	REVIEW OF PRIVATE HIRE FEES	REF:
WARD(S) AFFECTED:	ALL	TERMS OF REFERENCE:

1. Recommendations

- 1.1 That the proposed fees for private hire drivers, vehicles and operators are approved.

2. Purpose of Report

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

3. Detail

- 3.1 Recent case law relating to fees for the taxi and private hire licensing regime has clarified what costs can be included in each type of fee therefore a review of the private hire fees has been carried out to ensure compliance with the legislation and relevant case law. In addition, as the private hire licensing function must operate on a cost recovery basis, the deficit and/or profit from 2019/2020 has been included in the relevant fees except private hire operator fees.
- 3.2 With regards to private hire operators, there was one set fee for an operator's licence regardless of the actual size of the company therefore it is proposed to amend the fees in line with the number of vehicles operated by an operator to reflect the true cost to the Licensing Authority.
- 3.3 Currently, there is a fee for a one year and three-year licence for private hire driver's licence therefore it is proposed to introduce a two year licence fee.
- 3.4 After review, it is proposed to amend the fees to the following:

Type of Licence	Current Fee	Proposed Fee
Private Hire Driver: One year Two year Three year	£98 - £180	£150 £235 £331
Private Hire Vehicle	£273	£215
Private Hire Operator	£495	0-5 cars - £382 6-20 cars - £505 21-50 cars - £684 50 plus cars - £893

- 3.4 Once the reviewed fees have been approved, the Council will advertise the reviewed fees in a local newspaper and at the Council Offices for a period of 28 days as required by the 1976 Act.

4. Financial Implications

- 4.1 There are no financial implications to the Council.
- 4.2 There are financial implications to some of the private hire licensing trade.

5. Corporate Implications

Employment Implications

- 5.1 None

Legal Implications

- 5.2 None

Corporate Plan Implications

- 5.3 These proposals will continue to demonstrate to members of the public that the Council takes the private hire licensing seriously in accordance with legislation and case law which contributes to the value of taking pride in our place and striving for excellence in all we do.

Risk Impact

- 5.4 None

6. Community Impact

Consultation

- 6.1 Consultation will take place with the trade in line with the legislation once the proposed fees are approved.

Equality and Diversity Impact

- 6.2 None

Social Value Impact

- 6.3 The proposals will protect all residents in South Derbyshire from subsidising the private hire licensing regime.

Environmental Sustainability

- 6.4 None

6. Background Papers

Local Government (Miscellaneous Provisions) Act 1976

REPORT TO:	ENVIRONMENT & DEVELOPMENT SERVICES	AGENDA ITEM: 9
DATE OF MEETING:	12th November 2020	CATEGORY: RECOMMENDED
REPORT FROM:	ALLISON THOMAS, STRATEGIC DIRECTOR – SERVICE DELIVERY	OPEN
MEMBERS' CONTACT POINT:	ALLISON THOMAS, allison.thomas@southderbyshire.gov.uk, 01283 595775	DOC:
SUBJECT:	CORPORATE ENVIRONMENTAL SUSTAINABILITY GROUP	
WARD(S) AFFECTED:	ALL	TERMS OF REFERENCE: EDS01

1. Recommendations

- 1.1. That the Committee notes the progress made in improving the Council's environmental performance further to this Committee establishing a Corporate Environmental Sustainability Group in August 2018.
- 1.2. That the Committee notes the content of this report having regard to the Council's decision to declare a Climate Emergency at full Council on 27 June 2019.
- 1.3. That the Committee gives delegated authority to the Strategic Director – Service Delivery in liaison with the Chairman of the Committee to respond to the anticipated forthcoming consultations on the Environment Bill during 2021, should there be insufficient time to bring consultation responses to the Committee.

2. Purpose of the Report

- 2.1. To provide the Committee with details on the progress made by the Corporate Environmental Sustainability Group to co-ordinate the Council's work on improving its environmental credentials and performance.
- 2.2. To provide the Committee with a projection of the predicted challenges and opportunities over the next 12 months in the delivery of the work of the Corporate Environmental Sustainability Group.

3. Detail

Background

- 3.1. At a meeting of this Committee on 16 August 2018, approval was given to the establishment of a Corporate Environmental Sustainability Group (CESG). The purpose of the Group is to develop and implement measures that demonstrably improve the Council's environmental performance and support the delivery of the Council's strategic environmental objectives through a collaborative corporate approach.
- 3.2. Committee approved the terms of reference of the Group and agreed to receive further reports on the Group's work programme.

Corporate Environmental Sustainability Group Activity

- 3.3. The terms of reference approved by Committee directed the Group to give priority to six work streams to improve the Council's environmental performance, namely:
- To address issues arising from the **ISO140001 external accreditation** process;
 - To focus on reducing **Staff Travel** – core (miles driven by Council vehicles) and grey fleet miles (miles driven on Council business using employees' own transport);
 - To reduce the Council's **Energy Consumption**;
 - To improve the Council's **Water Management**;
 - To improve the Council's internal **Waste Management**;
 - To reduce the environmental impacts of Council contracts through greening the **Procurement** process.
- 3.4. Two further work streams were picked up by the Group during 2019;
- 3.5. At Full Council on 27 June 2019 the Council declared a **Climate Emergency**.
- 3.6. A request from members to explore opportunities to enhance **biodiversity** across the District.

ISO 14001 External Accreditation

- 3.7. On 20th December 2019, after a rigorous four-day audit, the Council's external auditors confirmed that the Council had been approved for recertification to the ISO14001 standard for the 11th successive year.
- 3.8. The auditor identified eleven 'minor' non-conformities and made a further 21 observations and improvement opportunities. Compared to previous audits this was a relatively high number of minor non-conformities. However, this was felt to be mainly attributable to the fact that the Council was allocated a new auditor for 2019 with relatively little experience of local authority activities. In addition, this was the first time that a new software system for managing our ISO14001 processes (My Compliance) had been subject to external audit.
- 3.9. The next re-certification audit is programmed for late 2020 or early 2021.

Staff Travel

- 3.10. The Council's first [Staff Travel Action Plan](#) was approved by this Committee on 25th November 2019.
- 3.11. The headline targets of the Plan are summarised in the following Table.

	Baseline (2019)	2021 Target	2024 Target
% of staff walking to work	3.7%	6.5%	15.0%
% of staff using public transport to work	1.9%		10.0%
% of staff cycling to work	0.6%	2.0%	10.0%
% of staff car sharing to work	2.2%	3.0%	10.0%

% of staff working flexibly	11.2%	15.0%	25.0%
Total % of staff participating in sustainable travel to work	19.6%	26.5%	70.0%

- 3.12. The Plan also set a target of **reducing the Council's overall diesel consumption by 10% by 2024** and **reducing the miles travelled by Council staff for work (known as grey mileage) by 15% by 2024**.
- 3.13. The implementation of the Plan started in early 2020 along with the introduction of more robust processes across all Council services for gathering data to measure the performance targets.
- 3.14. These targets were subsequently included in the Service Plan Performance Measures 2020/21 for all Heads of Service to ensure that the Staff Travel Plan is embedded in the work of all services across the Council.
- 3.15. In March 2020, the Covid19 pandemic transformed staff travel behaviours with the closure of the Civic Offices, Rosliston Forestry Centre and Etwall and Greenbank Leisure Centres. As the pandemic continues, Council staff travel behaviours are still some way from normalising. As yet, it is unclear as to whether the Staff Travel Plan and its targets will be meaningful in the post-Covid19 workplace.
- 3.16. A staff travel behaviour survey will be carried out in late 2020 to replicate the survey which led to the development of the Staff Travel Plan. The results of this survey will be used to quantify progress towards the targets in the Table and to enable the Staff Travel Group to review the contents of the Staff Travel Plan in the light of the changes caused by Covid19.

Energy and Waste

- 3.17. Energy costs are at historically low prices arising from a combination of low demand due to Covid-19 and an increased supply as a result of a trade war. Corporate Property has responded to this by moving quickly to secure new, three-year fixed price contracts for energy supplies to all Council owned public buildings.
- 3.18. As well as delivering healthy savings at a fixed price, the new electricity contract is produced from 100% renewable, non-nuclear sources (wind, hydro, geo-thermal and solar), delivering on the Council's Corporate Plan Climate Emergency priorities.
- 3.19. The new gas contract delivers a 22.5% annual saving and is supplied by a UK-based company offering improved levels of environmental and social sustainability in comparison with our previous provider.
- 3.20. With guidance from the Environmental Protection Officer, Corporate Property is compiling monthly records of utility usage and expenditure to better track trends, highlight any areas of concern and identify areas for improvement. This information is then used to produce a graph for the various areas (Public Buildings, Housing, etc) and distributed to the relevant Heads of Service for their information and analysis.
- 3.18 A new waste collection system ("waste hubs") has been commissioned to improve collection and segregation of office waste streams from Council office activities. The implementation of the waste hubs has been delayed due to Covid-19, but will be progressed as circumstances develop over the next few months.

- 3.19 Officers, supported by the Overview and Scrutiny Committee input, have undertaken a review of the Council's Waste Collection Service which has considered the opportunities to increase recycling, reduce refuse and comply with potential future government legislation in relation to waste collection duties.
- 3.20 The objectives of this project are as follows:
- explore the feasibility of separately collecting food waste from all households that currently receive a kerbside dry recycling collection service;
 - review the comparative costs, anticipated performance and resource implications of a range of collection profiles that meet the requirements of predicted government legislation.
 - review the options for service delivery following the expiry of the recycling contract in October 2021.
- 3.21 The modelling examined a range of recycling collection methodologies, each with separate food waste collections. Restricted refuse capacity through alteration of container sizes and collection frequencies were also considered. A report on the outcome of the review will be considered by this Committee.
- 3.22 The Housing service has commissioned further research into the energy efficiency of the Council's own housing stock. The Council has engaged the assistance of the Nottingham City Council to complete this work. This assessment will provide further detailed analysis of the type of works required to improve the energy efficiency of council homes. This could range from the provision of additional loft and wall insulation to the installation of alternative sources of heating or power, including solar power. Progress in this area will be reported to the Housing and Community Services Committee.

Water

- 3.23 During 2020, the Corporate Property Team has reviewed the procurement of water supplies for the Council's portfolio of non-residential properties. Commercial water supplies were de-regularised in 2017 and as a result the Council inherited multiple suppliers to its various properties.
- 3.24 In 2020 these were merged into a single supplier, Castle Water, the UK's largest independent water supplier. This will help significantly streamline administration and generate cost savings of over £5,000 over the next three years as well as helping to meet one of the non-conformities identified in the ISO14001 audit.
- 3.25 The Council has adopted a new Corporate Plan performance indicator relating to the percentage of new homes granted planning permission which meet non-statutory water conservation standards. This will have a positive influence on the water conservation standards of future homes across the District.

Biodiversity

- 3.26 Officers have commenced work on an Action Plan for Nature and have met with stakeholders including the County Ecologist and The National Forest to devise an approach to biodiversity opportunity mapping. The work of Derbyshire Wildlife Trust has been adjusted to work collaboratively with Derbyshire County Council, this includes undertaking site surveys and calculations on biodiversity net gain to offset the ecological impact of the Swadlincote Regeneration Route.

- 3.27 The Council has undertaken a pilot scheme for pictorial wildflower planting at four roadside grass verge locations within the District, the pilot areas for pictorial wildflower planting were as follows:
- Hartshorne Road, Repton – Right hand side of road heading towards Hartshorne just after the Knights Lane junction.
 - Ticknall Road, Ticknall – Left hand side of road heading into Ticknall
 - The Mease, Hilton - Derby Road end nearest to A50.
 - William Nadin Way, Swadlincote
- 3.28 On the Ticknall and Repton sites a Corn Field seed mix was used and on the Hilton and Swadlincote sites a Magic Carpet seed mix was used. Three of the sites flowered successfully, with only the William Nadin Way site failing to take. Officers will be reviewing the success of the pilot and developing a report on the future strategy for highway verge management will be presented to a future Committee.
- 3.29 The Council has adopted a new Corporate Plan performance indicator relating to net gain in biodiversity from new development.

Climate Emergency

- 3.30 The Council's Climate Emergency states the intention to:
- Strive to make South Derbyshire District Council carbon neutral by 2030 and achieve Carbon Neutrality before the Government target of 2050;
 - Call on the UK Government to provide the powers and resources to make the 2030 target realistic;
 - Work with partners across the District and region to deliver this goal through all relevant strategies.
- 3.31 The Council published its first [Climate and Environment Action Plan](#) in January 2020.
- 3.32 Monitoring of the delivery of the actions contained in the Plan has been embedded in the Corporate Plan Performance Framework since April 2020 which is reported to this Committee.
- 3.33 The Climate and Environment Action Plan will be periodically reviewed to ensure that it provides an accurate reflection of the current position of the Council and of the regional, national and international trends in climate change science and innovation.
- 3.34 The Action Plan is currently programmed for a review every year. The next programmed Plan will be produced in Q4 2020/21.
- 3.35 Some of the highlights of progress made within the Plan to date include;
- Negotiating a corporate energy contract with a carbon neutral provider,
 - Acquiring baseline data to identify potential future carbon reduction measures across the Council's own housing stock
 - Embedding carbon neutrality into the Civic Hub project brief,
 - Revising the procurement tendering process to improve carbon neutral criteria within the scoring process,
 - Maximising take-up of Derbyshire County Councils "Derbyshire Healthy Homes Programme",

- Creating and delivering a new “South Derbyshire Healthy Homes Assistance Fund” following a review of the Private Sector Housing Renewal Policy,
- Undertaking effective enforcement of the Energy Efficiency Regulations in private rented properties

3.36 Other activities which contribute to the Council’s positive action on climate change and which were not in the Plan have included the following;

- Facilitating an on-line event in October 2020 to promote ‘deep retrofit’ energy saving and low carbon technology in all housing stock with the aim of stimulating the a “green recovery” of the local economy;
- Promoting uptake of the government’s Green Homes Grant in the 3,000 worst performing owner-occupied properties in South Derbyshire;
- Promoting and administering approximately £100,000 spend of government grant towards a Property Flood Resilience Recovery Support Scheme for all properties flooded in South Derbyshire as a result of Storm Ciara and Dennis in February 2020;
- Succeeding in an external funding application for the installation of publicly accessible EV charge-points in some public car parks owned by South Derbyshire District Council.
- Procuring two new refuse collection vehicles fitted with electric tail lifts saving £1500 in fuel and 3000kg of carbon per vehicle per year with a 20 decibel sound reduction.
- Procuring electric rechargeable grounds maintenance equipment.

3.37 It has not been possible as yet to quantify all of the carbon reduction impacts of these activities. The first accurate calculation of carbon emissions from Council activity was completed for the financial year 2018/19. Subsequent carbon emission calculations will quantify progression towards the carbon neutral target.

Forthcoming Activities and Consultations

3.38 After some delays, the Environment Bill is currently progressing through Parliament. The Bill sets out the government’s intention to put the environment at the centre of policy making and to make sure that the country is cleaner, greener and more resilient for the next generation.

3.39 It includes;

- Creating a new governance framework for the environment
- A new direction for resources and waste management
- Improving air quality
- Securing water services
- Enhancing green spaces
- Updating laws on chemicals (REACH)

3.40 The government has indicated that the Bill is likely to be developed through a series of short (three to six week), topic specific consultations. Under the current constitutional arrangements, responses to government consultations are approved by

the relevant Committee. Any consultations requiring such a rapid response are unlikely to have adequate time to be taken through a Committee cycle in order to meet the consultation response deadlines.

3.41 If consultations in relation to the Act are produced which do not enable reports to be brought to this Committee within the deadlines, then Committee is requested to approve the following proposal;

- Firstly, the consulting body will be advised of the Council's intention to respond and of its constitutional arrangements, and will be requested to extend the consultation period to enable the Council to respond democratically;
- If the extended consultation period is refused then Committee is asked to approve that the Strategic Director – Service Delivery is given delegated authority, in liaison with the Chair of this Committee, to respond to these specific consultations.

4 Financial Implications

4.1 Beneficial impacts - Improved environmental performance could lead to potential cost savings e.g. in reducing the cost of staff mileage claims and waste disposal. Any spend to save opportunities which are identified will need to be the subject of a business case and will need to meet the financial procedural rules of the Council.

4.2 Adverse impacts – Improvements in both carbon equivalent emissions and biodiversity are both likely to require capital and revenue investment in equipment, training and staffing resources. Further detailed assessments of costs will become clearer as the action plans around both projects develop further.

5 Corporate Implications

Employment Implications

5.1 Beneficial. The proposals will improve the reputation of the Council and make South Derbyshire District Council an even more desirable employer to work for.

Legal Implications

5.2 None.

Corporate Plan Implications

5.3 The proposals align with the 'Our Environment' key priority and in particular with the key aims of "Strive to make South Derbyshire District Council carbon neutral by 2030" and "Work with residents, businesses and partners to reduce their carbon footprint".

Risk Impact

5.4 The proposals will have a beneficial mitigating action against the corporate risk of "Managing the environmental impact of incidents across the District".

6 Community Impact

Consultation

- 6.1 A number of the activities have been the subject of internal staff consultations, such as through the staff travel planning survey and Staff Travel Group, the Biodiversity Working Group and the Employee forum.
- 6.2 To date there has been relatively limited consultation outside the Council. However, external consultations will begin over the next 12 months in relation to matters such as the Local Plan and the Climate and Emergency Plan, subject to the necessary Committee approvals.

Equality and Diversity Impact

- 6.3 None.

Social Value Impact

- 6.4 Beneficial.

Environmental Sustainability

- 6.5 Beneficial.

7 Conclusions

- 7.1 The retention of ISO14001 certification and the Climate Emergency declaration has signalled the clear commitment of the Council to build and improve on its previous environmental performance.
- 7.2 Staff involvement with the staff travel survey and staff responses to the Corporate Plan revision show that there is a high level of internal interest in continuing to develop sustainability throughout the Council.
- 7.3 The new Corporate Plan 2020-24 contains a strong environmental content with a range of new performance measures which reflect the original concerns of members. This provides assurance that environmental issues will remain central to the Council's development over the next four years.

8 Background Papers

[Environment and Development Services Committee, 16 August 2018.](#)

[Environment and Development Services Committee, 17 April 2019.](#)

[Environment and Development Services Committee, 15 August 2019.](#)

[Staff Travel Plan](#)

[Staff Travel Action Plan](#)

[Climate and Environment Strategy 2020](#)

[Climate and Environment Action Plan 2020](#)

REPORT TO:	ENVIRONMENT AND DEVELOPMENT SERVICES COMMITTEE	AGENDA ITEM:10
DATE OF MEETING:	12th NOVEMBER 2020	CATEGORY: DELEGATED
REPORT FROM:	ALLISON THOMAS, STRATEGIC DIRECTOR (SERVICE DELIVERY)	OPEN
MEMBERS' CONTACT POINT:	RICHARD GROVES (01283) 595738 richard.groves@south-derbys.gov.uk	DOC: S:/Local Plans/Committee Reports/EDS40
SUBJECT:	"SAND AND GRAVEL CONSULTATION"	REF:
WARD(S) AFFECTED:	All Wards	TERMS OF REFERENCE: EDS17

1.0 Recommendations

1.1 That the Committee agrees the Council's proposed response to Derby City Council and Derbyshire County Council's Sand and Gravel Consultation as part of their Minerals Local Plan (MLP) by objecting to:

- (i) the methodology adopted for calculating future demand, based on a three rather than ten-year sales average, on the grounds that it is unjustified and significantly overstates the likely quantity of sand and gravel needed within the proposed plan period.
- (ii) the allocation of sites other than the four assessed as having 'high' potential in the MLP on the grounds that these alone can provide more than sufficient capacity to meet sand and gravel needs over the plan period.
- (iii) the allocation of the proposed Foston site on the grounds of:
 - (a) a potential increase in flood risk, as identified by the Environment Agency (EA), and
 - (b) the setting of a precedent in recent times for sand and gravel extraction in the Dove Valley, which would inevitably and irreversibly alter the character of the area.

1.2 That the Committee should also agree to state in the Council's response that notwithstanding the objection to the proposed Foston site, should the Minerals Planning Authorities (MPAs) decide to proceed with this allocation, no development should be progressed in advance of the establishment of a community-focused body to ensure a strategic and co-ordinated approach to

mitigation, restoration and aftercare in respect of any minerals related development in the Dove Valley.

- 1.3 That concerns relating to aspects of the site assessment methodology and its application, as set out in para's 8.9– 8.12, be forwarded to the MPAs.

2.0 Purpose of Report

- 2.1 The purpose of the report is to agree the Council's response to the Derby City Council and Derbyshire County Council 'Sand and Gravel Consultation', being undertaken as part of the MLP preparation process.

3.0 Executive Summary

- 3.1 In response to a change in national policy the MLP end date has been moved forward from 2030 to 2036. As a consequence the quantum of sand and gravel forecast to be required has been revised upwards and the site selection process has had to be revisited to ensure that sufficient suitable allocations to meet the additional need have been identified.

- 3.2 The consultation sets out and invites comments on:

- The method used for calculating the quantum of sand gravel to be planned for over the period to 2036
- The additional sites put forward for consideration
- The assessment methodology used to inform site selection
- The sites assessed as being suitable for allocation

- 3.3 Concerns are raised in this report in relation to:

- The use of the three rather than ten-year annual average sand and gravel sales figure as a basis for calculating needs to 2036 as this is considered to be unjustified, unnecessarily inflating the overall requirement
- The proposed over-allocation of sites to meet this unnecessarily high target
- Aspects of the assessment methodology and its application
- The proposed allocation of the Foston site, situated immediately to the west of Scropton, as the EA has expressed major concern about it being used for sand and gravel extraction on flood risk grounds and development in this location could set a precedent for further minerals extraction in the Dove Valley, irreversibly changing the character of that part of the District.

- 3.4 Notwithstanding the recommended objection to the Foston site, it is considered that any decision to proceed with the allocation should be accompanied by the establishment of a community-focused body to ensure a strategic and co-ordinated approach to mitigation, restoration and aftercare in respect of any minerals related development in the Dove Valley.

4.0 Detail

- 4.1 The MLP is being prepared jointly by Derbyshire County Council and Derby City Council, the MPAs for their respective areas, and will cover the City and County with the exception of the Peak District National Park. The Plan will replace the current Derby and Derbyshire MLP, adopted in 2000. Members may recall that consultation papers dealing with different aspects of the emerging MLP have been reported to previous meetings of the Environmental and Development Services Committee, most recently on 19th April 2018 (minute EDS/86 refers). Members may recall that the previous consultation proposed two new sand and gravel extraction allocations, these being 'Swarkestone South' and 'Willington', whilst identifying two other sites, 'Swarkestone North' and 'Elvaston' as 'Preferred Areas', which could be brought on line toward the end of the plan period if needed, thereby providing flexibility. It should be noted that Derbyshire County Council granted planning consent for the working of minerals on the 'Swarkestone South' site in 2019 (CM9/1215/four122).
- 4.2 The previous consultation exercise stated that the replacement MLP would have an end date of 2030. Since then a revised National Planning Policy Framework (NPPF) has been published, which requires Local Plans to have a 15-year time horizon. The sand and gravel allocations proposed as part of the previous consultation offer insufficient capacity to meet forecast needs over this period and further sites have therefore been considered to make up this shortfall.
- 4.3 The NPPF indicates that need should be calculated on the basis of a rolling average of sales data over ten-years, other relevant local information and an assessment of all supply options. The average sales over the ten-year period 2009-2018 have been calculated as 1.01mt. However, the MPA's have instead proposed to base the calculation on sales over the past three-years (2016-18), which gives an annual average of 1.09mt, as set out in the Local Aggregates Assessment, 2019.
- 4.4 On this basis the Councils calculate that, over the period 2019-2036, 19.62 mt will be needed (1.09 mt x 18 years). Taking account of current commitments, including the Swarkestone Quarry site for which planning consent was granted by the County Council in 2019, this would leave a shortfall of 8.27mt. To help meet this need four potential additional sites have been put forward for consideration. These are listed below and briefly described in the following paragraphs:
- Site to the North of Repton (referred to as the 'Foremark' site)
 - Site to the East of Twyford and North of Twyford Road (this includes the adjacent Swarkestone North site for the purposes of assessment)
 - Site to the West of Scropton (referred to as the 'Foston' site)

- Site to South West of Swarkestone Quarry (referred to as the Swarkestone South' site)

4.5 Plans of newly proposed sites and those sites identified as potential allocations are set out at Annexe A.

Foremark

4.6 This 72 hectare (ha) site is located on open arable fields between Twyford and Repton to the south of the River Trent. It is proposed by Hanson as a replacement for its current operation at Shardlow Quarry, which is expected to run out of reserves by 2027. It would be for the extraction of around five mt of sand and gravel, and with a proposed annual extraction rate of 500,000 tonnes, would have an expected life of around ten-years. A wetland/water-based biodiversity restoration scheme with an element of improved public access is proposed.

4.7 The site was considered and assessed previously by the MPAs during the earlier stages of the preparation of the emerging MLP, but as part of a larger site that extended west towards Repton. The assessment of this larger site indicated that it had a low potential for allocation due to its sensitivity in social and environmental terms. As other less sensitive sites were available, this larger site was not proposed as a draft allocation.

Twyford (including Swarkestone North site)

4.8 This site includes the 89ha Swarkestone North site, which was proposed as a 'Preferred Area' in the 2018 consultation. In addition to this, Cemex has proposed the inclusion of a further 70ha comprising land to the north of Twyford Road (A5132) and four ha area to the north of the Round Barrow Scheduled Monument. However, these additional areas have been found to be of significant sensitivity, particularly in terms of landscape character, visual impact and historic value. The MPAs have, therefore, assessed only the Swarkestone North part of the site, which would yield 4.25mt of sand and gravel.

4.9 Although the Swarkestone North area is being promoted by Tarmac, that company would be unable to work the site before the completion of its operation at the Swarkestone South site in around 2034. It has, therefore, been assumed that the site would be worked by Cemex, following the completion of its Willington operation in 2025, producing 30,000-350,000mt per year. In terms of restoration the site has been identified as offering potential for wetland habitat creation.

Foston

4.10 This is a 71 ha site, which has estimated sand and gravel reserves of around 3.1 mt. It would be worked at around 450,000-500,000 tonnes per annum over six years toward the end of the plan period. A wetland/water-based biodiversity restoration scheme with improved public access is proposed. The site has been put forward by Hanson as the eventual replacement for Barton Quarry in Staffordshire, which is likely to cease production in 2030. Barton Quarry currently meets demand for sand and gravel at times when Shardlow

Quarry is not operating. The precise location of the plant site and new highway access would be subject to more detailed consideration by the operator. The operator has confirmed that all Heavy Goods Vehicle (HGV) traffic (other than local deliveries) would be routed to the west to join the A50 at the Sudbury roundabout.

Swarkestone South

- 4.11 This 79 ha site lies to the south west of the existing active Swarkestone Quarry, being worked by Tarmac, and would represent an extension to that site. The western boundary is formed by a private access road and the southern boundary by a brook. Repton village is situated to the south-west and Ingleby and Foremark villages to the south-east. The terrain is generally flat and in agricultural use, predominantly as pasture land. Restoration would be likely to comprise water bodies, wetland areas for wildlife and some grassland.
- 4.12 Taking account of proposed stand offs, the proposed extraction area would be around 70 ha. It is estimated that the site would yield over 2.5 million tonnes of sand and gravel. Annual output is estimated at 300,000 tonnes. Operations are likely to commence after the current permitted area to the east has been worked out, in around ten-years' time. The lifespan of the site is estimated at around eight to nine years. Tarmac proposes that the existing access road onto the A5132 and the existing processing plant be used. No details of the intended arrangements for transporting the mineral across the River Trent are known at this stage.

Site Assessment and Selection

- 4.13 To ensure consistency both the new sites put forward and those considered as part of the previous consultation have been assessed using a slightly amended methodology, described in Appendix 1 of the consultation document. The methodology criteria are intended to take account of national policy and representations submitted by consultees at previous consultation stages. They favour sites which would utilise existing infrastructure, retain jobs, avoid sterilisation of mineral resources and take account of cumulative impact and potential for restoration.
- 4.14 The sites are scored using this methodology according to social, economic and environmental criteria and on this basis are categorised into those which have 'high', 'medium' or 'low' potential for working.
- 4.15 The assessment shows that the Elvaston, Swarkestone North, Swarkestone South and Willington sites have 'high' potential for minerals working and in numerical terms have sufficient sand and gravel to meet the overall requirement for the plan period. However, Swarkestone North is not expected to be completed by 2036, meaning that its full workable capacity will not be realised before the end of the plan period. The MPAs have therefore concluded that a further site will be needed.

4.16 The remaining sites assessed all fall within the ‘medium’ and ‘low’ categories. Of the sites assessed to have ‘medium’ potential, the one with the highest score is Foston and for this reason that site is proposed as an allocation.

4.17 The expected sand and gravel yield of the proposed allocations within the plan period is as follows:

	Elvaston	1.5 mt
	Foston	3.1 mt
	Swarkestone North	3.3 mt within plan period (4.25 mt
total)		
	Swarkestone South	2.5 mt
	Willington	0.8 mt
	Total within plan period	11.2 mt

4.18 In total this exceeds what the MPAs consider to be the required amount of 8.27 mt, but they consider that the surplus is needed for flexibility to accommodate uncertainties in demand and supply.

5.0 Financial Implications

5.1 There are no direct financial implications for the Council.

6.0 Corporate Implications

6.1 The emerging Minerals Plan has implications for the following key aims of the Corporate Plan:

- “Enhance biodiversity across the District”, in that the reclamation of minerals workings often provides opportunities to enhance biodiversity through the creation of new habitats.
- “Attract and retain skilled jobs in the District”, in that the minerals industry provides local employment.
- “Influence the improvement of infrastructure to meet the demands of growth” in that minerals’ development can often provide infrastructure benefits as part of a mitigation package.

7.0 Community Implications

7.1 The emerging Minerals Plan has implications for the following themes of the Sustainable Community Strategy:

- “Sustainable development” in that mineral workings and their restoration can potentially impact upon the environment and can provide economic and ecological benefits

- “Healthier communities”, in that mineral working restoration schemes often provide opportunities for enhanced public access.

8.0 Conclusions

Assessment of Future Demand

- 8.1 As stated in para 4.3, rather than basing the forecast of future demand on the ten-year rolling annual average of sales, as required by the NPPF, the MPAs have chosen, in their Local Aggregates Assessment, 2019 (LAA) to use the three-year annual average. Whilst the former method yields an annual average need of 1.01mt, the latter yields an annual average of 1.09mt. This figure is then multiplied by 18 to calculate the overall requirement over the plan period 2019 to 2036. Use of the ten- year based average yields an overall figure 18.18mt, whilst use of the three-year based average yields an overall figure of 19.62mt, a difference of 1.44mt.
- 8.2 In seeking to justify the use of the three-year based average, the LAA states: *“Having taken account of all relevant factors (as set out in national policy), outlined above, particularly the forecast house building in the area covered by this LAA and the surrounding area, as well as current and planned future infrastructure projects, (in the south of the Plan area in particular) which are likely to draw on Derbyshire’s sand and gravel resources, it is considered that using the slightly higher most recent three-year average figure of 1.09mt (rather than the ten-year average figure proposed by the East Midlands Aggregates Working Party (EMAWP) or identified as a starting point for identifying need) would be the most pragmatic and robust approach to take determining future provision at the current time. This figure is still close to the ten- year average figure”.*
- 8.3 It is considered that use of the three-year average to calculate demand is unjustified and will be likely lead to the over allocation of sand and gravel sites in South Derbyshire.
- 8.4 Sand and gravel sales continue to show a long-term stability, as illustrated in Table 1, below:
- Table 1: Sand and Gravel Sales by Year
- | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 | 2014 | 2015 | 2016 | 2017 | 2018 |
|------|------|------|------|------|------|------|------|------|------|------|
| 1.1 | 0.91 | 1.04 | 1.1 | 0.81 | 0.82 | 0.95 | 1.13 | 1.29 | 0.94 | 1.05 |
- Source: Derbyshire County Council Monitoring
- 8.5 It can be seen that the data demonstrates relative long-term stability in annual sales. Even in the recent past, aside from a single year (2016), delivery has remained broadly within the range seen since 2008. The trend data does not, therefore, support setting a higher requirement than the average over the past ten-years.
- 8.6 The MPAs suggest that higher housing delivery could create a greater need for minerals. However, a comparison of housing delivery figures across

Derbyshire, Nottinghamshire and Leicestershire since 2008, as set out in Table 2 below, with sand and gravel sales over the same period shows no clear relationship between the two. The highest delivery of homes was experienced in the years 2017 and 2018 at a point where sand and gravel sales declined slightly. There is no clear evidence the recent and planned increase in housing delivery has had a significant impact on sand and gravel sales to the extent that it justifies an uplift in identified need going forwards.

Table 2: Recent housing delivery in Derbyshire, Nottinghamshire and Leicestershire (including UAs)

2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18
9,279	8,503	8,147	6,892	7,286	7,597	9,814	11,567	12,825	14,139

Source: Table 122 Net additional dwellings¹ by local authority district, England, 2001-02 to 2018-19, ONS, 2020.

- 8.7 In regard to the suggestion that infrastructure projects are planned to take place in coming years, the same was been true during the previous ten-year period. Major infrastructure projects that have taken place in the recent past include the M1 and A453 widening and the construction of the tramline around Toton and Beeston. Demand arising from such projects is therefore already accounted for in the historic delivery rates, indeed past sand and gravel production has fallen even as such projects have occurred. There is, therefore, no justification for uplifting the sand and gravel demand forecast in respect of future infrastructure needs.
- 8.8 To summarise, whilst the need to ensure a sufficient supply of sand and gravel to meet needs is understood, in light of the above it is considered that the case has not been made to justify deviating from the ten-year average delivery rate. This is particularly the case given that current and emerging economic conditions may weigh on demand for some time. Moreover, the planning system already includes a high degree of flexibility to allow the MPAs to respond to changes in circumstances in terms of the NPPF requirements to maintain a seven-year supply of deliverable sites through an annual review of the LAA and to review the Local Plan every five years.

Site Assessment Methodology

- 8.9 The site assessment methodology incorporates a wide range of considerations including amenity impacts arising from visual intrusion, noise and dust; landscape impacts; flood risk; the transport impacts of heavy goods vehicles travelling to and from the sites; economic benefits; ecological impacts and opportunities; heritage impacts and the need to minimise the risk of aircraft bird strike.
- 8.10 Whilst the use of a standardised methodology for site selection is sensible, it should not be the sole basis for decision making as the process should also allow for planning and other factors to also be taken into consideration.

- 8.11 It is noted that issues such as 'deliverability' have informed site selection, but the potential for mitigation of adverse effects should also be accounted for. For example, a site that has a notable impact on a local community and therefore performs poorly against a particular criterion might be capable of mitigation to a greater degree than another site that scores better against the same criterion, but lends itself less well to mitigation.
- 8.12 Some inconsistencies in the site assessment narratives and the expression of effects in relation to the scoring criteria have been noted. For example, in the Egginton site assessment the indication under the 'jobs creation' criterion that the site would be a new operation but would be unlikely to result in job losses elsewhere (Assessment (-)) is confusing.
- 8.13 Finally, it is likely that some evidence will change during plan preparation process and this should be fed into the assessments to ensure they remain up to date and robust.
- For example, in regard to fluvial flood risk, the Trent in Derbyshire has recently been remodelled. Any assessment should be updated to reflect both this and any strategic flood risk assessment that may be undertaken to inform plan making.

Proposed Allocations

- 8.14 Notwithstanding the concerns relating to aspects of the assessment methodology and its application, as set out in paras 8.9-8.12, it is noted that all but one of the proposed allocations has been assessed as offering 'high' potential. The exception is the Foston site, which has been assessed as falling within the 'medium' potential category, making it less suitable as an allocation.
- 8.15 A matter of particular concern in relation to the Foston site is that it lies within a flood storage area, constructed by the EA as part of the Lower Dove Flood Risk Management scheme in 2012/13. In a letter to Derbyshire County Council, dated 19 December, 2019, the EA indicates that the site boundary and indicative proposed working location encroach upon the area where the reservoir dam and spillway have been constructed. It states that these flood risk assets are essential infrastructure under the jurisdiction of the EA, in accordance with the Reservoirs Act and that the proposed extraction area has the potential to both result in an increase in flood risk and result in dam failure. The EA therefore states that it has major concerns with the site being allocated for sand and gravel extraction on flood risk grounds.
- 8.16 The EA indicates that any resubmission of the site would have to be supported by a report undertaken by a Reservoir Panel Engineer and a site-specific Flood Risk Assessment. It states that any allocation of the site without being supported by a detailed assessment, may result in a proposal which is likely to be subsequently demonstrated as not being feasible. It stipulates the particular technical requirements of such an assessment. Given these serious concerns and the fact that the allocation of additional land beyond those sites identified in the assessment as having high potential is unnecessary in light of

the ten-year-based need calculation, it is considered that this site should not be identified allocation.

- 8.17 An additional consideration is that this proposal would be likely to set a precedent for further sand and gravel extraction in the Dove Valley going forwards. Whilst the site assessment indicates that the proposed allocation itself has few characteristics that accord with the established 'Riverside Meadows' Landscape Character Type and is in poor condition, the overall impact of further sand and gravel extraction in the Dove Valley would irreversibly change the overall character of the area, just as it has the Trent Valley.
- 8.18 Notwithstanding the objection to the Foston site, if the MPAs nevertheless decide to proceed with it, there will be a need to be a coordinated approach to mitigation, restoration and aftercare in the area based on a strategic assessment of issues and opportunities and fully involving local communities. As noted above, the allocation of this site could set a precedent for further minerals extraction in the Dove valley and there should not be a piecemeal approach to such development.

Alternative Demand and Supply Calculation

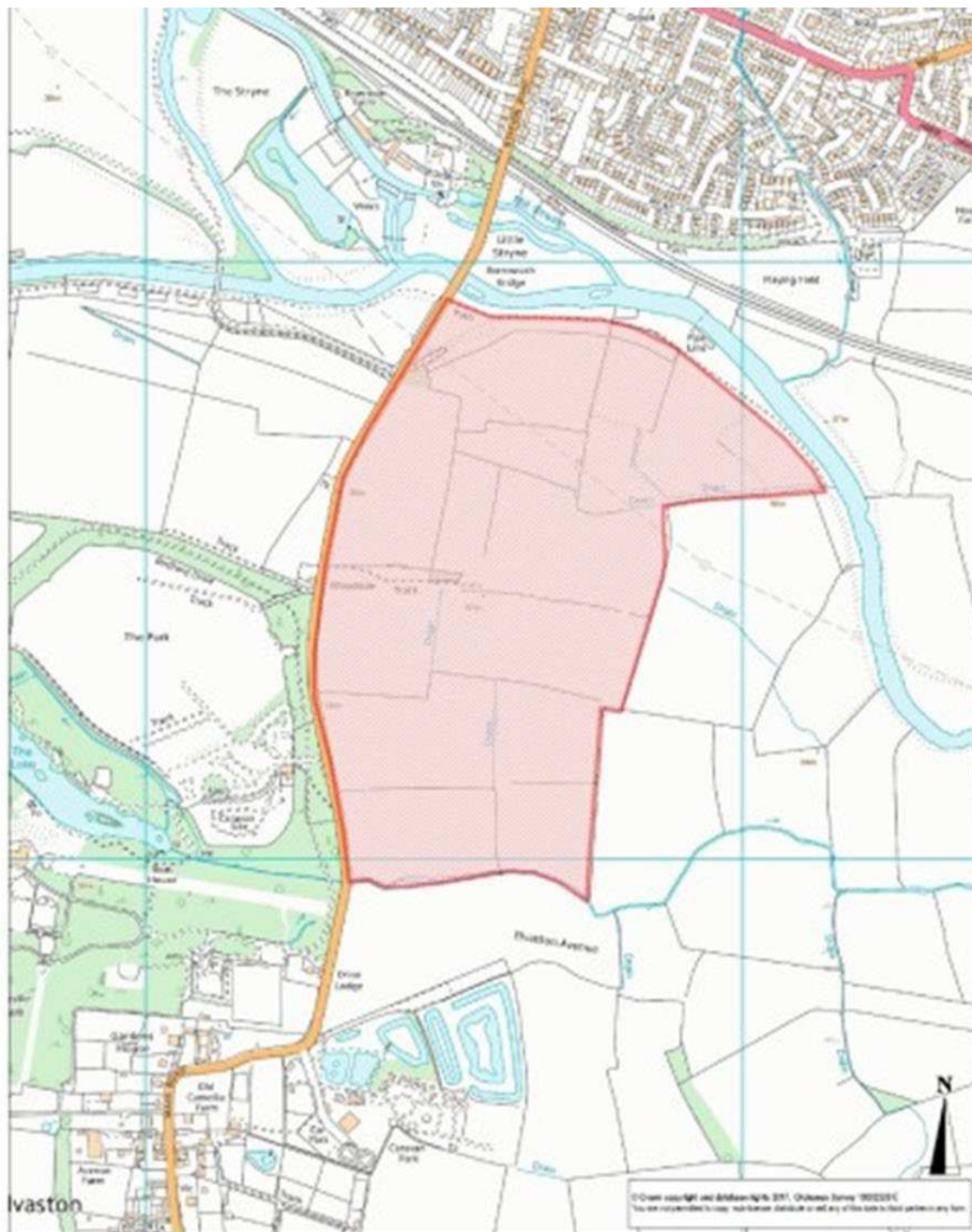
- 8.19 Application of the ten-year average annual sand and gravel sales figure of 1.01mt as a basis for calculating the plan period demand produces an overall need of 18.18mt.
- 8.20 Deducting the contribution that the Foston allocation would make to the proposed overall sand and gravel supply for the plan period gives a total supply of 18.84mt, thereby providing a surplus of 0.66mt above the overall need.

9.0 Background Papers

"Sand and Gravel Consultation"	Derby City Council, Derbyshire County Council, 2020
"Local Aggregates Assessment"	Derby City, Derbyshire County Council, Peak District National Park Authority, 2019
Letter to Derbyshire County Council	Environment Agency, 19 December, 2019

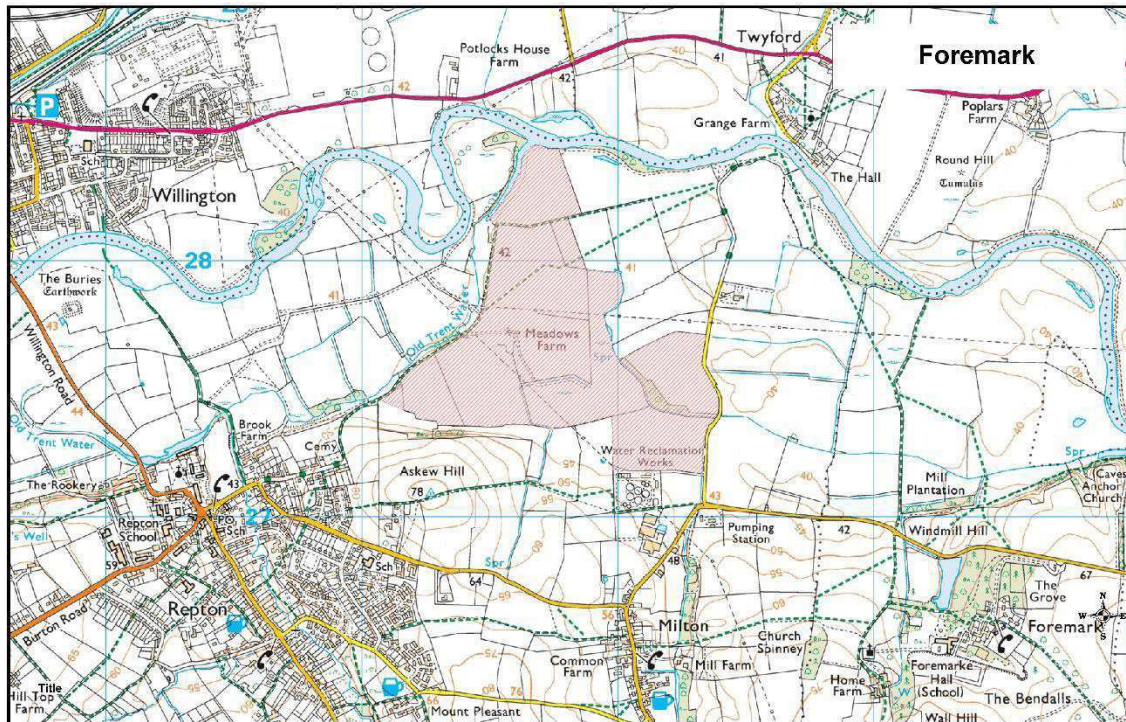
ANNEXE A: Proposed Allocation Plans

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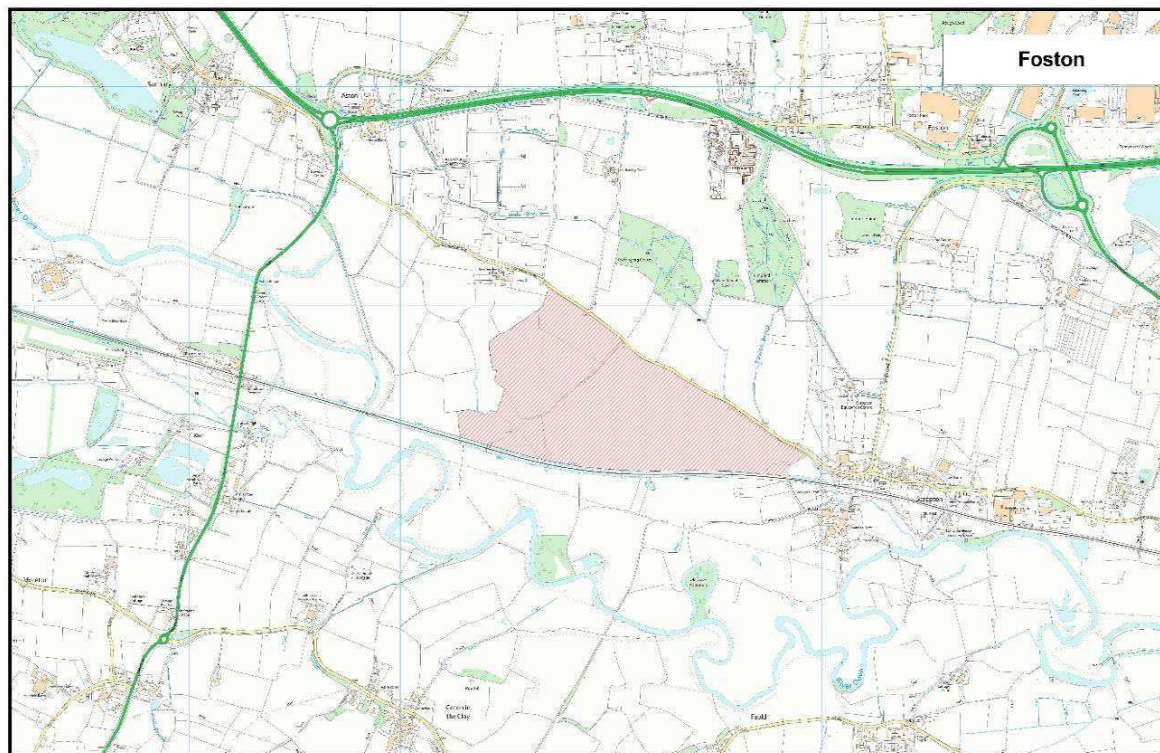
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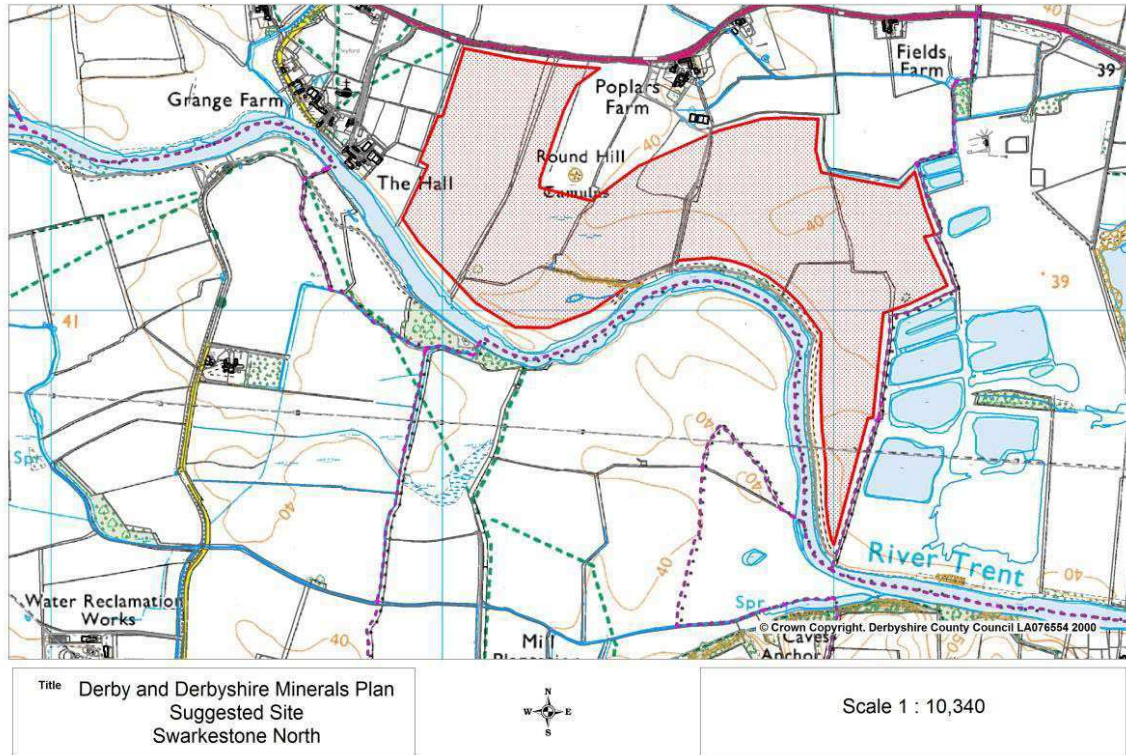
ANNEXE A: Proposed Allocation Plans

Foston



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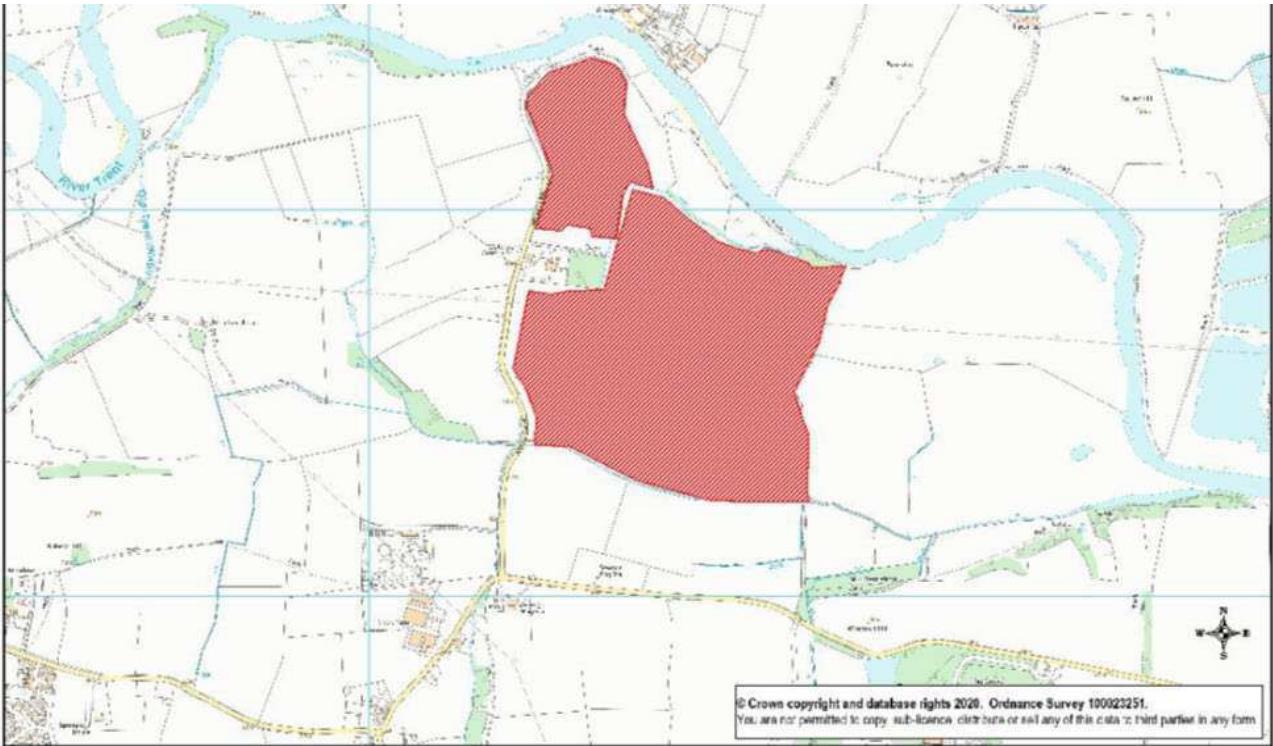
Swarkestone North



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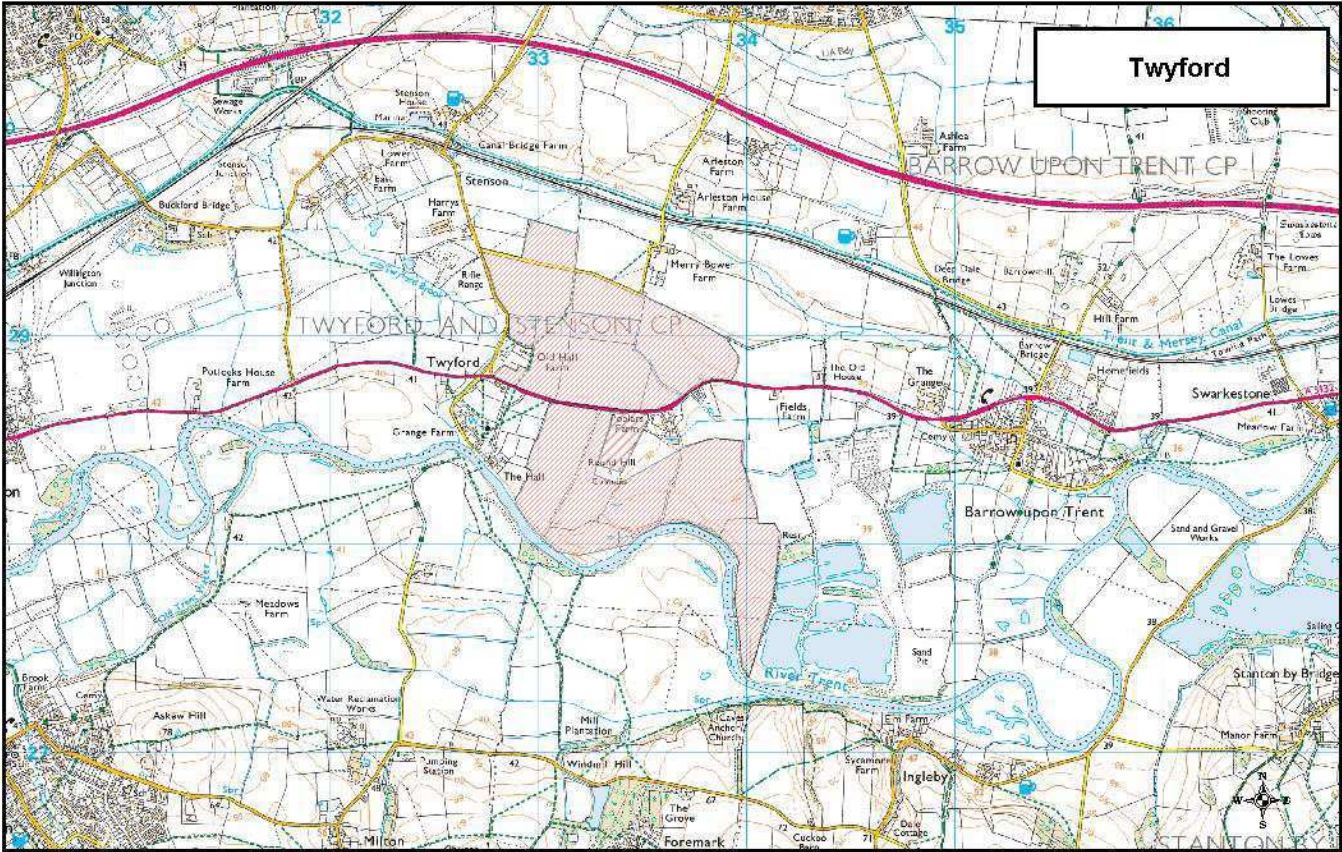
ANNEXE A: Proposed Allocation Plans

Swarkestone South



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Twyford (including Swarkestone North)

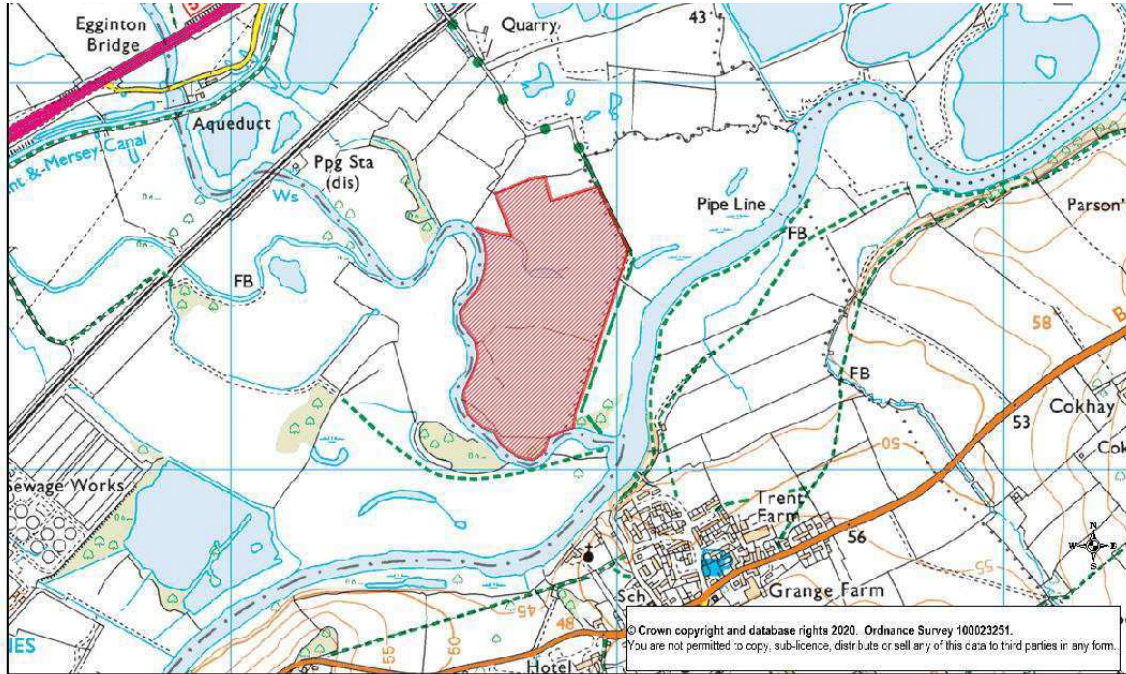


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ANNEXE A: Proposed Allocation Plans

Willington



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REPORT TO:	ENVIRONMENTAL & DEVELOPMENT SERVICES	AGENDA ITEM: 11
DATE OF MEETING:	12th NOVEMBER 2020	CATEGORY: (See Notes) DELEGATED or RECOMMENDED
REPORT FROM:	STRATEGIC DIRECTOR SERVICE DELIVERY	OPEN
MEMBERS' CONTACT POINT:	ADRIAN LOWERY, 5764 Adrian.lowery@southderbyshire.gov.uk	DOC:
SUBJECT:	WASTE COLLECTION SERVICES REVIEW OUTCOME	
WARD(S) AFFECTED:	ALL	TERMS OF REFERENCE: EDS07, EDS08.

1.0 Recommendations

- 1.1 That the Committee thanks the Overview and Scrutiny Committee and consultants Eunomia for their support in reviewing the Council's future options for the delivery of waste collection services in the light of an end to current contractual arrangements in October 2021 and anticipated legislative changes.
- 1.2 That the Council continues to deliver the current service standards until 2023, as a minimum, to allow for clearer guidance to be available from Government on implementing the Environment Bill.
- 1.3 That the Head of Operational Services negotiates with suppliers for interim arrangements for the collection and processing of materials effective from 6 October 2021 and brings a further report to Committee to agree any interim arrangements.
- 1.3 That the Saturday freighter service is terminated with immediate effect.
- 1.4 That the Head of Operational Services undertakes local consultation on the continuing provision of the current bring recycling sites.
- 1.5 That officers work towards the implementation of option three, (move to three weekly recycling and residual waste collections, with an additional bin for recycling (one recycling bin for paper card and one for all other materials), weekly food waste and fortnightly garden waste collection) detailed in the Eunomia options report, as the preferred long-term solution to achieving recycling and waste minimisation targets.

2.0 Purpose of the Report

- 2.1 To provide feedback to Committee on the review of waste collection services which has been undertaken with the support of Overview and Scrutiny Committee and consultants Eunomia.
- 2.2 To establish the requirement for interim collection and disposal arrangements for household waste from October 2021.
- 2.3 To give authority to the Head of Operational Services to develop a service specification in line with option three of the Waste Collection review.

3.0 Detail

- 3.1 The Council's kerbside recycling collection and compost disposal contracts are due to expire in October 2021. The Council commissioned consultants Eunomia to assist officers in reviewing waste collection services and service delivery options. The final report from Eunomia detailing this work is set out in Appendix 1 to this report.
- 3.2 The review involved detailed discussions with Council Officers, two Councillor workshops, service performance modelling, service delivery modelling and the preparation of a final report.
- 3.3 The Councillor workshops were conducted over Teams and involved members of Overview and Scrutiny Committee and the Chair and Vice Chair of Environmental and Development Services Committee.
- 3.4 The initial workshop enabled Councillors to explore several service delivery options, discuss the potential implications of the Resource and Waste Strategy and the potential impacts of the Environment Bill. At this workshop, the range of potential future service options discussed were reduced to four to enable more detailed performance and cost modelling to be undertaken. Details of these options are found in the Eunomia report.
- 3.5 In brief these were:
 - Option 1 – continue with current services with the addition of a separate weekly food waste collection
 - Option 1b – as above but moving residual (black bin) to a four-weekly collection
 - Option 2 – change to a weekly recycling and food waste collection using boxes and bags and caddy, a fortnightly garden collection and a three weekly residual collection
 - Option 3 – move to three weekly recycling and residual waste collections, with an additional bin for recycling (one recycling bin for paper card and one for all other materials), weekly food waste and fortnightly garden waste collection.
- 3.6 The second workshop discussed the findings of the performance and cost modelling and enabled Councillors to raise further questions prior to the completion of the project.
- 3.7 The key findings of the options appraisal are:

- Each of the options modelled provide improvements to the kerbside recycling rate, compared with the current service which was used as a baseline. Appendix page 3
- It was recommended that both the Saturday freighter and bring bank services are removed, to ensure that residents are not unfairly paying for traders and those who are not correctly using these services. It will also encourage residents to use the services which are provided by the District Council such as the kerbside recycling service, charged bulky waste service and Household Waste Recycling Services (HWRCs) operated by Derbyshire County Council. Appendix page 24.
- The evaluation of the options against the Council's Corporate Plan aim to achieve a 60% recycling rate by 2024 puts Option 2 as the preferred option, scoring 79%. Although this does present some logistical and cost issues, due to the need for a variety of receptacles and a range of different vehicles that would reduce flexibility and resilience. Appendix page 25 and 29.
- Until further detail is provided regarding the Environment Bill, Option 3 should continue to be considered. This option utilises the same type of vehicle for all collections, minimising the fleet numbers and providing greater resilience and would allow for a stepped approach to implementation. Appendix page 25 and 29.
- The cost modelling undertaken to review the four options available to the Council following the expiry of the current recycling contract shows that bringing all services in-house is the cheapest option. Appendix page 29.
- The Council has a track record and the technical expertise to operate a well performing in-house residual and organics waste collection service. Bringing the recycling service in-house would not present any additional risk that could not be appropriately mitigated to the Council. Appendix page 30.
- It is usually recommended that a decision is made on the collection options, before proceeding with any decision to bring services in-house or undertake a procurement exercise. However, with anticipated legislative changes due between now and 2023 it is recommended that the Council waits before moving forward with a decision on changes to its collection services to enable the Council to take full advantage of the Government's commitment in its Waste and Resources Strategy to providing the necessary funding to local authorities to implement such changes. Appendix page 25

3.8 The revisions to the EU Waste Framework Directive include 'legally binding' recycling targets for municipal waste of:

- 55% by 2025
- 60% by 2030
- 65% by 2035

3.9 The UK government has indicated it will be adopting the revisions and the Resource and Waste Strategy is expected to at least set targets for municipal waste equivalent to these at a national level. The government has indicated that it will make additional funding available to local authorities to support the delivery of these targets.

- 3.10 Currently, the Council, along with most Council's in Derbyshire, is unlikely to meet the 2020 target irrespective of any short-term measures that may be implemented. The outturn recycling rate for 2018/19 was 49%. Early indications for this year are that recycling tonnages have risen by between 25-30% due to residents working from home or being furloughed as a result of the Covid-19 pandemic. This is the equivalent of collecting from between 5000-6000 additional properties every week.
- 3.11 The current ongoing problems with delayed collections, due to the pandemic, is a prime example of where external contractors are reluctant to invest additional resources to overcome, hopefully, short-term issues, particularly where contracts are coming towards the end of the contract period. Services delivered in house are far more likely to be able to resolve these types of issue quickly.
- 3.12 Given that the current recycling and composting contracts expire in October 2021 and that most of the Government's initiatives from the Environment Bill will not be implemented until around 2023, it may be prudent for the Council to consider a short-term extension to the current service configuration, accepting a short-term lack of step change improvement to ensure that all long-term solutions can be fully explored.
- 3.13 This is not to say that service improvement cannot be made in this interim period. This increase in recycling tonnages experience in the last six months will be a key consideration in terms of the most appropriate interim arrangements to put in place. In addition, there are some additional measures that could help improve recycling performance including the removal of the Saturday Freighter Service and the recycling bring sites as referenced on page 24 of the Eunomia report. Further to these the Council will explore all potential service improvements to enhance the service to residents.
- 3.14 Operational assessments have been made which estimate that approximately 60% of the material collected on the Freighter Service is likely to be from traders who are taking advantage of a free service at council-tax payers' expense.
- 3.15 The contamination levels within the bring bank service have also been based on current operational assessments, which estimate that approximately 50% of bring bank collections of mixed glass, mixed plastic and mixed cans are contaminated and as a consequence are collected as refuse. All of the waste streams available at the bring banks, with the exception of Tetrapak, are available for collection through the Council's existing kerbside service where contamination is significantly lower.
- 3.16 It is important that in moving towards achieving the likely recycling targets that all options have been explored including service delivery options and service provision models.
- 3.17 A full report setting out a timetable for delivering a comprehensive waste collection service which will meet residents' needs and achieve the highest possible performance standards will be presented to a future Environmental and Development Services Committee.

4.0 Financial Implications

- 4.1 Long-term costs – uncertain at this point due to the changing legislative environment and need to move to a more risk sharing contract from the current fixed price.

- 4.2 The Government's commitment in the Waste and Resources Strategy to provide additional funding to local authorities to invest in improved recycling services is still unclear.

5.0 Corporate Implications

Employment Implications

- 5.1 TUPE implications will exist if the incumbent contractor is unsuccessful in winning a new contract or the service is brought in-house. This will require support from both Organisational Development and Performance and Legal and Democratic Services.

Legal Implications

- 5.2 Failure to comply with The Waste (England and Wales) (Amendment) Regulations 2012 could lead to intervention from the Environment Agency, however, no direct guidance on compliance has been issued and there is no relevant case law; as such each Local authority is required to satisfy themselves that they are compliant.
- 5.3 Compliance with procurement legislation. The UK currently operates under EU procurement rules and the Council will have to assume that the contract will be let under these terms until such time as it is advised otherwise.
- 5.4 Compliance with the new Environment Bill. This is an ever-moving position the Environment Bill has received its second reading, with no date currently set for the next stage. It is highly likely that the approval of the Environment Bill will take place during the term of this project and will need to be considered in respect of setting any service specification and/or contract conditions.

Corporate Plan Implications

- 5.5 The current Corporate Plan commits the Council to increasing recycling and reducing waste collected and has a significant Environmental focus. Any changes to service provision will primarily focus on the practicable delivery of these aims.
- 5.6 The Corporate Plan 2020 – 2024 has two Key performance indicators one to reduce the kilograms of waste collected per head of population and the other to increase the percentage of waste recycled or composted.

Risk Impact

- 5.7 Risks and opportunities will form a significant element of the interim arrangements and be detailed in the future report.

6.0 Community Impact

Consultation

- 6.1 Any new service standards or delivery models will not commence until the current Community Strategy has expired in 2021, however, this project should help to inform any future Community Strategy outcomes.
- 6.2 The Head of operational Services will arrange for local consultation on the removal of the recycling bring sites.

Equality and Diversity Impact

- 6.3 To include as part of the review and in any service standard design.

Social Value Impact

- 6.4 To be included in any service standard design.

Environmental Sustainability

- 6.5 To be included in any service standard design.

South Derbyshire District Council Waste Collections Review

Collections Options for South Derbyshire
District Council

Report for Adrian Lowery and Allison Thomas, South Derbyshire District Council

Prepared by Alex Davies and Claire Chu

James Fulford

Kate Thompson

Alex Davies

Claire Chu

19th October 2020

Approved by

.....

James Fulford

Eunomia Research & Consulting Ltd

37 Queen Square
Bristol
BS1 4QS

Tel: +44 (0)117 9172250

Fax: +44 (0)8717 142942

Web: www.eunomia.co.uk

Disclaimer

Eunomia Research & Consulting has taken due care in the preparation of this report to ensure that all facts and analysis presented are as accurate as possible within the scope of the project. However, no guarantee is provided in respect of the information presented, and Eunomia Research & Consulting is not responsible for decisions or actions taken on the basis of the content of this report.

Version Control Table

Version	Date	Author	Description
v1.0	18/08/2020	Alex Davies, Claire Chu	First draft issued to client
V2.0	16/09/2020	Alex Davies, Claire Chu	Second draft issued to client
V3.0	19/10/2020	Alex Davies	Final issued to client

Executive Summary

E.1.0 Introduction

Eunomia Research & Consulting Ltd. (Eunomia) is pleased to present this report to provide waste and recycling analysis and modelling support to South Derbyshire District Council (SDDC). This project considers the opportunities to increase recycling, reduce refuse and comply with potential future government legislation. This is achieved through changes we have modelled that introduce separate food waste collections and further restrict the collection of refuse. The project further considers the implications of the current recycling service, provided through a contract with Palm Recycling, which expires in October 2021.

The objectives of this project are as follows:

- explore the feasibility of separately collecting food waste from all households that currently receive a kerbside dry recycling collection service.
- review the comparative costs, anticipated performance and resource implications of a range of collection profiles that meet the requirements of predicted government legislation.
- review the options for service delivery following the expiry of the recycling contract in October 2021.

The modelling examined a range of recycling collection methodologies designed with officers and members, each with separate food waste collections. Restricted refuse capacity through alteration of container sizes and collection frequencies was also considered.

E.2.0 Modelling Results

The results of the waste flow modelling showed an increase in recycling rates for all the options compared to the baseline. This is primarily due to the increased food waste yields assumed when introducing a separate food waste collection. Dry recycling yields also increase and refuse yields decrease from the baseline in Option 1a, 2 and 3. This is due to the restricted refuse capacity modelled in these options, which drive additional recycling, and the substantial increased recycling capacity in Option 3.

The cost modelling results suggest that Option 1 would have a similar cost to the baseline, and Options 1a, 2 and 3 would all provide cost savings compared to the baseline. These savings are achieved through increased income from recycling material sales and credit. Option 1a has a lower modelled cost than the other options, attributed to lower vehicle and staff costs with moving to a four-weekly refuse collection. Option 1 had the highest modelled cost of all the options. This can be attributed to vehicle, staff and containment costs required for a separate

food waste service, without the benefits of increased dry recycling yields seen in the other options.

The results of the commissioning options appraisal demonstrate that in the future, service costs are likely to increase across all options. The cheapest option is to bring all services in-house, whilst outsourcing was modelled to lead to the greatest increase in cost. The cost to deliver services both in-house and through an outsourced contract was similar to that of the fully outsourced option, as it currently is.

There are a number of other factors that should be taken into consideration when assessing how services should be delivered, and these reflect the level of control SDDC wish to have over its services and the risk they are willing to take. SDDC has the expertise to deliver all services in-house, given that half of the services are already delivered, and have the processes in place to control budgets and manage financial risk.

E.3.0 Summary

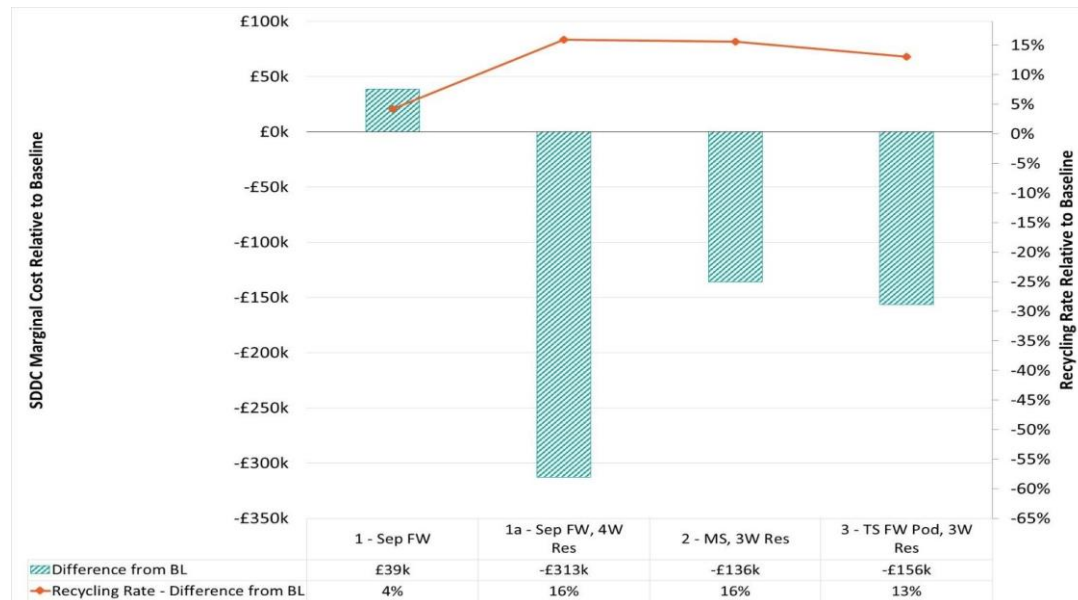
By introducing separate weekly food waste collections in compliance with potential future government legislation, SDDC's costs are modelled to increase in comparison to the baseline. However, Options 1a, 2 and 3, which introduce weekly food waste alongside changes to the recycling or refuse service, demonstrate scenarios where cost savings could be made whilst complying with potential changes in legislation.

All options modelled led to increases in the recycling rate, allowing SDDC to move towards their target of 60% recycling rate by 2024. Options 1a and 2 provided the best recycling performance, with Option 1a providing the highest recycling rate per cost.

The Environment Bill is likely to require a number of service changes in the coming years, which are not currently entirely clear. Therefore, it is likely that SDDC will want to be in a position to control how and when these changes are introduced, as well as seeking the most economically beneficial solution. Operating the services in-house, even for a short period of time, may offer SDDC this flexibility and control over service delivery.

Figure 1-1).

Figure 1-1: Total Service Costs and Recycling Rates Relative to the Baseline



Contents

Executive Summary	3
1.0 Introduction	6
1.1 Structure of this Report	6
2.0 Methodology	7
2.1 Collection Options Modelling Methodology	7
2.1.1 Options Modelled	8
2.2 Commissioning Options	11
3.0 Collection Modelling Results	12
3.1 Waste Flow Modelling Results	12
3.1.1 Kerbside Collections	12
3.1.2 Saturday Freighter and Bring Bank Service	15
3.2 Cost Modelling Results	16
3.2.1 Kerbside Collections	16
3.2.2 Saturday Freighter and Bring Bank Services	19
4.0 Contractual and Operational Implications	20
4.1 Contractual Implications	20
4.1.1 Current Contract	20
4.1.2 Material Sales	21
4.2 Operational Implications	21
4.2.1 Fleet	21
4.2.2 Depot and Transfer Stations.....	23
4.2.3 Climate Impact	23
5.0 Evaluation	25
6.0 Commissioning Options	27
6.1.1 Cost Modelling Results	27
6.1.2 Quality and Risk	28
7.0 Summary	30
7.1 Collection Options	30
7.2 Commissioning Options	31
7.3 Five-year strategy	31
APPENDICES	34
A.1.0 Assumptions Report	35
A.2.0 Detailed Modelling Results	54

1.0 Introduction

Eunomia Research & Consulting Ltd. (Eunomia) has been commissioned by South Derbyshire District Council (SDDC) to conduct a collection modelling exercise, and commissioning options review to compare a range of possible options for the future delivery of waste and recycling services.

This report presents the results of the resource modelling of a number of service configuration options that SDDC might choose to implement. This report describes the collection systems that were modelled, the likely performance of these systems (informed by the benchmarking exercises undertaken), the financial costs and benefits of each option, and any constraints identified (operational, practical, and political/reputational).

The options modelling exercise looks at a range of kerbside collection options, focussed on rolling out separate food waste collection, decreasing refuse capacity or frequency, and alternative dry recycling collection systems. Other services such as the Saturday Freighter Service, and Recycling Banks have been considered in the qualitative review.

This report further looks at the options available to SDDC for delivering the services in the future. SDDC currently operates its waste and recycling services through an in-house delivered refuse and garden waste service, and an outsourced recycling contract. The recycling contract is due to expire in October 2021. A number of future delivery methods have been considered, including operating the whole service in-house, and outsource, as well as the potentially of creating a Local Authority Trading Company (LAC).

1.1 Structure of this Report

As far as possible, technical details and statistical analyses have been placed in the appendices and referenced where necessary. The report is structured as follows:

- Methodology (Section 2.0): This section describes the approach taken in selecting service configurations and building up collection options, and the methodologies used in the modelling.
- Collection Modelling Results (Section 3.0): This section presents the results from the modelling, along with assumptions and qualifications that need to be taken into account when interpreting them.
- Contractual and Operational Implications (Section 4.0): This section provides a high-level overview of potential contractual and operational implications if changes to collection services were made.
- Evaluation (Section 5): This section uses the evaluation criteria developed with SDDC to review the options.
- Commissioning Options (Sections 6.0): This section brings together the results from the commissioning options review.
- Summary (Section 7.0): This section brings together the key results from the modelling.
- Appendices:
 - A.1.0 contains an updated version of the assumptions report, which details the operational and cost assumptions applied in the collection modelling.

- A.2.0 contains detailed collection modelling results. This includes numbers of vehicles, pass rates, cost results, and capital investments modelled for each option.
- A.3.0 contains details and results of the qualitative evaluation of the collection options.

2.0 Methodology

This section outlines the collection options modelling methodology (Section 2.1) including a description of the options modelled (Section 2.1.1). and the commissioning options methodology (Section 2.2)

2.1 Collection Options Modelling Methodology

Eunomia's waste collection model, 'Hermes,' has been used to calculate the performance and costs associated with different kerbside waste and recycling collection scheme configurations.

A 'baseline' model is created that represents the current service. Authority-specific inputs to the baseline include information regarding geography, number and type of households, current services and service performance, resources, and waste composition. These inputs are calibrated to known outputs (which in modelling terms includes the numbers of crew and vehicles used to deliver the collection services), and factors such as productivity, pass rates, and participation rates are subsequently checked (where known) to provide a full baseline model. Put simply, the baseline model should accurately reflect:

- waste composition and tonnages;
- current participation, set out, and yields;
- authority characteristics (household numbers, population, housing types, etc.);
- travel logistics (time, distance, speed, pass rate, pick up time etc.); and
- current vehicle and container types and costs.

This creates a sensible foundation from which to establish the change in resource requirements for different potential future service configuration option, ensuring that SDDC's specific constraints are properly reflected. The likely performance of each new service configuration is then driven by data available from other authorities operating similar schemes and with similar demographics. These likely changes are incorporated into the model so that typical changes that one might expect are overlaid onto the baseline model. The resulting model represents what one would reasonably expect to happen if any one of those schemes were implemented.

All cost modelling is then presented as marginal costs relative to the baseline, so indicates if each option is likely to be more or less expensive than the current operations. Calculating the overall total service costs including management and overheads, should a given option to be implemented, is beyond the scope of this project and would likely be done on a short-list of preferred options at the next stage of decision making or implementation planning. In addition, changes in cost where the service is contracted out may be subject to negotiations with contractors (as discussed in Section 4.0), and therefore may not equate directly to changes in operational costs modelled.

The modelling does not include:

- transition/implementation costs for service changes, i.e. cost of additional resources need during a mobilisation (such as additional crews), delivery of containers or internal costs (admin costs of procuring new vehicles etc.);
- household communication costs, both on-going and in relation to service changes;
- vehicles collecting on very narrow access rounds, because they only collect from a small number of households and it is assumed these vehicles would be required in all options;
- the collection and disposal of trade waste; and • spare vehicles, supervisors, and back office staff.

2.1.1 Options Modelled

The baseline services for SDDC and the modelling options are set out in the Assumptions and Benchmarking Report, in Appendix A.1.0. These are summarised in this section for ease of reference.

































Table 2-1 summarises the combination of service configurations that are modelled and compared against SDDC's current baseline service. The options investigate different dry recycling collection methodologies, and all include rolling out separate food waste collections. Refuse collection frequency and containment capacity is also altered in each option. Across all options Garden Waste is collected in the same way that it is in the baseline.

The shorthand notation in Table 2-1 (used throughout the report to simplify tables and figures) focusses on the key changes to the service in order to differentiate between the options.

The baseline is modelled with the current organics gate fee (e.g. the current in-vessel composting (IVC)). The options modelling assume that food waste could be sent to anaerobic digestion (AD) and garden waste to open air windrow (OAW), both of which could attract a lower gate fee than the current IVC gate fee. It has been assumed in the modelling that these materials would require bulking and haulage to a treatment facility.

The cost of sorting dry recycling is modelled in the baseline as the current sorting costs of the recycling collection contract. This sorting fee has remained the same for those options where materials are collected together. Where materials are collected separately, material values have been applied. All gate fees and material values used are detailed in A.1.3.1.

Table 2-1: Options Modelled

	Current Service – for comparison	1 - sep FW	1a - sep FW, 4W Res	2 - MS, 3W 180L Res	3 - TS FW Pod, 3W Res
Recycling	Bin: Plastic, Cans & Glass Insert: Paper & Card  ↓  Twin-Stream Fortnightly	Bin: Plastic, Cans & Glass Insert: Paper & Card  ↓  Twin-Stream Fortnightly	Bin: Plastic, Cans & Glass Insert: Paper & Card  ↓  Twin-Stream Fortnightly	Box: Plastic & Cans Box: Glass Bag: Paper & Card  ↓  Kerbside Sort Weekly	Wk 1 Bin: Plastic, Cans, Glass Wk 2 Bin: Paper & Card  ↓  Twin-Stream & Food 3-Weekly
Food	  Mixed Organics Fortnightly	  Food Waste Weekly	  Food Waste Weekly	 ↑ Caddy: Food Waste	 ↑ Caddy: Food Waste Weekly ↓  Refuse & Food 3-Weekly
Garden		  Garden Waste Fortnightly	  Garden Waste Fortnightly	  Garden Waste Fortnightly	  Garden Waste Fortnightly
Refuse	 Fortnightly 120 litres per week	 Fortnightly 120 litres per week	 4-weekly 60 litres per week	 3-weekly 60 litres per week	 3-weekly 80 litres per week

2.2 Commissioning Options

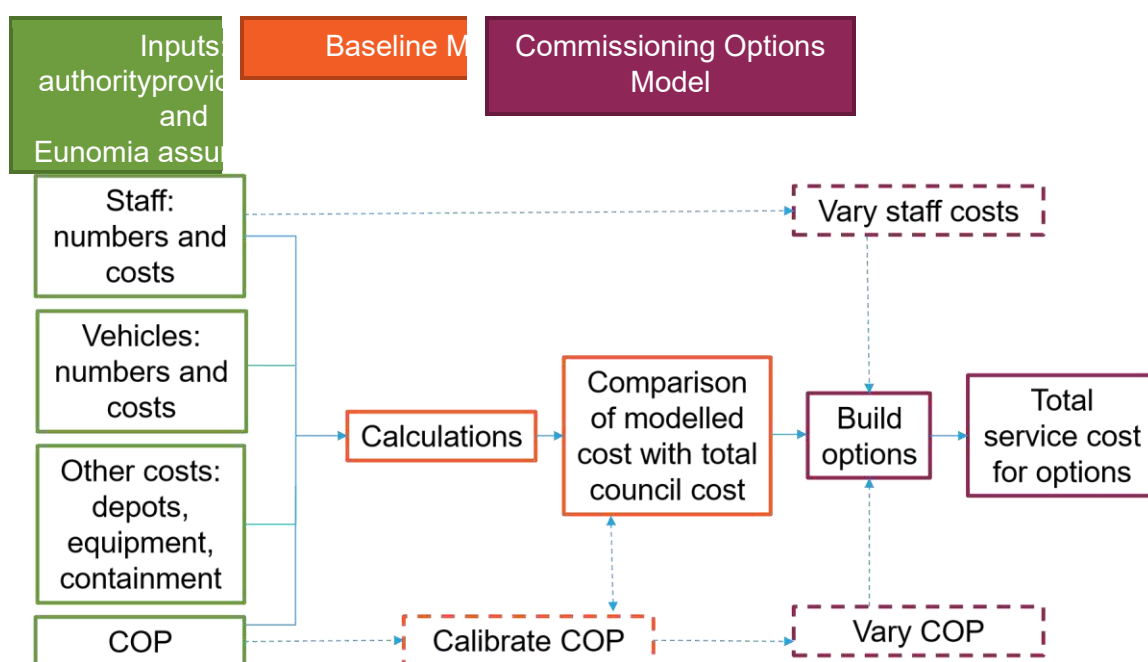
Eunomia uses commissioning option modelling to understand the relative costs and benefits associated with the different options available for delivering waste and recycling services. The options which have been explored for SDDC include:

- In-house in which all services are delivered by the authority and staff who are directly employed by SDDC;
- Outsourced in which all services are tendered through a procurement exercise which engages an external contractor to deliver the services;
- Local Authority Trading Company (LAC) in which the services are delivered through a company wholly owned by SDDC, which is allowed to operate in a more commercial minded way;
- In-house/Outsourced in which service delivery is split across both in-house for refuse and garden waste and outsourced for recycling in the same way as it is currently delivered.

Eunomia uses a financial model to build a baseline from the bottom up, to reflect the current service costs as accurately as possible. Figure 2-1 highlights a high-level flow of the data within the model. Staff and Vehicle costs are used alongside any other known costs such as cost of containers, depot costs and other overheads associated with the service. Where costs are not available assumptions are used in their place.

Where a service is currently outsourced, the costs are calibrated against the current contract value, to provide a cross reference and understanding of Corporate Overhead and Profit (COP) associated with the contract.

Figure 2-1: Commissioning Options Summary



Once the baseline model is set up and calibrated, the options are built. This involves amending specific baseline inputs based on assumptions of how costs may change under each of the options being modelled. The key assumptions that drive these differences are described below:

- Staff Costs – depending on the pension contribution under each option. Due to the Local Government Pension Scheme (LGPS) in-house services will have higher pension contributions, whereas outsourced contracts will contribute less.
- Corporate Overhead and Profit (COP) – depending on the level of overheads or profit under each option. Outsourced contracts will have additional costs built in to cover the COP of the contractor, making these options more expensive. LAC

also attract additional overheads for services such as pay roll and administration, however, do not make a profit on the services it delivers for to SDDC.

The modelling keeps all operational and productivity information the same as the baseline, so that the options accurately reflect the current service delivery and provides a comparison of the likely change in costs under each option.

3.0 Collection Modelling Results

This section presents the high-level results of the collection options modelling (Options 1-3), including the impacts of the different options on performance in terms of the recycling rate achieved, the quantity of waste generated, and the costs associated with delivering each option. Key modelling assumptions can be found in Appendix A.1.0. Details of benchmarking and waste flow modelling can be found in the previous Eunomia report for Derbyshire Waste Partnership¹. Detailed modelling results showing the number of vehicles and crew required and pass rates for each option can be found in Appendix A.2.0

3.1 Waste Flow Modelling Results

3.1.1 Kerbside Collections

Figure 3-1 shows the waste flow modelling results for the options and current service. The baseline data shown is based on 2019/20 kerbside waste flows provided by SDDC (A.1.2.2). The chart also shows the modelled kerbside recycling rate indicating that Options 1a, 2 and 3 would provide substantial increases in recycling performance (1316%) compared to the baseline. The recycling rate does not include non-kerbside waste flows, as we assume no change in these waste flows.

¹ Eunomia Research & Consulting (2018) *Waste and Recycling Services Support to Derbyshire Dales DC, Chesterfield BC and High Peak BC*, Report for WRAP, February 2018

Figure 3-1: Waste Flow Modelling Results

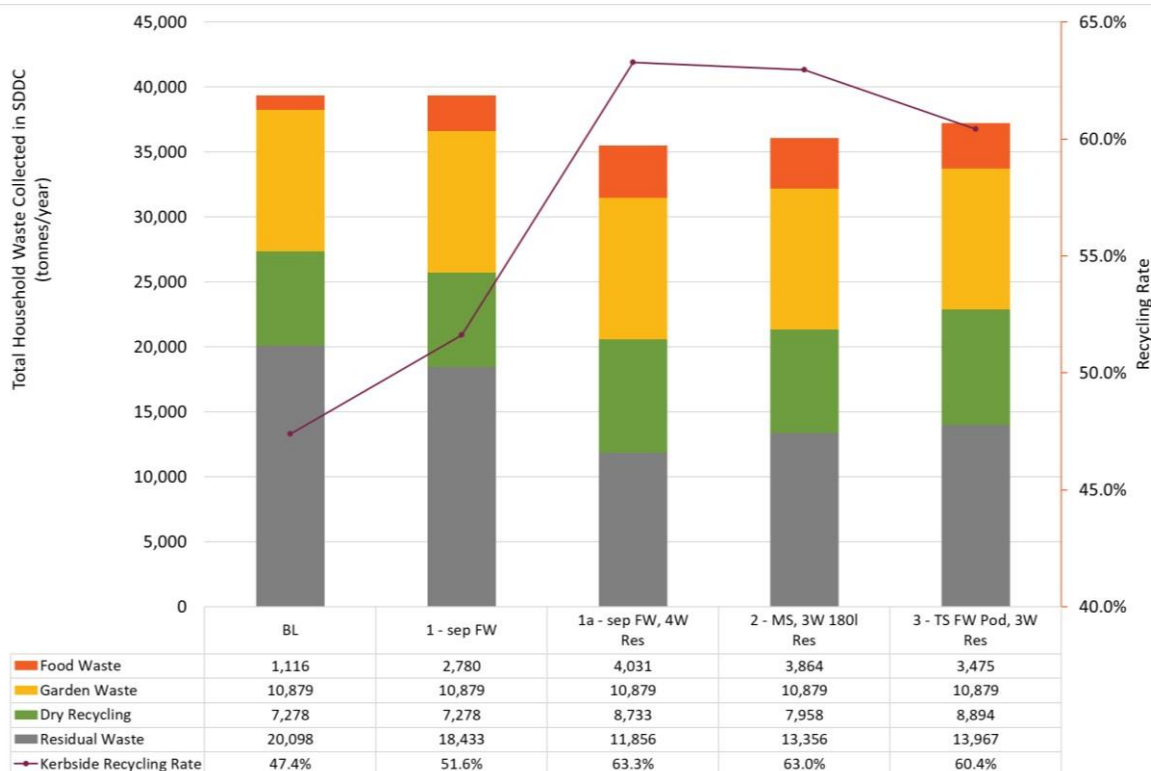


Figure 3-1 presents the kerbside recycling rates, rather than NI192 equivalent recycling rates, which are report nationally through Defra. This is due to the availability of validated data at the time of modelling. Although the kerbside recycling rates for option 1a, 2 and 3 all reach 60% it is likely that only in option 1a will achieve an NI192 equivalent recycling rate which reach South Derbyshire’s 60% target by 2024. Option 2 and 3 are likely to achieve roughly 58% recycling rate based on available data.

Based on Eunomia expertise and benchmarking performed for Derbyshire Waste Partnership, the change in yields for each option is shown in Table 3-1. These changes in yields have been based on the following assumptions:

- It is estimated there would be no change in the dry recycling yields in Option 1 but an increase of 20% from the baseline in the other options due to reduced refuse capacity and, for Option 3 an additional 5% of cardboard was assumed due to the provision of increased recycling capacity in this option.
- A food waste yield of 60 kg/hh/yr is estimated for Option 1, based on benchmarking results and Eunomia expertise. Further increases in food waste are estimated due to reduced refuse capacity, and this is increased further for four-weekly collections due to behavioural change.
- A reduction in refuse of 21% is assumed for a reduction in refuse collection frequency to three-weekly. This is based on benchmarking results¹ and applied to Option 3. A further 5% reduction was applied to a three-weekly collection with 180 L bins, and four-weekly collections a 31% reduction in refuse from the baseline was used.
- It is assumed that there would be no change in garden waste yields across the different options.
- Total waste arisings are reduced for Options 1a, 2 and 3 where refuse capacity has been restricted. This reduction is likely through behaviour change as the restricted

¹ Eunomia Research & Consulting (2018) *Waste and Recycling Services Support to Derbyshire Dales DC, Chesterfield BC and High Peak BC*, Report for PARAF February 2018
Collection Options for South Derbyshire District Council

capacity makes people more aware of their waste production. The reduction in kerbside yields could also be due to displacement of waste to household waste and recycling centres (HWRCs), but the effect of this on recycling performance is beyond the scope of the current project.

Table 3-1: Assumed Yield changes from the Baseline for Each Option (kg/hh/yr)

Option	Refuse	Dry Recycling	Garden Waste	Food Waste	Total Arisings
1 - sep FW	-36	0	0	+36	0
1a - sep FW, 4W Res	-178	+31	0	+63	-84
2 - MS, 3W 180L Res	-146	+13	0	+59	-73
3 - TS FW Pod, 3W Res	-132	+35	0	+51	-47

When reviewing the baseline data, a further analysis was undertaken to understand how much waste was currently produced on average, based on assumed bulk density, in relation to the size of containment provided by SDDC. It's estimated on average residents currently use 90 litres of the 120 litre weekly capacity provided.

Another key difference between the options is the amount of contamination being collected. Where dry recycling is mixed together in the containers (i.e., two-stream in the baseline and Options 1, 1a, and 3), there are more non-targeted materials (i.e. contamination) collected than where dry recycling is separated at the kerbside (Option 2).

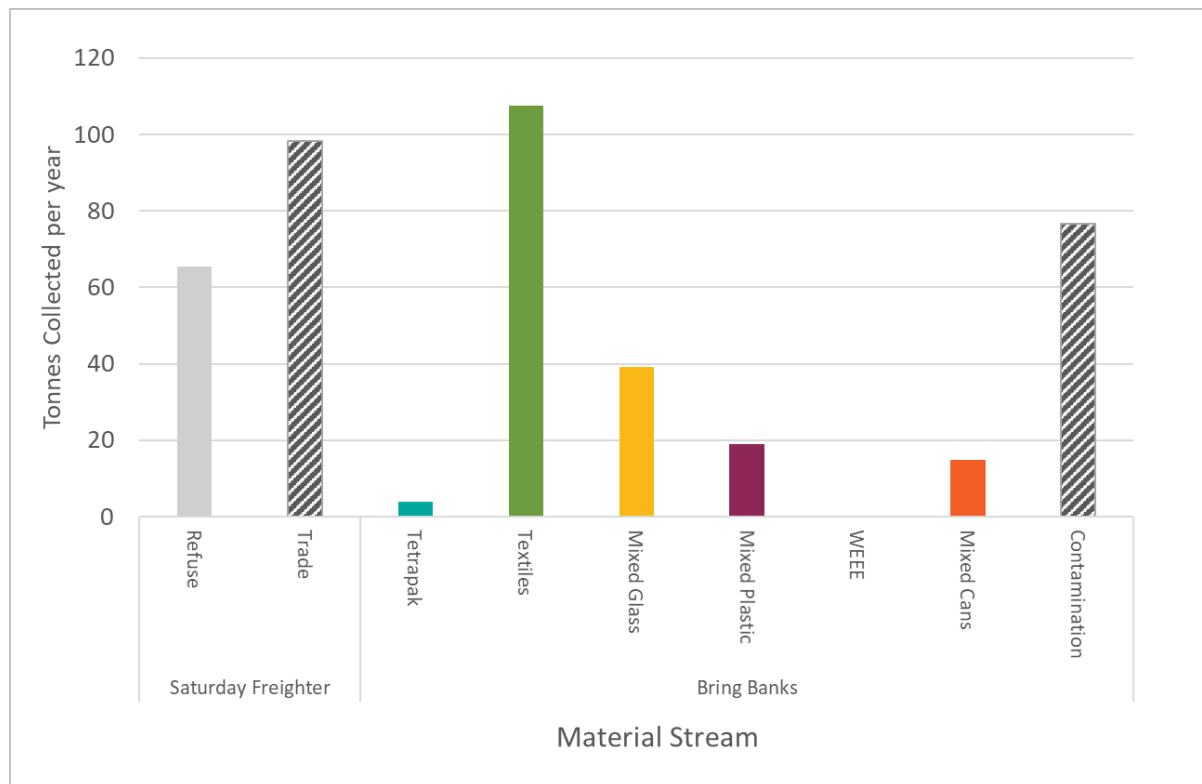
More details on the waste flow modelling assumptions can be found in Appendix A.1.2.2.

3.1.2 Saturday Freighter and Bring Bank Service

Figure 3-2 shows the results of the analysis undertaken on the Saturday freighter and bring bank service based on data provided for 2019/20. The impact of these services on performance has not been included within the kerbside recycling rate provided in Figure 3-1. However, the impact on the recycling rate is expected as:

- The Saturday freighter service reduces the recycling rate by approx. 0.18%,
- The bring bank service increases the recycling rate by approx. 0.16%,
- Due to the amount of contamination collected within the bring banks this is lower than the potential 0.25% without such high level of contamination.

Figure 3-2: Saturday Freighter and Bring Bank Service Waste Flow



Although reliable data isn't available for the Saturday freighter service, operational assessments have been made which estimates that approx. 60% of the material collected on this service is likely to be from traders who are taking advantage of a free service.

The contamination levels within the bring bank service has also been based on current operational assessments, which estimate that approx. 50% of bring bank collections of mixed glass, mixed plastic and mixed cans are contaminated are collected as refuse. All of which are available for collection through the kerbside service where contamination is significantly lower.

3.2 Cost Modelling Results

3.2.1 Kerbside Collections

Figure 3-3 shows the overall cost modelling results for the options when compared with the baseline costs. Option 1 show an increase in cost, the primary reason for this is the addition of food waste collections without substantial increases in income through improved recycling. All other options (Options 1a, 2 and 3) showed cost savings compared to the baseline, with Option 1a showing the greatest level of savings.

Figure 3-3: High Level 'Whole System' Cost Modelling Results Relative to the Baseline

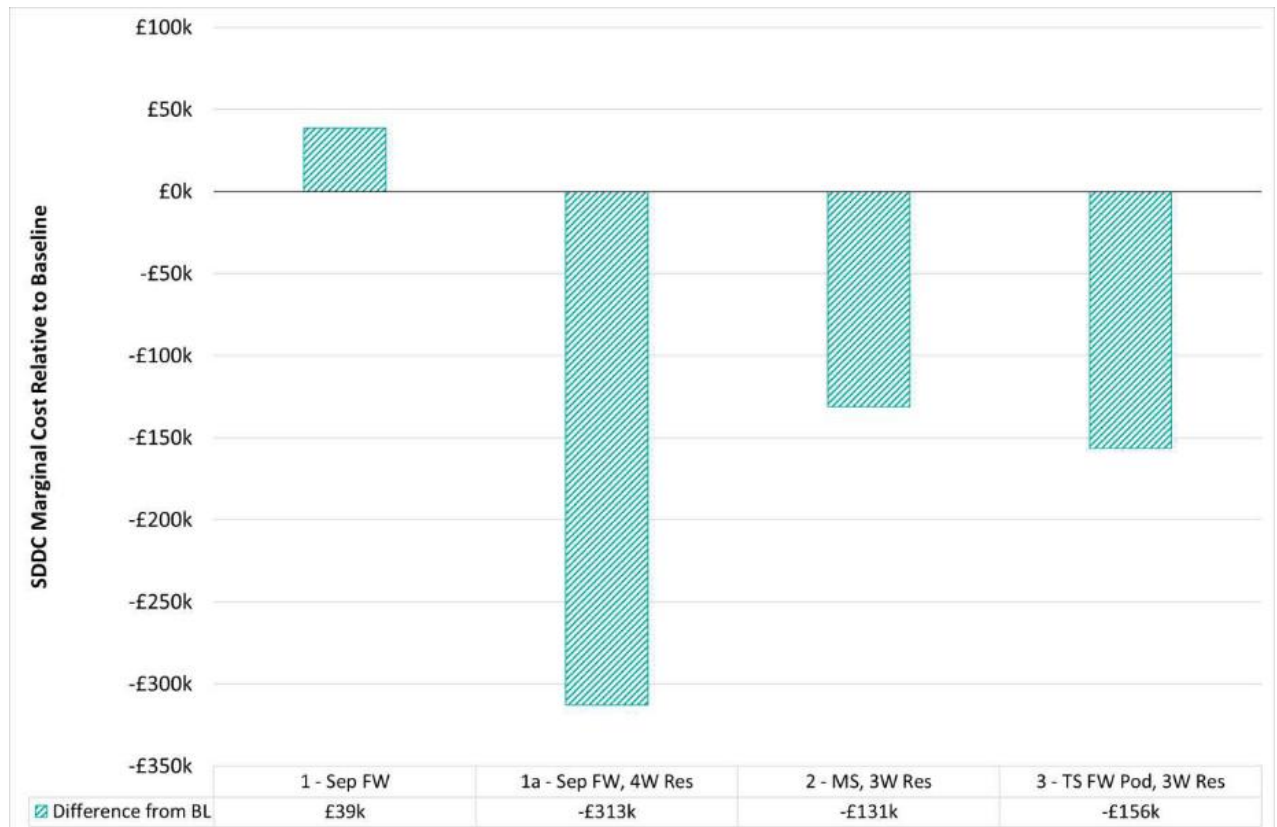


Figure 3-4 and Table 3-2 show a detailed breakdown of the cost modelling results shown in Figure 3-3.

Figure 3-4: Detailed Breakdown of Cost Modelling Results Relative to the Baseline

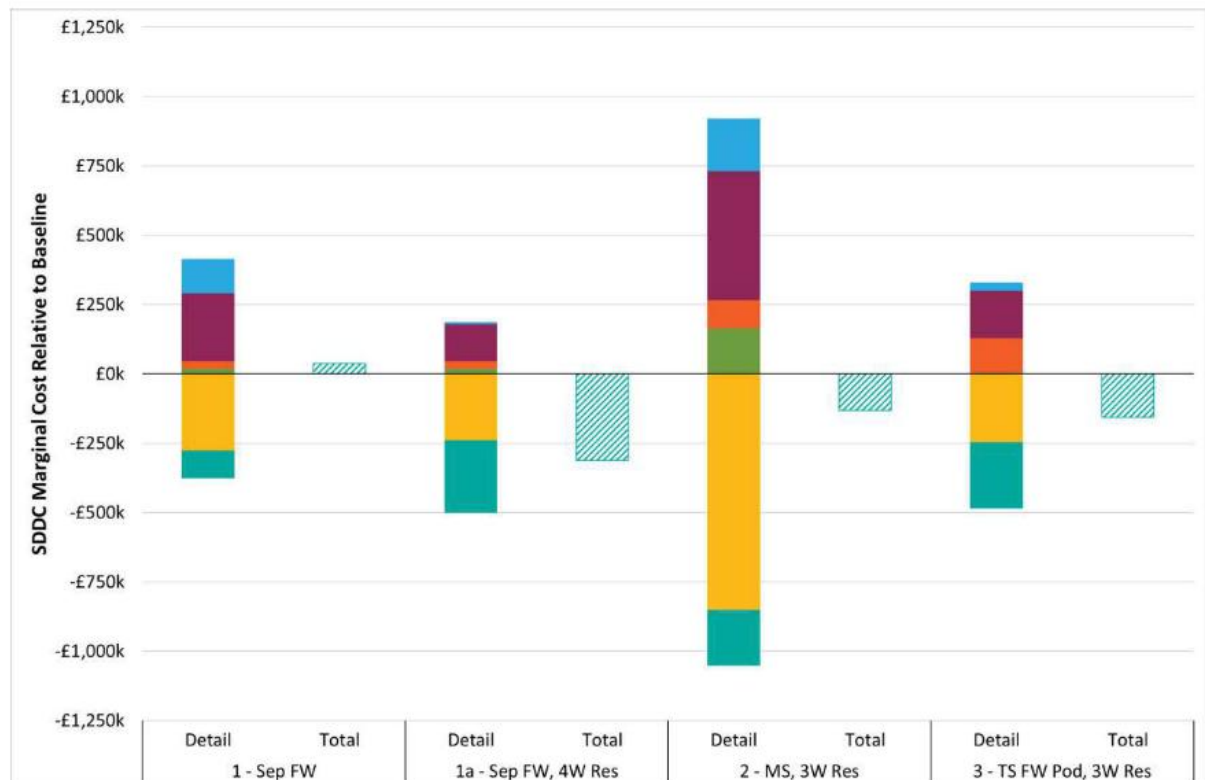


Table 3-2: Details of Annual Costs Relative to the Baseline

		1	1a	2	3
Vehicles		£126k	£9k	£191k	£30k
Staff		£244k	£133k	£465k	£171k
Containers		£26k	£26k	£100k	£123k
Recycling Credits		-£100k	-£261k	-£202k	-£239k
Recycling Treatment		-£277k	-£238k	-£851k	-£247k
Depot Works		£20k	£20k	£165k	£5k
Total		£39k	-£313k	-£131k	-£156k

Vehicle costs

Cost of vehicles is highly variable, and are higher than the baseline in all options. Table 3-3 provides a breakdown of the number of vehicles required in each option.

Table 3-3: Number of Vehicles Modelled

Service	Baseline	1 - Sep FW	1a - Sep FW, 4W Res	2 - MS, 3W Res	3 - TS FW Pod, 3W Res
Dry Recycling	4.0	4.0 (0)	4.2 (+0.2)	15.0 (+11)	5.0 (+1)
Food Waste	-	5.0 (+5)	5.8 (+5.8)	-	-
Garden Waste	4.5	4.5 (0)	4.5 (0)	4.5 (0)	4.5 (0)
Refuse	4.5	4.5 (0)	2.4 (-2.1)	3.0 (-1.5)	3.2 (-1.3)
Total	13.0	18.0 (+5)	16.8 (+3.8)	22.5 (+9.5)	12.8 (-0.2)

Options 1 and 1a require additional vehicles to collect food waste separately, Option 1 has no further changes so there is no offset to the additional cost. However, as Option 1a has a reduction of 2.1 refuse vehicles, this offsets the cost of the additional 5.8 food waste vehicles required.

Due to the nature of the collection methodology of Option 2 which requires sorting materials at the kerbside, and providing a weekly service using Resource Recovery Vehicles (RRV), this option requires the highest number of vehicles. However, there are no additional requirements for a separate food waste vehicle as this is collected on the RRV.

The most efficient fleet design is Option 3, where pod vehicles are used to collect food waste alongside recycling and refuse. The pod on the vehicle can limit the capacity for the recycling and refuse, and this can lead to additional vehicles being needed. However, this is offset by not requiring additional food waste vehicles. Despite this, vehicle costs for Option 3 are higher than the baseline due to the increased cost of pod vehicles compared to standard refuse collection vehicles (RCVs).

Staff costs

The cost of staff is highly dependent on the number of vehicles modelled for each scenario, and how these vehicles are crewed. In all scenarios there is an increase in the number of staff compared to the baseline.

- This is due to the introduction of food waste in Options 1, 1a and 3 as even when not using a separate vehicle an additional crew member is needed.
- Option 2 has fewer crew members per vehicle than the baseline, due to the weekly collection. However, the high number of vehicles and time spent sorting materials onto the vehicle means this option has the highest additional staff costs.

(details of staff and vehicle numbers in each option can be found in Appendix A.1.0)

Containers

Each option will require a different combination of new containers for residents, this includes food waste caddy for Options 1, 1a, 2 and 3, new recycling boxes and bags for Option 2 and for Option 3 an additional 240 litre bin. These costs are annualised over 10 years. Where containers are changed and the existing containers are no longer required these can be recycled, for which SDDC will be able to receive an income based.

Material treatment costs

Material treatment costs include both gate fees for organic waste, as well as material incomes and sorting costs from dry recycling.

- Options 1, 1a, 2 and 3 all have a decrease in treatment costs due to the reduced gate fees associated with collecting separate food and garden waste compared with mixed organics.
- However, this is slightly offset in Options 1a and 3 by the additional cost of sorting dry recycling, whereas in Option 1 there is no improvement in dry recycling so no additional costs associated with this.
- Option 2 shows the lowest costs compared to the baseline for dry recycling treatment. This is due to improved revenues for separately collected materials and avoidance of any sorting fee;

Recycling credits

As recycling credits are paid to SDDC regardless of the treatment cost, or material income, all options present a cost saving due to the additional food waste collected. For Options 1a, 2 and 3 the additional dry recycling collected leads to a large increase in recycling credits paid to SDDC. These credits are able to offset the additional cost of operating the service in these options, as discussed above.

Due to the small increase in additional recycling from the separate food waste collection in Option 1, the additional income to SDDC does not offset the additional operational costs.

Depot Works costs

For each of the options, an assessment has been carried out to determine works that may be required within the depot and to develop waste transfer stations (WTS). Options 1, 1a and 2 are assumed to require additional land to park additional vehicles. However, depot works are much larger for Option 2, which requires additional equipment and development of WTS to offload the RRVs, as well as land to park the additional vehicles. These costs have been included within the model and are detailed in A.1.3.

3.2.2 Saturday Freighter and Bring Bank Services

The annual operational cost of the Saturday freighter and bring bank services are shown in Table 3-4.

Table 3-4: Cost of Saturday Freighter and Bring Bank Services

	Saturday Freighter	Bring Banks
Vehicles	£9,501	£6,485
Staff	£7,782	£5,188
Recycling Credit	£0	-£10,698
Net Cost	£17,486	£2,272

Costs are calculated based on the operational costs to provide the Saturday Freighter service, and the contract costs to collect bring banks, however, these costs do not take into account the additional expense to SDDC to collect contaminated bring banks. Bring banks for textiles are operated through charity schemes, for which SDDC does not pay for collections. As with all cost modelling, the costs presented are only those applicable to SDDC, and not the cost of disposal for which Derbyshire County Council holds responsibility.

4.0 Contractual and Operational Implications

This section presents the results of a qualitative review of the options modelled, taking into account the both contractual and operational implications. This review is important, as it considers the practical suitability of each option and the factors which need to be taken into account when considering the overall suitability of the preferred option. These are considered during the qualitative review in Section 0.

4.1 Contractual Implications

4.1.1 Current Contract

SDDC currently operates split service delivery across an in-house refuse and garden waste collection service, and outsourced recycling collection service. This review does not consider the impact of changing how services are delivered (i.e. providing a complete in-house service), which is covered as part of the review of Commissioning Options (Section 6.0). The current recycling collection service contract is due to expire in October 2021, and as such this should be a consideration when reviewing the options.

For Options 2 and 3, it is likely that any service change will lead to negotiations with the current contractor. However, with the contract expiring within approx. 12 months of a decision being made, it is likely that any change to the service could be postponed until the end of the contract.

Options 1 and 1a, would only require a change to the collection methodology for the services which are currently operated in-house, and therefore, these changes could be made quicker, without any need for negotiations.

Consideration should also be given to the options should a similar arrangement continue in the future. Option 3 would require food waste to be collected across both refuse and recycling vehicles, which could lead to confusion in regards to material ownership, responsibility for complaints and missed collections, and other operational issues. It is likely that Option 3 would require a standard approach, to either bring the services entirely in-house, create a Local Authority Company or to outsource them all to a contractor.

One of the benefits of Option 3 is the use of a standard vehicle across the fleet. Some of the advantages of this (which are captured within the Evaluation Section 0), would be lost as the contractual implications of sharing a fleet would become difficult.

4.1.2 Material Sales

Currently SDDC pays a fixed cost for the treatment of materials collected under the existing contract, the risk associated with the materials is held by the contractor and not SDDC. This protects SDDC from any variability in the value of material collected. At the expiry of the current contract, SDDC will have to negotiate a new contract for the treatment and sales of materials. Based on the current market position, it is likely that following the contract expiry, SDDC will be required to take on a large proportion, if not all, risk associated with the sale of material.

Due to restrictions in place for exporting recyclate into Asia, and the unknowns of Brexit, and COVID-19 the current market is volatile, with Material Recycling Facility (MRF) gate fees increasing and the value of material decreasing. This modelling does not take into consideration the changes in the market and follows the baseline gate fees so that the change in operation costs can be evaluated.

4.2 Operational Implications

4.2.1 Fleet

A significant cost within a collection service is the vehicles used to deliver it. When operating a fleet, it is essential to ensure sufficient spare capacity is available to avoid disruption when vehicles breakdown or are unavailable due to scheduled maintenance. The requirement for spare vehicles depends entirely on the operations, size of fleet and variation of vehicles within the fleet. Therefore, spare vehicles are not taken into account within the modelling work.

The options modelled use a range of vehicles from the current fleet of split back RCVs, to separate specialised food waste vehicles and resource recovery vehicles (RRVs). Generally, the fewer vehicle types used within a service, the more efficient that service can be with spares, as well as maintenance. At the same time, the fewer specialist vehicles operated the easier it is to provide maintenance, as well as to find additional hire vehicles should this be required. Table 4-1 provides a summary of the vehicles used across each option.

Table 4-1: Vehicles used in each option

Option	Refuse	Dry Recycling	Garden Waste	Food Waste
1 - sep FW	RCV	RCV – Split back	RCV	7.5t RCV
1a - sep FW, 4W Res	RCV	RCV – Split back	RCV	7.5t RCV
2 - MS, 3W 180L Res	RCV	RRV	RCV	RRV
3 - TS FW Pod, 3W Res	RCV - Pod	RCV - Pod	RCV	RCV - Pod

Option 1 and 1a provide a similar vehicle configuration as the current service, but with the addition of a separate food waste vehicle. Although this set up has the biggest variation of vehicles, it provides the simplest and most common vehicle types currently available.

Option 2 uses RRVs to collect recycling and food waste together, with RCVs collecting both refuse and garden waste. An RRV is a specialised vehicle, and is provided through a limited number of suppliers. Although narrow access versions are available, these may not be suitable for some of the narrowest roads across SDDC. For this modelling exercise this has not been taken into account.

Option 3 provides a standard vehicle across three of the four services; an RCV with a pod will be used to collect refuse and recycling, and food waste at the same time. This will provide a consistent vehicle across the fleet for refuse and recycling collections. Having this one vehicle across these services will allow for fewer spares overall, and will give operational flexibility. However, being fairly specialised, they are not as common as other vehicles such as RCVs or Twin Pack RCVs, and as such sourcing spares becomes a challenge. It is also widely recognised that the maintenance of these vehicles becomes more costly and complicated due to the additional mechanisms and hydraulics used.

When reviewing the fleet, electrification and decarbonisation should be considered, this has not been taken account for in the modelling. Currently, there is only one purpose built electrified waste collection vehicle available commercially, this is a 26t RCV. The cost of this electrified collection vehicle is double that of a standard RCV, but with lower operating costs. Although well tested, it is not yet clear how well these vehicles would work in a number of different settings including the rural areas of South Derbyshire.

It is possible to retrofit existing vehicles with electric engines, although this can be costly and has not been tested as thoroughly as a full production vehicle. This area is continuously changing and developing however all options are currently costly. It is likely that more specialised vehicles, such as RCVs with pods, split-back RCVs and RRVs, will take longer to develop as a full production electrified vehicle as there is less of a demand for these types of vehicles. The climate impacts of the options are considered further under section 4.2.3.

SDDC are currently exploring the option of purchasing vehicles which use electric bin lifts, these systems are quieter, and reduce emissions of the vehicle between 8 and 14% compared with a normal RCV.

4.2.2 Depot and Transfer Stations

Currently, SDDC operates the refuse and garden waste service out of one depot, with recycling operating out of a separate depot operated by the contractor. This set up is in relation to the current contract arrangements (discussed in Section 4.1), although some of the options modelled may have an impact on this. This section will discuss the depot logistics required for each option, however does not take into account the implications of the current contract arrangement in which refuse and garden operate from a separate depot to recycling.

The main factor being considered is the potential increase in vehicles across Options 1, 1a and 2. This will require additional parking space, which is not currently available within the current depots. A nominal amount has been included within the modelling to account for this, but further consideration is required into the options for depots.

Consideration should also be taken into the unloading of food waste, and locations for crews to tip. It has been assumed that food waste will be tipped into a sealed container at relevant tipping locations, or at the depot in each option. Should food waste be tipped at the depot, additional permits may be required for this.

Option 2 provides the biggest challenge for depots and transfer stations, firstly it requires the greatest number of additional vehicles, and as such a large amount of additional parking would be required to accommodate these vehicles. Secondly, these vehicles require a transfer station with bays sufficient to store the separated materials. Due to the current collection method there is currently no facility in which to do this, and a new transfer station would be required. Costs have been included within the modelling to accommodate this; however more detailed work would be required should this option be considered moving forward.

4.2.3 Climate Impact

SDDC declared a climate emergency in 2019, this means that the District is taking its impact on the environment seriously. Therefore, there will be a requirement in the future to minimise the emissions from and the climate impact which of SDDC's operations.

In order to fully understand the impact of each option would require detailed carbon modelling, which takes into account the impact of material treatment, vehicle emissions and other operational factors on emissions. This project does not evaluate the performance of these options in this detail, and further detailed modelling could be undertaken to assess the climate impacts of each option. Generally, the biggest climate impact of a collection service is the treatment of materials, contrary to the popular belief that this is emissions from vehicles.

Removing materials such as plastic from the refuse stream, which is sent for incineration, is considered as the biggest improvement that can be made. When these materials are burnt, they release their carbon elements, which is more harmful than the process required to collection, treat and recycle these products. Options 1a, 2 and 3 all remove large quantities of recycling from the refuse stream by reducing the frequency of refuse collection.

Improving the treatment of food waste also supports this. The process of anaerobic digestion (AD) used to treat food waste captures gases that are released during the decomposition process and uses them to generate electricity, with other outputs being used for land improvements (depending on the quality). Option 1a captures the highest amount of additional food waste, through the reduction in frequency of refuse collection, with Options 2 and 3 capturing slightly less, but overall, still more than double that which is currently collected.

Tail pipe emissions vary largely depending on the vehicle size and type, but also in the area in which they operated. Detailed modelling is required to accurately estimate the emissions from these options. However, the fewer vehicles operating can usually point to fewer emissions.

Option 1 and 1a, require additional food waste vehicles to operate the food waste collection service, however these vehicles are much smaller, lighter and therefore more efficient than larger vehicles such as RCVs. In Option 1, there is no reduction in requirements for other vehicles and so overall, this service would create higher emissions than the current service. Option 1a has a reduction of 2 vehicles on the refuse service, which slightly offsets the additional food waste vehicles.

Option 2 and 3 both collect the food waste on the same vehicle as recycling, and for Option 3, recycling and refuse. Despite this, Option 2 has the largest increase in vehicles due to the collection methodology, although there are additional vehicles required these emissions are likely offset by the improvement in quality of recycling. Option 3 has no increase in vehicle requirements, and so it is expected that emissions would remain the same as current.

4.2.4 Saturday Freighter and Bring Bank Service

These services are provided to residents on top of their regular kerbside collections. The Saturday freighter service provides an additional collection of refuse on a rotating weekly basis across areas of South Derbyshire. This is on top of the charged bulky waste collection service which is available to all residents, and the household waste recycling centre (HWRC) in Swadlincote. The Saturday freighter service could be seen to be undermining the bulky waste service, by providing some residents with a free collection, where other residents are required to pay for this additional service or make arrangements to transport their waste to the HWRC.

The bring bank service which is operated by SDDC provides recycling for glass, cans and plastic; the core materials which are accepted within the kerbside service. Other services such as Tetra-Pak and textiles are provided by third-parties.

There are currently large amounts of contamination collected from this service, which has an operational impact for SDDC. Veolia, who are contracted to collect these materials, are unable to collect contaminated banks and instead SDDC resources are diverted to empty these containers as refuse. This impacts the efficiency of the service as SDDC are paying Veolia to deliver this service and then emptying these containers anyway. Due to the levels of contamination the bring bank service has very little impact on the overall NI192 recycling rate.

It is likely that, as these materials are conveniently collected on the kerbside, those who use this service are either producing larger amounts of recycling and therefore could instead be provided with additional capacity at their property, or the material is not coming from households, and therefore should not be placed into these banks.

It is commonly known that services like the Saturday freighter and bring bank service are highly abused by traders, who are looking for cheap ways to dispose of their waste. In the analysis of the Saturday freighter service a conservative approach was taken to estimate the levels of waste disposed of illegally by traders. Traders using this service are having an unfair impact on the value provided to residents, as well as putting additional refuse waste into SDDC's waste, and affecting the NI192 recycling rate. Although SDDC don't pay for the cost of disposing this waste, there is also an impact on Derbyshire County Council who will be paying to dispose of this waste.

It is recommended that due to the inefficiencies around both of these services, that their withdrawal will support SDDC in achieving higher recycling rates, and cost savings. By withdrawing these services SDDC are also stopping traders, and other illegal dumping of waste.

5.0 Evaluation

This section explores the results of the evaluation undertaken for each option, across a number of set criteria. This provides a balanced review of each option to support the decision of which option provides the best solution of SDDC. Each option is scored 1 – 5 for each criterion. Qualitative Scoring took into account the factors as discussed in 4.0 and was awarded on a scale of 1 – 5:

- 1 – a negative change to the current service.
- 3 – no/limited change to the current service.
- 5 – positive change to the current service.

Each score was weighted based on SDDC priorities, so that criteria which were more important to SDDC have a higher influence on the outcome of the total score. The weighted score is shown in Table 5-1, the raw score and evaluation is provided in Appendix A.3.0.

Quantitative analysis was also carried out on service cost and recycling rate to provide a weighted score. Service costs were evaluated based on an increase or decrease in costs over a threshold, whilst recycling rate was calculated based on the estimated NI192 for each option achieving SDDC's 60% target in 2023. These are shown in Table 5-1.

Table 5-1: Results of Evaluation

	Weight	Option 1 Sep FW	Option 1a Sep FW, 4W Res	Option 2 MS 3W Res	Option 3 TS FW Pod 3W Res
Qualitative					
Alignment with Environment Bill	20%	12	12	20	12

Resident Acceptability	10%	6	4	4	6
Implementation / Deliverability	10%	6	4	2	4
Impact on Recycling Market	5%	3	2	5	4
Climate Change Impact	15%	6	12	12	12
Quantitative					
Recycling Rate	25%	20	24	24	23
Service Cost	15%	9	15	12	12
Total	100%	62	73	79	73

Overall, the results of the evaluation place Option 2 as the preferred option for SDDC, however Options 1a and Option 3 remain close behind in joint second. The largest influence on this result is the importance of the future options aligning with the future Environment Bill. As this is not yet completely defined, it is worth continuing to consider Option 3 until further information is available.

There are still considerations that need to be taken account when deciding preferred options, including; how these services may be implemented, and when they could be implemented taking into consideration the timeline for the Environment Bill, but also the implications of the current contract expiring in October 2021.

It has been made clear that the Government will need to support Authorities with any additional costs associated with meeting the requirement of the Environment Bill, to ensure there is no additional burden. It has not been made clear as to whether this support would be available should SDDC make changes ahead of a published Environment Bill.

It is usually recommended that a decision is made on the collection options, before proceeding with any decision to bring service in-house or undertake a procurement exercise. However, with the up-coming legislative changes due between now and 2023 it is recommended that SDDC wait before moving forward with a decision on collection services.

6.0 Commissioning Options

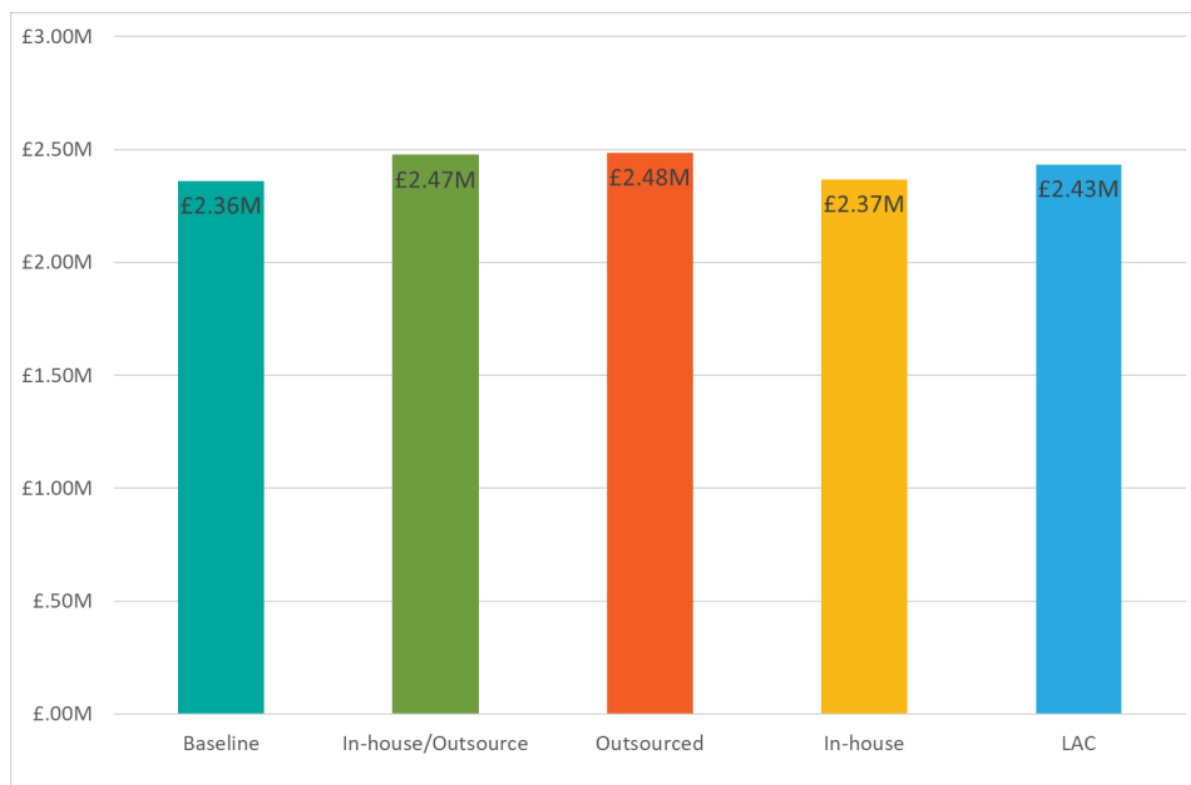
This section presents the results of a high-level quantitative review of the commissioning options available to SDDC to delivery services following the expiry of the current recycling contract in October 2021.

6.1.1 Cost Modelling Results

Figure 6-1 presents the results of the high-level cost modelling, showing the annual cost for each commissioning option. This table includes the total operational costs of each option, but does not consider the one off costs required in each option. The chart shows that:

- All future options show an increase on the current cost of providing services. It is anticipated that under the current contract arrangements, the contractor does not make profit on this contract, which it offsets through the sale of material and use of SDDC's paper and card within its own paper mill.
- Delivering services in-house offers the lowest modelled solution for running refuse, recycling and garden waste services. This is primarily due to not having additional profit margins and overheads to cover. Although some staff are transferred into the Local Government Pension Scheme (LGPS), this is a relatively low proportion of the overall workforce.
- The LAC option does not deliver the lowest modelled solution for running refuse, recycling and garden waste services. Although it is assumed that staff do not receive LGPS when transferring from the existing contract, all staff subject to TUPE from SDDC would still receive the same pension. Operating a LAC attracts additional overheads needed to cover costs such as HR and payroll, health and safety and other corporate overheads.
- Operating a split delivery system across in-house refuse and garden waste services and an outsource recycling service is more expensive than operating all services in-house. Although all costs are the same, the modelling has taken into account additional corporate overheads and profit that would be placed on a new contract.
- A fully outsourced solution for running refuse, recycling and garden waste services has the highest modelled cost. However, is very similar to the inhouse / outsource option. This is again due to the additional corporate overheads and profit that would be placed on a new contract. Staff transferring from the current in-house option would still be entitled to pension contributions in line with SDDC's LGPS through TUPE therefore there are no staff cost savings.

Figure 6-1: Annual Cost of each Commissioning Option



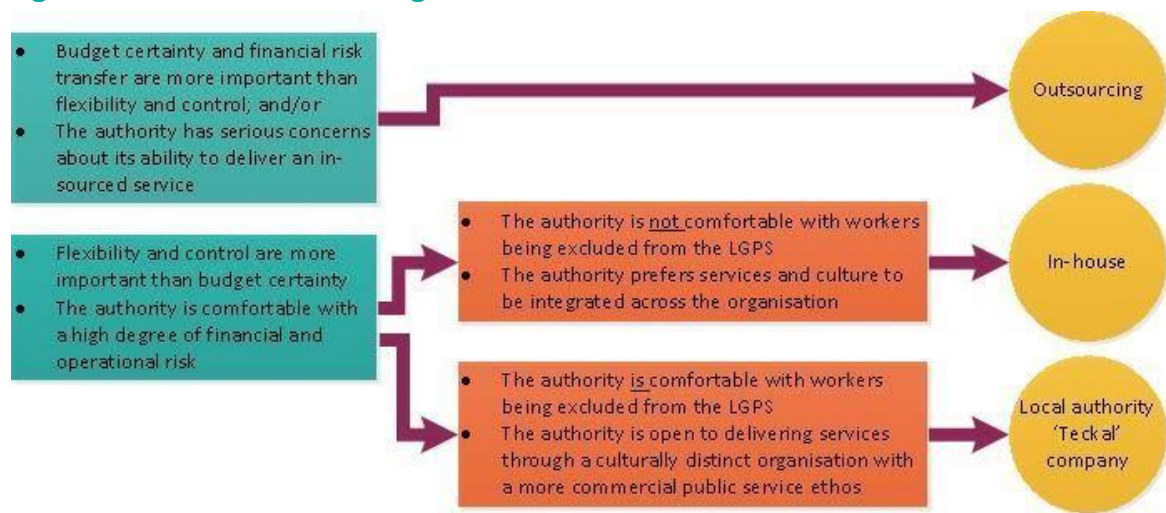
When reviewing different commissioning options consideration should be given to the one-off costs that go alongside each of these options. These include the cost to run a procurement process, or the costs of additional support to mobilise an in-house service or the cost of setting up a LAC. These costs have not been included within the results, as they often vary depending on the support required, for example as SDDC already has a strong in-house operation support the required support is less than the specialist support that would be required to move the service into a LAC.

6.1.2 Quality and Risk

Determining which option is the “best”, means looking at the wider picture than the associated costs. This work has not included a detailed Quality and Risk assessment, but provides a high-level understanding of the risk associated with the commissioning options. Each of the options presented provide the Authority with different benefits and risk. There are decisions that need to be made in order to ensure that the option selected meets the ambitions and expectations of SDDC. The decision-making process outlined in Figure 6-2 was also developed to support officers to think about the appetite for the following key strategic risks:

- budget certainty and financial risk;
- flexibility and control; and
- pension contribution and pension scheme provided to the workforce.

Figure 6-2: Decision-Making Process



Following the workshop with SDDC members on 3 September 2020, the outcome of the decision-making process was conclusive that SDDC wants to have flexibility and control over their services, reflecting the impact of the upcoming Environment Bill. Knowing that there is operational expertise in-house, it was also reflected that SDDC would be willing to take on the operational risks, associated with these services. At a high-level this points to delivering services in-house, even if just in the medium-term whilst the Environmental Bill is finalised, and further information is available. However, this solution would have cost implications on future outsource options. As the staff who are brought in-house would be enrolled within the LGPS, which when outsource again they would be entitled to, therefore increasing costs.

Further details of the risks that should be considered are explored below:

- **Budget Certain and Financial Risk:** For the outsource option, the contractor bears overspend risks. Management in the in-house option may not be subject to the same commercial pressures to manage budgets and deliver profits, and in any event the Council bears the overspend cost risk. For the LAC option, whilst the Council still bears the overspend risk, the LAC management and commercial mind-set may be more likely to keep costs in check.
- **Flexibility and Control:** Service change in the outsource option would involve contract negotiations, whereas in the other options, change would be easier to implement, although considerable flexibility can be built into contracts.
- **Performance:** The outsource option may be more suffer poor performance since the Council has less direct control over the delivery of the services and the contractor is motivated by profit as well as customer service.
- **Operational Risks:** The contractor largely bears operational risks in this option, but for the LAC and in-house options, operational risks are ultimately the responsibility of the Council.
- **Expertise acquisition:** The outsource option would involve selecting a contractor with the relevant experience. For the in-house option it would be necessary to recruit highly experienced management which could presents a risk (however SDDC already holds this experience in-house); a LAC may be a somewhat more attractive proposition for experienced candidates.
- **Best Value:** For the contracted out option, it is assumed that the competitive tender process would result in a contract price that demonstrably provides Best

Value to the Council through market testing, while the LAC and in-house options do not undergo a procurement process and are therefore less certain to represent best value.

7.0 Summary

7.1 Collection Options

Each of the options modelled provides improvements to the kerbside recycling rate, compared with the baseline. Options 1a, 2 and 3 all achieved a kerbside recycling rate above 60% through the increase in food waste, and diverting recyclable material into the recycling stream through the reduction in refuse capacity.

Overall Option 1a provides the lowest cost service, primarily due to the reduction in the refuse vehicles required and the lower cost to purchase and operate food waste vehicles. The reduction in residual frequency pushes recycling and food waste out of the refuse collection which reduces the gate fee applicable. The small increase in operational costs required to operate the food waste service is offset by both reduction in refuse resources and the benefit of lower gate fees. Options 2 and 3 provide similar costs; both have additional operational costs compared with the baseline, however based on the transfer of material into recycling and food waste the reduction in gate fees, these costs are largely offset.

The evaluation of the options against SDDC's priority puts Option 2 firmly as the preferred option, scoring 79%. Options 1a and 3 are joint second with 73%. Until further detail is provided in regards to the Environment Bill, Option 3 should also continue to be considered.

As explained in Section 4.1.2 the service costs are calculated based on the current value of materials, and the costs associated with current contract for sorting materials. It is recommended that further analysis is undertaken to understand the risk associated with material income, as fluctuations in this could change the overall costs for all options.

In order to fully understand the carbon impact of each option in details, to understand the full impact of each option on SDDC carbon footprint, it is recommended that a detail carbon modelling exercise is carried out.

The Saturday freighter and bring bank service are both currently operating inefficiently by collecting large amount of contamination and trade waste. Both which are having large impact on costs and recycling rate. Due to this, it would be recommended that both services are removed, in order to ensure the residents are not unfairly paying for traders and those who are not correctly using these services. It will also encourage residents to use other services which are available such as the kerbside recycling service, charged bulky waste service and HWRCs.

7.2 Commissioning Options

The cost modelling undertaken to review the four options available to SDDC following the expiry of the current recycling contract shows that bring all services in-house is the cheapest option. With outsourcing and a combined in-house / outsourced becoming the most expensive.

This work estimates that the current recycling contract does not make money, and that profit is sought through the material processing available from SDDCs materials. Therefore, all of the options are likely to require an increase in the current budget.

Cost is not the only element that should be considered however, and a review of the strategic decision-making process puts the initial decision as moving to a fully in-house service, at least in the medium term, to give flexibility to SDDC to implement upcoming changes required by the Environment Bill. *It is recommended that a further consideration of costs associated with this approach is considered due to TUPE implications.*

As SDDC already operates a well performing in-house service, with technical expertise it is expected that bringing an additional service in-house would not cause additional risk and there is the experience to manage budget, and changes in cost as they are currently managed.

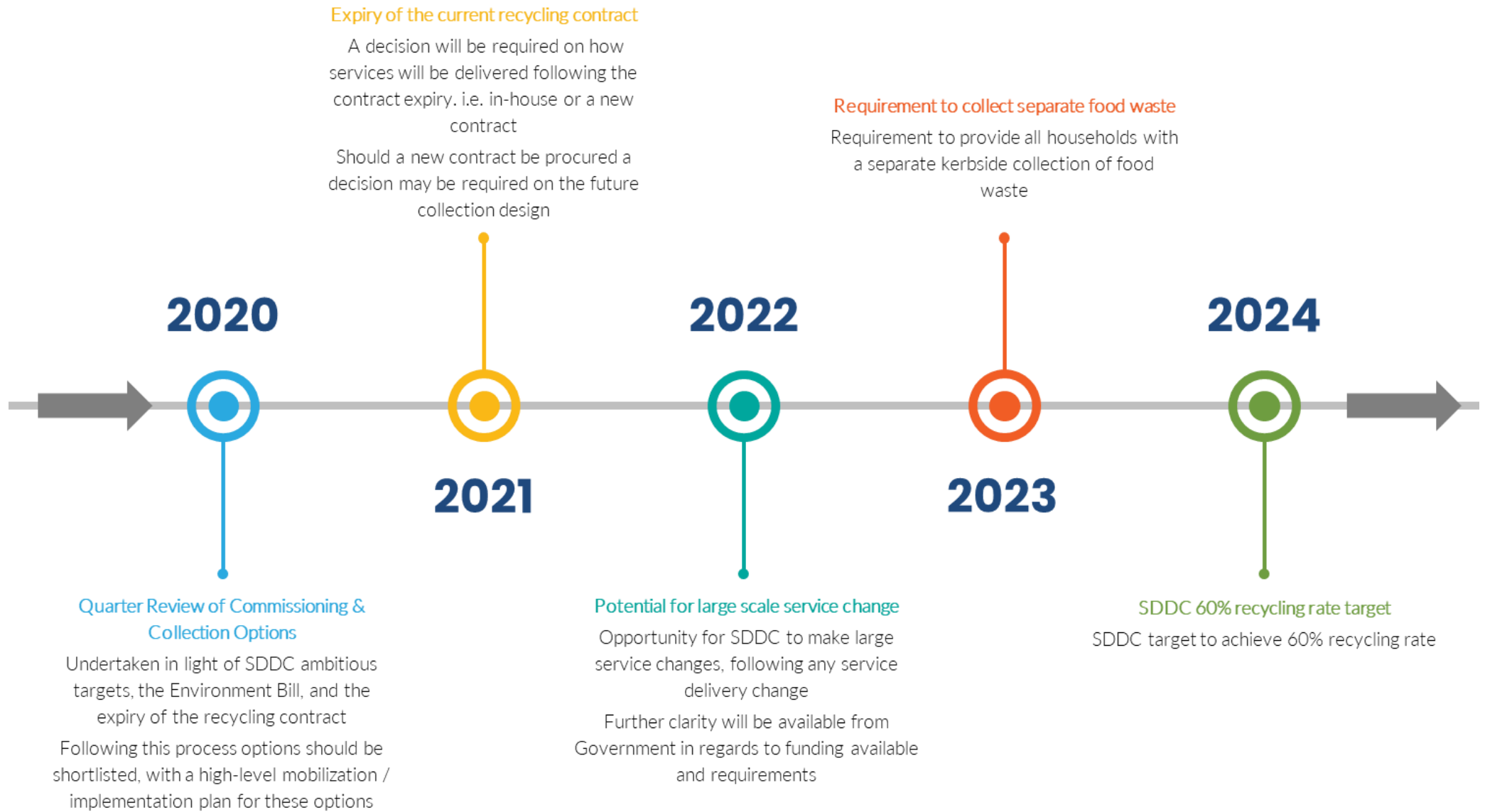
7.3 Five-year strategy

There is a lot of unknown in the next five years, in regards to the exact requirements that will be set out in the Environment Bill, and what funding will be available to local authorities to undertake the required service change. Figure 7-1 shows a five-year timeline of the key areas that SDDC may wish to focus.

Due to the expiry of the contract in October 2021, it is unlikely that any service change will be implemented prior to the expiry of the current recycling contract. *It is recommended that the decision as to commissioning option is made first, alongside further analysis of the implementation strategy for any preferred options.*

It is likely that any service change would not take place until 2022, following any change to the delivery of services either to a new contractor, or taking in-house. This may provide sufficient time for the Government to provide details of the requirements of the Environment Bill and any funding that will be available alongside it. This will then provide time for SDDC to implement new services to comply with the 2023 required to collect separate food waste from all properties, and reach for the 60% recycling target by 2024.

Figure 7-1: Five Year Timeline



APPENDICES

34

A.1.0 Assumptions Report

A.1.1 Introduction

Eunomia Research & Consulting Ltd. (Eunomia) was commissioned by South Derbyshire District Council (SDDC) in June 2020 to conduct a review of the waste collection services and to model a number of options for the delivery of the waste and recycling services in South Derbyshire. This work builds on a WRAP commissioned project assessing the collection options across the Derbyshire Waste Partnership area and aims to assess possible service changes to kerbside collections, bring sites and freighter service in order to provide cost, operational and performance information on each of the proposed options.

Page 179 of 293

19/10/2020

The start of this process is the creation of a baseline model to accurately represent the current service, and to determine the performance of the options being modelled. Authority-specific data is used to populate the model, such as number and types of households, geography characteristics and waste composition. Further assumptions used for future options are also presented in this Appendix.

This Appendix is structured as follows:

- The Introduction (Section A.1.1) continues with a brief summary of the current service provided by SDDC.
- Local Authority Data (Section A.1.2) details the data used and assumptions made for SDDC's current service and future options modelled, such as household numbers, vehicles, logistics and staffing.
- Cost Assumptions (Section A.1.3) shows the cost assumptions made in the model, such as material prices and gates fees.

A.1.1.1 Current Service

A baseline model is set up which reflects the current service in terms of resourcing and performance in order to calibrate the model. A summary of the current service provided in South Derbyshire is shown in Table 0-1.

Table 0-1: Current service

	Refuse	Dry Recycling	Mixed Organics
Frequency	Fortnightly	Fortnightly	Fortnightly
Vehicle	RCV	Split back RCV	RCV
	Refuse	Dry Recycling	Mixed Organics
Materials and Containment	240 L wheeled bin	240 L wheeled bin (plastic packaging, cans, glass); Insert caddy (paper and card)	240 L wheeled bin

A.1.2 Local Authority Data

A.1.2.1 Household Data

The number of households on each collection service type are shown in Table 0-2, as provided by SDDC. SDDC provided information that communal bins are co-collected with those properties on standard access.

Table 0-2: Number of Households Offered the Services

Service Type	Refuse	Dry Recycling	Organics
--------------	--------	---------------	----------

Standard Access	46,157 (including 2,500 assisted collections)	46,157 (including 2,500 assisted collections)	46,157 (including 2,500 assisted collections)
Restricted Access	250	250	250
Communal Bin	175	175	175
Total Household	46,582	46,582	46,582

As communal bins are collected by the same vehicles as the standard access properties, these were modelled together. Restricted access properties were not included in the waste flow model; however, the cost of this service was accounted for. Further, trade waste was not included in the model and tonnages were altered accordingly.

A.1.2.2 Capture of Materials

The total kerbside arisings are shown in Table 0-3. The baseline values are based on tonnage and MRF sampling data for 2019/20 provided by SDDC.

Recycling tonnages were supplied by SDDC but were not verified for quarter 4 (January – March 2020). Total paper and card tonnages were supplied and were split into individual paper and card streams using the yearly average composition based on hand sampling data provided by the Contractor (Palm Recycling). The container material (plastic, cans and glass) was also split into the relevant streams using the annual average composition of MRF sampling data, also provided by the Contractor.

For refuse and organic waste, weighbridge data was supplied. It was assumed that all weight entries allocated to Teams 1-12 and Spare Crew that had BIFFA as the disposal site was household organic waste. WRAP analysis was used to estimate the split of food and garden waste in the organic stream².

Yields predicted for the options were based on the following assumptions:

Dry Recycling

- It is estimated there would be no change in the recycling yields in Option 1.
- An increase in dry recycling of 20% from the baseline is predicted for Options 1a and 2. There are very few authorities with a four-weekly refuse and therefore, we have based the prediction on 15% increase in dry recycling benchmarked for a threeweekly refuse collection system³ plus 5%. This is estimated on the basis that a 240L four-weekly or a 180L three-weekly collection gives 25% less capacity than a 240L three-weekly collection.
- An increase in dry recycling of 20% was also predicted for Option 3. This is based on the benchmarking of 15% for three-weekly collections⁴, plus 5% due to a 30% increase

² WRAP (2010) *Performance analysis of mixed food and garden waste collection schemes*, 2010

³ Eunomia Research & Consulting (2018) *Waste and Recycling Services Support to Derbyshire Dales DC, Chesterfield BC and High Peak BC*, Report for WRAP, February 2018

⁴ Eunomia Research & Consulting (2018) *Waste and Recycling Services Support to Derbyshire Dales DC, Chesterfield BC and High Peak BC*, Report for WRAP, February 2018

in recycling capacity. As the container size for fibres in the baseline is likely a limiting factor, capture of cardboard has been increased by an additional 5% compared to other dry recyclables.

Food Waste

- A food waste yield of 60 kg/hh/yr is estimated for Option 1, based on benchmarking results and Eunomia expertise.
- For Option 2 a further 39% increase in food capture is assumed due to the reduced refuse capacity to 60L per week and previous benchmarking results⁵. As Option 1a has the same weekly refuse capacity as Option 2, and it is assumed four-weekly refuse collections will force further behaviour change, an increase of 45% food waste capture is used.
- A 25% increase in food waste is estimated for Option 3 due to three-weekly refuse collections encouraging behaviour change.

Refuse

-
- A reduction in refuse of 21% is assumed for a reduction in refuse collection frequency to three-weekly. This is based on benchmarking results⁶ and applied to Option 3.
 - A reduction of 26% refuse is assumed for the move to three-weekly collections and the further reduction of capacity to 180L bins, and is applied to Option 2.
 - For four-weekly refuse collections a reduction of 31% refuse is assumed. This is applied to Option 1a.

Garden

- It is assumed that there would be no change in garden waste yields across the different options.

Table 0-3: Estimated Baseline Kerbside Yields (kg/hhld/year) for Street Level Households that receive each Collection Service

Material	Estimated Recycling Performance (kg/hhld/year)				
	Baseline	Option 1	Option 1a	Option 2	Option 3
Paper	37	37	44	44	44

⁵ Eunomia Research & Consulting (2018) *Waste and Recycling Services Support to Derbyshire Dales DC, Chesterfield BC and High Peak BC*, Report for WRAP, February 2018

⁶ Eunomia Research & Consulting (2018) *Waste and Recycling Services Support to Derbyshire Dales DC, Chesterfield BC and High Peak BC*, Report for WRAP, February 2018

Card	21	21	25	25	26
Plastic Packaging	20	20	24	24	24
Glass	55	55	66	66	66
Ferrous Cans	7	7	8	8	8
Aluminium	3	3	3	3	3
Contamination	15	15	18	15	21
Dry Recycling Total	157	157	188	170	192
Food Waste	24	60	87	83	75
Garden Waste	235	235	235	235	235
Refuse	434	398	256	288	301
Total Arisings	850	850	766	777	803
Total (excl Garden)	615	615	531	542	568

Figure 3-1 shows the quarterly collected tonnages of each stream collected based on Waste Data Flow from 2015/16 to 2018/19, and using tonnages provided by SDDC for 2019/20. There have been no major changes to the service over this time period and tonnages remain relatively steady.

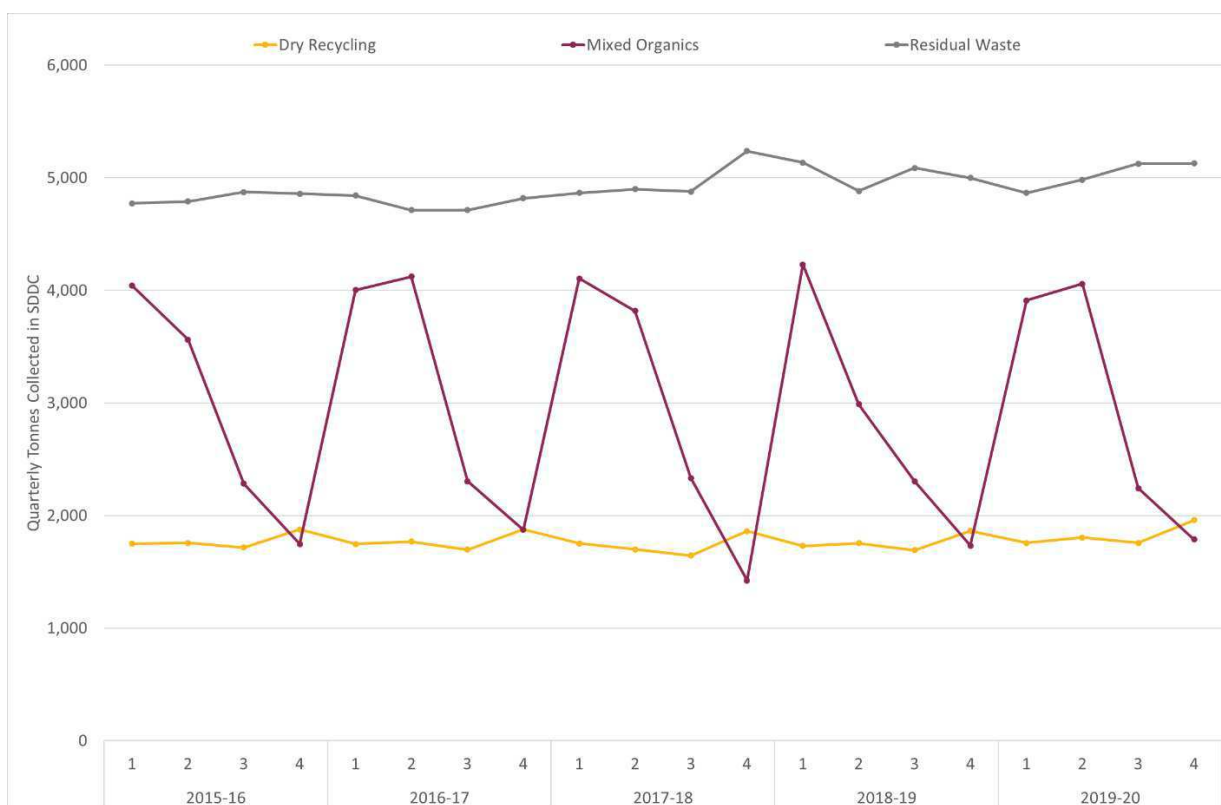


Figure 0-1: Quarterly tonnages of recycling, organic, and refuse streams from 2015/16 to 2019/20.

A.1.2.3 Depot Locations and Tips

The depot and tip locations were provided by SDDC for the baseline and are shown in Table 0-4. It is assumed the same tipping locations will be used in each option, and that where food waste is co-collected with dry recycling or refuse that no additional travel time is required between tipping each material stream.

Table 0-4: Depot and Tip Locations

Facility Name	Postcode	Material
Swadlincote Depot	DE11 9DL	Dry Recycling
Ensor Holdings	DE11 8EU	Dry Recycling
Biffa (Etwall)	DE65 6GX	Mixed Organics
Willshees	DE14 1LX	Refuse
Raynesway (FCC)	DE21 7BA	Refuse

The tipping time is counted from arrival at the tip to being ready to depart, including queuing, weighing and unloading (Table 0-5). The average number of tips per vehicle per day are also shown.

Table 0-5: The time taken to tip materials and the average number of tips per vehicle per day

Option	Material	Time at tip (mins)	Average number of tips per day*
Baseline	Dry Recycling	12.5	1.3
	Mixed Organics	10.0	2.0
	Refuse	8.6	2.0
1	Dry Recycling	12.5	1.3
	Garden	10	2.0
	Refuse	8.6	2.0
	Food	10	1.0
1a	Dry Recycling	12.5	1.5
	Garden	10	2.0
	Refuse	8.6	2.0
	Food	10	1.8
2	Dry Recycling & Food	25	1.0
	Garden	10	2.0
	Refuse	8.6	2.0
3	Dry Recycling & Food	13.6	1.4-1.7**
	Garden	10	2.0
	Refuse & Food	13.6	2.0
<p>* Average number of tips per day from modelling results</p> <p>** Weeks where fibres are collected require fewer tips than weeks where container materials are collected</p>			

A.1.2.4 Participation and Set-out

M·E·L research conducted a compositional study on refuse in 2017⁷, which also provides the set-out rate for refuse in South Derbyshire. No information was provided for dry recycling and organic set-out rates. Therefore, we have modelled set-out rates based on WRAP national average data for dry recycling (80% based on rurality), and suggested a set-out rate of 75% for mixed organics, as organic set-out rates are usually lower than dry recycling (Table 0-6).

For the future options a set-out rate of 45% is assumed for food waste in all options. The set-out for dry recycling is decreased in Option 2, as this offers a weekly recycling collection and residents are less likely to present every collection. Set-out rates for refuse are increased in Option 1a, as residents are more likely to present every collection on a four-weekly cycle.

Table 0-6: Set-out rates for dry recycling, organic and refuse containers used in modelling. Assumptions in *italics*

Option	Material	Set-out rate
Baseline	Dry Recycling	<i>80%</i>
	Mixed Organics	<i>75%</i>
	Refuse	<i>90%</i>
1	Dry Recycling	<i>80%</i>
	Garden	<i>75%</i>
	Refuse	<i>90%</i>
	Food	<i>45%</i>
1a	Dry Recycling	<i>80%</i>
	Garden	<i>75%</i>
	Refuse	<i>95%</i>
	Food	<i>45%</i>
2	Dry Recycling & Food	<i>65%</i> <i>45%</i>
	Garden	<i>75%</i>
	Refuse	<i>90%</i>

⁷ M.E.L Research Ltd (2017) South Derbyshire Kerbside Refuse Compositional Analysis
Assumptions Report

Option	Material	Set-out rate
3	Dry Recycling & Food	80%
		45%
	Garden	75%
	Refuse & Food	90%
		45%

A.1.2.5 Vehicles and Crews

The vehicles used in the baseline model are shown in Table 0-13. It is noted that SDDC provided information that four vans are also utilised in South Derbyshire and an additional RCV for commercial waste. However, as these vehicles only service a small number of properties (250 restricted access, 454 commercial) and collect small tonnages they have not been included in the modelling.

Vehicles used in the modelled options are shown in Table 0-8. The numbers of vehicles per day have been calculated through Eunomia's Hermes model.

Table 0-7: Number of Vehicles on Each Service at Baseline

Service	Vehicle Size	Number of vehicles per day	Crew
Dry Recycling	26 t Split back	4	1 Driver, 2 Loaders
Mixed Organics	26 t RCV	4.5	1 Driver, 2 Loaders
Refuse - Households	26 t RCV	4.5	1 Driver, 2 Loaders
Refuse – Commercial*	26 t RCV	1	1 Driver, 2 Loaders
Restricted access*	3.5 t Van	3 SDDC, 1 Contractor	1 Driver, 1 Loader

*Not included in baseline waste flow.

Table 0-8: Number of Vehicles Used in Modelled Options (excl. GW vehicles)

Option	Service	Vehicle Size	Number of vehicles per day	Crew
1	Dry Recycling	26 t Split back	4	1 Driver, 2 Loaders

Option	Service	Vehicle Size	Number of vehicles per day	Crew
	Refuse	26 t RCV	4.5	1 Driver, 2 Loaders
	Food	7.5 t Food Waste	5	1 Driver, 1 Loader
	Total		13.5	
1a	Dry Recycling	26 t Split back	4.2	1 Driver, 2 Loaders
	Refuse	26 t RCV	2.4	1 Driver, 2 Loaders
	Food	7.5 t Food Waste	5.8	1 Driver, 1 Loader
	Total		12.4	
2	Dry Recycling & Food	12 t RRV	15	1 Driver, 2 Loaders
	Refuse	26 t RCV	3	1 Driver, 2 Loaders
	Total		18	
3	Dry Recycling & Food	26 t Pod RCV	5**	1 Driver, 3 Loaders
	Refuse & Food	26 t Pod RCV	3.2	1 Driver, 3 Loaders
	Total		8.2	
<p>* As not all vehicles would need two loaders 1.4 is used to indicate this</p> <p>** used for container and fibre collections</p>				

A.1.2.6 Work Content

Table 0-9 shows the contracted hours and shift pattern for all services.

The work content (i.e. the time spent driving to/from the round, time on the round collecting, and time spent driving to/from the tip) is an important input into the collection modelling; the assumed work content will be based on the information below. We will assume no change to the work content in the future options.

Table 0-9: Weekly Contracted Hours and Shift Times

	Dry Recycling	Garden/ Mixed Organics	Food	Refuse
Work Content (hours per day)	6.6	6.3	6.6	6.2

	Dry Recycling	Garden/ Mixed Organics	Food	Refuse
Contracted Hours	40	37	N/A	37
Shift Hours*	7:00 – 16:00	6:00 – 14:00	N/A	6:00 – 14:00
Contracted	Contracted group task and finish			
Breaks	1hour unpaid	30mins unpaid	N/A	30mins unpaid

*Average start and finish times

A.1.3 Cost Assumptions

A.1.3.1 Gate fees

Material prices for dry recycling were gathered from an average of WRAP MPR data⁸ (April 2019 – March 2020). A cost per tonne was calculated for Container Materials, based on MRF compositional analysis provided by SDDC (Table 0-10), and an assumed sorting fee of £80⁹ (Table 0-11). The caddy paper and card was assumed to be sold at a mixed paper and card grade using the WRAP MPR pricing. The same pricings were used for Options 1, 1a and 3, whereas, for Option 2 separate prices for each material were used from the WRAP MPR data, with no sorting fees applied.

Table 0-10: MRF Compositional Analysis of Container Materials

Material	Container Composition
Paper	1.1%
Cartons (Tetrapak)	0.2%
Plastic Bottles	9.6%
Dense plastic packaging	9.6%
Mixed glass	54.7%
Ferrous Cans	7.1%
Aluminium	2.7%

⁸ WRAP (2020) Materials Pricing Report - June 2020

⁹ Eunomia assumption on the cost of sorting materials through a MRF

Contamination	15.1%
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For organic waste a gate fee of £51.70 was provided by SDDC for in-vessel composting (IVC), and for garden waste only options a gate fee of £26.50 was provided. Separate food waste was costed at £20. Recycling credits paid by the Waste Disposal Authority are £60.04.

Table 0-11: Material prices (positive equals a net income from the material)

Material	Sorting Fee	Basket Price	Cost per tonne
Paper and Card	£0	£0	£16.73
Container Materials	£80	£55.77	-£24.23
Organics	£0	£0	-£51.70

For Option 2, where dry recycling is collected separately WRAP MPR data¹⁰ for the separate materials were used and are shown in Table 0-12.

Table 0-12: Material prices for separately collected dry recycling (positive equals a net income from the material)

Material	Cost per tonne
Paper	-£77.12
Card	-£39.23
Plastic Bottles	-£127.40
Dense plastic packaging	-£127.40
Mixed glass	-£7.98
Ferrous Cans	-£115.00
Aluminium	-£801.56

As refuse costs are not carried by SDDC but the Waste disposal authority, the cost of disposal has not been included.

A.1.3.2 Vehicles

The costs and assumptions around upkeep of the vehicles used in the model are shown in Table 0-13.

Table 0-13: Vehicle Costs

Vehicle type	Cost per Vehicle	Interest on Capital	Fuel Cost per Litre	Maintenance	Insurance	Annual Road Fund Licence	Annual Cost
RCV	£160,000	0%	£1.31	£16,000	£8,000	£650	£47,507
Split-back RCV	£190,000	0%	£1.31	£19,000	£9,500	£650	£56,293
Pod RCV	£180,000	0%	£1.31	£18,000	£9,000	£650	£53,364
FW	£65,000	0%	£1.31	£6,500	£3,250	£200	£19,236
RRV	£127,000	0%	£1.31	£12,700	£6,350	£200	£37,393

The value for annual maintenance and insurance is calculated as an overall percentage of the cost of the vehicle, this has been set as 10% and 5% respectively

19/10/2020

A.1.3.3 Staff

Staff unit costs proposed to be used in the modelling are shown in Table 11. The staff costs for refuse and organics drivers and loaders were provided by SDDC. It was assumed that recycling staff would have the same salary, but a reduced pension compared to the refuse and organics staff, as no information was provided by the contractor.

Table 11: Costs of operational staff for SDDC

Description	Salary	NI	Pension	Overtime	Annual cost
Dry Recycling Driver	£20,867	£1,796	£2,087	£1,067	£25,817
Dry Recycling Loader	£19,171	£1,454	£1,917	£0	£22,542
Organics/Refuse Driver	£20,867	£1,796	£2,987	£1,067	£26,717
Organics/Refuse Loader	£19,171	£1,454	£2,646	£0	£23,271

A.1.3.4 Containers

New containers required for any service change are assumed to be purchased outright as a one-off capital expenditure and annualised over 10 years with no interest rate applied to cover borrowing costs. The annual costs modelled cover the annualised capital expenditure and the annual replacement of containers. Container costs were provided by SDDC for current containers used and estimated costs of containers used in future options were provided by Eunomia. These are shown in Table 12.

Table 12: Containers Specification and Cost

Container	Volume (litres)	Unit Cost	Annual Replacement Rate
Wheeled bin	240	£16.43	4.5%
Caddy/Insert	-	£5.10	5.0%
Wheeled bin	180	£14.59	4.0%
Box	55	£2.75	9.0%
Reusable Bag	-	£0.76	18.0%
Kerbside Caddy	23	£4.01	4.0%

A.1.3.5 Depot Works

In each of the options modelled, it has been assumed that work may be required to develop the depot in order to provide space for additional vehicles, purchase additional

equipment or to develop a Waste Transfer Station (WTS). These costs have been included, and where necessary annualised according to Table 13.

Table 13: Annual cost for depot works

	1	1a	2	3
Equipment & Staff	£5,000	£5,000	£95,000	£5,000
Development Work			£40,000	
Additional Land	£15,000	£15,000	£30,000	
Total	£20,000	£20,000	£165,000	£5,000
All equipment is annualised over 10 years				
Development work, and purchase of additional land is annualised over 25 years				

A.1.4 Commissioning Options

A.1.4.1 Staff

Staff unit costs were provided for all staff levels within the SDDC operated services, where costs differed between staff undertaking the same role these costs were averaged to give a fixed cost per role. These costs are shown in Table 14, alongside the costs which have been assumed based on the likely organisation structure and assumed costs.

Table 0-14: Cost of SDDC staff and assumed Ward Recycling staff

Description	Salary	NI	Pension	Overtime	Other	Annual cost
SDDC Staff						
Waste & Transport Manager	£36,876	£4,106	£5,089		£1,511	£47,582
Waste & Transport Supervisor	£29,636	£2,899	£4,090			£36,624
Waste & Transport Officer	£26,317	£2,573	£3,632		£963	£33,485
19/10/2020						
Refuse Driver / Chargehand	£20,726	£1,767	£2,958	£712		£26,163

Refuse Loader	£19,171	£1,454	£2,646			£23,271
Clinical Waste Driver	£19,171	£1,454	£2,646			£23,271
Ward Recycling Staff						
Recycling Contract Manager¹	£30,000	£2,829	£1,200			£34,029
Recycling Operations Manager¹	£28,000	£2,553	£1,120			£31,673
Recycling Supervisor²	£26,317	£2,321	£1,053			£29,690
Recycling Driver^{2*}	£20,726	£1,549	£829			£23,104
Recycling Loader^{2**}	£18,174	£1,197	£727			£20,098
<i>Assumed staff structure based on the contract size.</i> * Driver salary is equivalent to that paid by SDDC, due to the competitive nature of these jobs ** Loader salary has been taken from a recent job advert for Wards Recycling in South Derbyshire ¹ Pension assumed at 4% due to the managerial position, this is higher than operational staff ² Pension assumed at 2% to account for likely uptake of pensions, and lower contributions expected						

A.1.4.2 Pensions

Pensions rates have been assumed to change for all staff employed by Wards Recycling across the options. For the outsourced and in-house / outsource option the pension rates remain the same as in Table 14, the LAC option pension rates are increased to 7% for all staff, and for the in-house option all staff receive LGPS at 13.8%.

The current SDDC LGPS contribution has been calculated as 13.8%. This has remained the same for all staff currently employed by SDDC.

A.1.4.3 Vehicles

In all options the same vehicle configuration has been used to replicate the current fleet, these costs are provided in Table 15

Table 0-15: Vehicle Costs

Vehicle type	Annual Cost per Vehicle	Annual Fuel Cost	Maintenance	Insurance	Annual Road Fund Licence	Annual Cost
Ford Transit	£3,395	£27,883	£2,376	£1,188	£165	£35,007
RCV	£22,409	£27,883	£15,686	£7,843	£650	£74,470
Spare RCV		£13,941	£13,808	£6,904	£650	£35,304
Split Back RCV	£27,143	£27,883	£19,000	£9,500	£650	£84,176
Spare Split Back RCV		£13,941	£19,000	£9,500	£650	£43,091

19/10/2020

A.1.4.4 Corporate Overhead and Profit

The review of the current service has identified that it is unlikely that the current contract covers full corporate overhead and profit (COP) that would be expected on a contract such as this. In all options the following assumptions have been made regarding the COP added to each option, as a percentage of the overall service costs as shown in Table 16.

Table 0-16: Corporate Overhead and Profit

Option	Corporate Overheads	Profit margin	Total
Outsourced	5.0%	8.0%	13.0%
In-house	2.0%	0.0%	2.0%
LAC	5.0%	0.0%	5.0%
In-house/ Outsource	The COP for the relevant options are allocated to the service costs delivered by each option		

A.1.4.5 Other Costs

A range of other costs have been incorporated into the modelling in order to ensure the full operational costs are captured. This include the containers, local overheads, costs of depots and income from recycling credits. These costs have been taken from information provided by SDDC and proportioned across the current services for those which are associated with the refuse and garden services and those associated with the recycling service as shown in Table 17.

Table 17: Other Costs

	Refuse and garden waste	Recycling	Source
Containers	£100,485	£50,160	SDDC – cost split by container type for each service
Depots	£50,000	£50,000	Estimated costs for depot operations

Overheads	£103,833	£77,912	Refuse and garden waste taken from SDDC budget. A rate of 75% of this was applied to recycling service to reflect the smaller service
Commercial Waste Income	-£30,000		SDDC budget
Recycling Credits		-£728,625	SDDC budget

A.2.0 Detailed Modelling Results

A.2.1 Resources Required

The number of vehicles and crew required to deliver each of the options, which substantially drives the costs of each option, is presented in this Appendix. The collection requirements are calculated based on either the volume or weight capacity of the vehicles or the time available in the working day to collect from households – whichever is the limiting factor.

It should be noted that, the modelling normally produces non-integer numbers of vehicles and crew for each of the options. In practice, officers will need to consider how resources can be shared between services, or not utilised every day, in order to minimise the need to round up to integer numbers of vehicles within each service, which would subsequently lead to under-utilisation of the resource. However, we understand that savings from the reduction in fractional numbers of vehicles are hard (and sometimes impossible) to realise.

The number of vehicles and crew members required for each of the options are presented in Table 0-18.

Table 0-18: Vehicles and Crews Modelled in Each Option

Service	Baseline	1 - Sep FW	1a - Sep FW, 4W Res	2 - MS, 3W Res	3 - TS FW Pod, 3W Res
Dry Recycling	4.0	4.0	4.2	15.0	5.0
Separate Food Waste	0.0	5.0	5.8	0.0	0.0
Garden Waste	4.5	4.5	4.5	4.5	4.5
Refuse	4.5	4.5	2.4	3.0	3.2
Total Number of Vehicles	13.0	18.0	16.8	22.5	12.8
Total Number of Crew	39	49	45	58	47

A.2.2 Pass Rates Achieved

This section presents the modelled pass rates, which is the average number of households passed by one collection vehicle in one day. The average resulting pass rates

achieved in the baseline and future options is detailed in Table 0-19. The pass rates can generally be explained by the changes in the number of vehicles outlined above.

Table 0-19: Average Pass Rates Modelled for Options

Service	Baseline	1 - Sep FW	1a - Sep FW, 4W Res	2 - MS, 3W Res	3 - TS FW Pod, 3W Res
Dry Recycling	1,157	1,157	1,107	617	1213 1217*
Separate Food Waste		1,836	1,602		
Garden Waste	1,033	1,033	1,033	1,033	1,033
Refuse	1,026	1,026	979	1,026	956
* Depending if collection fibres or container materials					

A.2.3 Modelling Costs

The following tables present the costs modelled for each option including vehicle costs (Table 0-20), fuel costs (Table 0-21), staff costs (Table 0-22), containment costs (Table 0-23), and recycling costs (Table 0-24) and income through recycling credits (Table 0-25).

Table 0-20: Modelled Annual Vehicle Costs

Service	Baseline	1 - Sep FW	1a - Sep FW, 4W Res	2 - MS, 3W Res	3 - TS FW Pod, 3W Res
Dry Recycling	£225,034	£225,034	£233,848	£559,447	£270,226
Separate Food Waste	£0	£96,962	£110,864	£0	£0
Garden Waste	£213,651	£213,651	£213,651	£213,651	£213,651
Refuse	£213,850	£213,850	£112,104	£142,567	£171,935

Table 0-21: Modelled Annual Fuel Costs

Service	Baseline	1 - Sep FW	1a - Sep FW, 4W Res	2 - MS, 3W Res	3 - TS FW Pod, 3W Res
Dry Recycling	£90,032	£90,032	£95,488	£56,487	£125,594
Separate Food Waste	£0	£28,766	£40,713	£0	£0
Garden Waste	£148,055	£148,055	£148,055	£148,055	£148,055
Refuse	£114,305	£114,305	£59,022	£76,203	£105,556

Detailed Modelling Results

Table 0-22: Modelled Annual Staff Costs

Service	Baseline	1 - Sep FW	1a - Sep FW, 4W Res	2 - MS, 3W Res	3 - TS FW Pod, 3W Res
Dry Recycling	£283,434	£283,434	£294,535	£858,425	£473,183
Separate Food Waste	£0	£243,765	£278,715	£0	£0
Garden Waste	£329,462	£329,462	£329,462	£329,462	£329,462
Refuse	£329,769	£329,769	£172,870	£219,846	£311,010

Table 0-23: Modelled Annual Containment Costs

Service	Baseline	1 - Sep FW	1a - Sep FW, 4W Res	2 - MS, 3W Res	3 - TS FW Pod, 3W Res
Dry Recycling	£46,631	£46,631	£46,631	£82,789	£161,215
Separate Food Waste	£0	£25,800	£25,800	£0	£0
Garden Waste	£33,949	£33,949	£33,949	£33,949	£33,949
Refuse	£33,949	£33,949	£33,949	£97,749	£42,550

Table 0-24 Modelled Recycling Costs (minus is income)

Service	Baseline	1 - Sep FW	1a - Sep FW, 4W Res	2 - MS, 3W Res	3 - TS FW Pod, 3W Res
Dry Recycling	£67,848	£67,848	£81,418	-£450,785	£129,738
Separate Food Waste	£0	£55,598	£80,618	£0	£0
Garden Waste	£620,487	£288,299	£288,299	£288,299	£288,299
Refuse	£0	£0	£0	£0	£23,166

Table 0-25: Modelled Recycling Credits (minus is income)

Service	Baseline	1 - Sep FW	1a - Sep FW, 4W Res	2 - MS, 3W Res	3 - TS FW Pod, 3W Res
Dry Recycling	-£436,065	-£436,065	-£523,278	-£704,917	-£671,998
Separate Food Waste	£0	-£166,906	-£242,014	£0	£0
Garden Waste	-£720,163	-£653,188	-£653,188	-£653,188	-£653,188
Refuse	£0	£0	£0	£0	-£69,544

A.3.0 Evaluation Results

Qualitative	Option 1		Option 1a		Option 2		Option 3	
	Sep FW	Score	Sep FW, 4W Res	Score	MS 3W Res	Score	TS FW Pod 3W Res	Score
Alignment with Environment Bill	This option provides a separated food waste collection, and a free garden waste collection. On the recycling collection, most materials remain collected together including glass, there is however a separation of paper.	3	This option provides a separated food waste and a free garden waste collection. On the recycling collection, most materials remain collected together including glass, there is however a separation of paper.	3	This option provides a separated food waste and a free garden waste collection. On the recycling collection, all materials are sorted at the kerbside. This aligns with the expectation of the Environment Bill	5	This option provides a separated food waste and a free garden waste collection. On the recycling collection, most materials remain collected together including glass, there is however a separation of paper.	3
Resident Acceptability	This option introduces a food waste service, which is not being evaluated as all options introduce the same service. However, other than that there is no change in the service offered to residents, therefore a score of 3	3	This option introduces a food waste service, which is not being evaluated as all options introduce the same service. This option then goes further to introduce a 4-weekly collection service, residents may view this as a vast change in service. However, it is unlikely that this would be an immediate change, and residents will eventually get used to this service	2	This option introduces a food waste service, which is not being evaluated as all options introduce the same service. This service would require residents to store additional boxes at their property, which some resident may not have sufficient space for. Residents have previously used this service, so should understand how it works. Due to the additional requirements placed on the resident a score of 2	2	This option introduces a food waste service, which is not being evaluated as all options introduce the same service. This service would require residents to store an additional bin at their property, which some resident may not have sufficient space for. However, residents are receiving additional capacity for their recycling, especially paper and card, which is seeing an increase in capture. This provides an additional benefit which will offset the impact of an additional bin. There is also very little change to residents in the service.	3
Ease of Implementation / Deliverability	No change in vehicles required	3	There will be additional vehicles required, as well as tipping provisions for food waste.	2	A huge change in vehicle needs, and an increase in vehicles, as well as additional development of a Transfer Station capable of tipping separate materials	1	Requirement for a new fleet of RCV w. Pods, which may not time well to combine the recycling & residual service together	2
Impact on Recycling Market	There is no change in the quality of the recycling material, as there is no change in the collection. Although mixed organics will be separated, this happens in all options, so is not evaluated.	3	There is no change to the recycling service, however as refuse is moving to a four weekly service this could create higher volumes of contamination with the recycling stream. Although mixed organics will be separated, this happens in all options, so is not evaluated.	2	As materials are sorted separately at the kerbside, there is likely to be very little contamination within the recycling stream. This is a huge improvement on the materials, however the materials market is currently unpredictable and material prices may change quickly.	5	As residents are provided with additional capacity for their paper and card, this will ensure that there is very little paper or card which requires sorting through the MRF. However, there is unlikely to be any improvement on the quality of the container stream	4
Climate Change Impact	Introduction of food waste vehicles, may cause a higher emissions. There is no change in removing material from the residual waste service.	2	Introduction of food waste service is offset, but the reduction in residual vehicles. There is a push of material out of the residual stream and into recycling due to the restriction on capacity	4	There is an increase in the number of vehicles required, however there is a shift of material out of the residual stream and into specific material streams.	4	Overall reduction in the number of vehicles required to operate the service, alongside a shift of material into recycling, with removal of card within the MRF stream	4

Total	21	23	26	25
Evaluation Results				57

REPORT TO:	ENVIRONMENT AND DEVELOPMENT SERVICES	AGENDA ITEM: 12
DATE OF MEETING:	12th NOVEMBER 2020	CATEGORY: RECOMMENDED
REPORT FROM:	ALLISON THOMAS, STRATEGIC DIRECTOR – SERVICE DELIVERY	OPEN
MEMBERS’ CONTACT POINT:	KAREN BEAVIN - PLANNING POLICY TEAM LEADER, TEL: 07501 698400	DOC:
SUBJECT:	APPROVAL OF THE INFRASTRUCTURE FUNDING STATEMENT	
WARD(S) AFFECTED:	ALL	TERMS OF REFERENCE: EDS03

1. Recommendations

- 1.1 To approve the Infrastructure Funding Statement (IFS) for the 2019-20 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 2019/20 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

3. Detail

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

- £949,438.28 is the estimated financial value of S106 agreements during the reporting period, albeit the exact figure will only be confirmed once reserved matters applications are approved.
- £5,094,105.68 of S106 contributions were collected of which just over 50% went to the District Council with the remainder to other public authorities. The infrastructure types that this sum is to be spent on is set out in Tables 3 and 4 of the IFS.
- The total monies spent during the financial year totalled £2,337,160.34, of which £2,018,492.05 was transferred to external bodies.

4. Financial Implications

- 4.1 None as a result of publishing the IFS. The Council needs to use S106 money within the specified timescales (usually five years) of the money being paid, otherwise it has to be paid back to the developer with interest. It is possible to specify time period 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 31st December 2020.

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. Background Papers

- 7.1 The IFS is attached as an appendix to this report.

Infrastructure Funding Statement

2019-2020

Contents

1.0	Introduction	3
2.0	Section 106 Agreements	3
3.0	Community Infrastructure Levy (CIL).....	4
4.0	Infrastructure Funding Statement Requirements	4
5.0	Infrastructure Funding Statement	5
5.1	Infrastructure projects, or types of infrastructure which the charging authority intends will be, or may be, wholly or partly funded by CIL	5
5.2	The CIL Report.....	5
5.3	The Section 106 Report.....	5
a)	the total amount of money to be provided under any planning obligations which were entered into during the reported year.	5
b)	The total amount under any planning obligations which was received during the financial year (2019-2020)	6
c)	The total amount under any planning obligations which was received before the reported year which has not been allocated by the authority	6
d)	Non-monetary contributions to be provided under planning obligations which were entered into during 2019/20.	7
e)	The total amount of money which was allocated but not spent during the financial year for funding infrastructure	7
f)	Total monies spent in 2019-2020	8
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:	8
h)	In relation to money (received under planning obligations) which was spent during the financial year	15
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.	18



1.0 Introduction

[The Community Infrastructure Regulations 2010 \(Amendment\) \(England\) \(No.2\) Regulations 2019](#), came into force on 1st 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:

- Overview of S106 obligations;
- S106 contributions committed for future years;
- S106 contributions paid to the Council in the 2019/20 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 01/04/2019 – 31/03/2020.

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 31st 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

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 signed S106s 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
Affordable Housing	£700,000.00
Education	£82,980.48
Green Infrastructure	£22,750.00
Health	£24,246.00
Open Space and Leisure	£119,361.80
Total	£949,338.28

*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 (2019-2020)

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 2019/20 directly through South Derbyshire District Council S106s

Recipient	Monies Received
South Derbyshire District Council	£2,651,083.14
South Derbyshire District Council to be transferred to external organisations	£2,362,024.54
Total	£5,013,107.68

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

Infrastructure Type	Monies Received
Affordable Housing	£1,501,952.22
Green Infrastructure	£9,784.60
Open Space and Leisure	£1,139,346.32
Total	£2,651,083.14

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

Infrastructure Type	Monies Received
Education	£1,380,443.95
Flood and Water Management	£43,469.90
Green Infrastructure	£33,101.87
Health	£41,806.58
Highways	£509,149.67
Open Space and Leisure	£242,230.76
Transport and Travel	£111,628.82
Waste	£192.99
Total	£2,362,024.54

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 2019

Infrastructure Type	Amount Held
Community Facilities	£29,510.08
Education	£125,827.29



Green infrastructure	£1,131.63
Health	£571,479.80
Highways	£1,187,767.15
Open Space and Leisure	£644,386.75
Total	£2,560,102.70

d) Non-monetary contributions to be provided under planning obligations which were entered into during 2019/20.

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

A total of six S106s were entered into during the financial year, however, the circumstances of each, as outlined below, did not directly result in the provision of affordable units on site. This is notwithstanding that 269 affordable units were delivered on site during 2019/20, of which 194 were through S106s.

Table 6: Comments regarding affordable housing for S106s signed 2019/20.

App No	Development	Comment
9/2017/1191	Jackson's Lane, Etwall	An Affordable Housing Contribution is being provided in lieu of units being provided on site
9/2018/1049	MJ Car Sales, Church Gresley	The development is below the threshold for Affordable Housing developments
9/2018/0114	Land on the west of Coppice Side, Swadlincote	The proposed development is for specialist supported living apartments
9/2018/0976	Former Methodist Church, West Street, Swadlincote	The development is below the threshold for Affordable Housing developments*
9/2016/0844	Findacar and Easy Lease (Jetberg) Ltd, Castle Gresley	The development is below the threshold for Affordable Housing developments*
DMPA/2019/1205	Plots 5 - P2 -01, Dove Valley Park	The proposed development is a commercial development

*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 which was allocated but not spent during the financial year 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
Affordable Housing	£987,906.43
Community Facilities	£101,711.75
Flood and Water Management	£102,460.61
Green Infrastructure	£106,497.41
Health	£576,090.79
Highways	£373,150.63
Open Space and Leisure	£1,883,393.69
Post 16 Education	£557,594.29
Primary Education	£487,553.79
Secondary Education	£1,339,919.87
Transport and Travel	£111,628.82
Total	£6,627,908.08

f) Total monies spent in 2019-2020

Table 8: Total Council monetary S106 spending and transfer 2019/20

Money spent / transferred	Amount
South Derbyshire District Council	£318,668.29
Transferred to External Body	£2,018,492.05
Total	£2,337,160.34

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: Affordable Housing S106 funding which was allocated but not spent 2019-2020

Contribution Type	Organisation Responsible for Spending	Project Allocated To	Amount
Affordable Housing	South Derbyshire District Council	Purchase of four new homes in within Repton	£987,906.43
Total			£987,906.43



Table 10: Community Facilities S106 funding which was allocated but not spent (or transferred) 2019-2020

Contribution Type	Organisation Responsible for Spending	Project Allocated To	Amount
Community Facilities	South Derbyshire District Council	Towards the new community centre at New House Farm	£46,250.00
Library Contribution	Derbyshire County Council	Etwall Library Improvements	£54,416.03
Waste Contribution	Derbyshire County Council	Towards additional capacity at Newhall HWRC	£1,045.72
Total			£101,711.75

Table 11: Flood and Water Management S106 funding which was allocated but not spent (or transferred) 2019-2020

Contribution Type	Organisation Responsible for Spending	Project Allocated To	Amount
River Mease Contribution	North West Leicestershire District Council	River Mease DCS2	£2,460.61
Willington Brook Contribution	South Derbyshire District Council	Willington Brook Flood Defence Works	£100,000.00
Total			£102,460.61



Table 12: Green Infrastructure S106 funding which was allocated but not spent (or transferred) 2019-2020

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
Greenway Contribution	The Canal and River Trust	Towards the creation of 1km of greenway along the Trent and Mersey corridor	£46,583.00
National Forest Contribution	South Derbyshire District Council	Towards the management of Foxley Wood Woodlands	£4,032.33
Pedestrian / Cycleway Contribution	Derbyshire County Council	Creation of a Pedestrian / Cycleway from Cadley Hill Industrial Estate to Ryder Close	£16,579.90
Public Right of Way Contribution	Derbyshire County Council	Improvements to Woodville FP3	£33,101.87
Total			£106,497.41



Table 13: Health S106 funding which was allocated but not spent (or transferred) 2019-2020

Contribution Type	Organisation Responsible for Spending	Project Allocated To	Amount
Healthcare Contribution	Derby and Derbyshire CCG	Alvaston Medical Centre Improvements	£17,110.16
Healthcare Contribution	Derby and Derbyshire CCG	Overseal Doctors Surgery Expansion*	£40,224.48
Healthcare Contribution	Derby and Derbyshire CCG	Gresleydale Surgery Expansion	£9,934.25
Healthcare Contribution	Derby and Derbyshire CCG	Hilton GP Surgery Expansion	£44,078.85
Healthcare Contribution	Derby and Derbyshire CCG	Improving Healthcare Provision within Boulton Moor	£345,348.17
Healthcare Contribution	Derby and Derbyshire CCG	Mickleover Medical Centre Expansion	£24,215.00
Healthcare Contribution	Derby and Derbyshire CCG	Lister House Surgery, Chellaston Improvements	£13,542.75
Healthcare Contribution	Derby and Derbyshire CCG	Melbourne and Chellaston Medical Practice Expansion	£51,637.13
Total			£546,090.79

*Due to the closure of Overseal GP Surgery in January 2020, which was after the date the monies were received, South Derbyshire District Council and Derby and Derbyshire Clinical Commissioning Group (CCG) are working with the signatories to the relevant S106 to agree the appropriate spending of the money.



Table 14: Highways S106 funding which was allocated but not spent (or transferred) 2019-2020

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	£143,649.67
Highways	Highways England	Ramp Metering Works Findern A38 Junction	£196,500.00
Highways	Highways England	A515 / A50 roundabout junction at Sudbury works	£31,619.09
Total			£373,150.63

Table 15: Open Space and Leisure S106 funding which was allocated but not spent (or transferred) 2019-2020

Contribution Type	Organisation Responsible for Spending	Project Allocated To	Amount
Built Facilities	South Derbyshire District Council	Aston Recreation Ground Improvements	£5,391.39
Outdoor Sports	South Derbyshire District Council	Aston Recreation Ground Improvements	£9,659.74
Outdoor Sports	South Derbyshire District Council	Badger's Hollow Recreation Ground Improvements	£20,945.73
Outdoor Sports	South Derbyshire District Council	Broomfields Recreation Ground	£1,501.44
Recreation Contribution	Derby City Council	Chellaston Community Centre	£180,000.00
Built Facilities	South Derbyshire District Council	Etwall Leisure Centre Improvements	£207,529.19
Outdoor Sports	South Derbyshire District Council	Etwall Leisure Centre Improvements	£150,872.60
Open Space	South Derbyshire District Council	Eureka Park	£60,808.70
Built Facilities	South Derbyshire District Council	Goseley Community Centre	£6,057.20
Outdoor Sports	South Derbyshire District Council	King George V Playing Field	£26,539.59
Built Facilities	South Derbyshire District Council	Kings Newton Bowls Clubhouse	£15,326.07



Open Space	South Derbyshire District Council	Linton Recreation Ground Improvements	£35,512.53
Open Space	South Derbyshire District Council	Main Street Recreation Ground, Hartshorne Improvements	£10,631.62
Open Space	South Derbyshire District Council	Maurice Lea Memorial Park Play Equipment	£12,442.32
Open Space	South Derbyshire District Council	New Urban Park (Cadley Hill)	£289,909.93
Open Space	South Derbyshire District Council	Newhall Park	£46,176.70
Outdoor Sports Facilities	East Staffordshire Borough Council	Newton Road Park Playing Fields Improvements	£49,840.20
Built Facilities	South Derbyshire District Council	Improvements to the changing rooms at Overseal Recreation Ground	£5,635.35
Open Space	South Derbyshire District Council	Oversetts Road Recreation Ground	£600,707.32
Built Facilities	South Derbyshire District Council	Rosliston Forestry Centre, Towards Visitor Centre Enhancements	£12,292.79
Open Space	South Derbyshire District Council	Rosliston Forestry Centre, towards upgrading play equipment	£37,338.86
Outdoor Sports	South Derbyshire District Council	Strawberry Lane Recreation Ground Improvements	£22,022.92
Open Space	South Derbyshire District Council	Swadlincote Woodlands Improvements	£19,385.96
Outdoor Sports	South Derbyshire District Council	Outdoor Sports within Willington	£33,817.07
Built Facilities	South Derbyshire District Council	Woodville Recreation Ground Changing Room Refurbishment	£3,783.23
Outdoor Sports	South Derbyshire District Council	Woodville Recreation Ground Improvements	£3,532.59
Open Space	Derby City Council	Play Area, adjacent to Woodgate Drive Chellaston	£15,732.65
Total			£1,883,393.69



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

Table 16: Post 16 Education S106 funding which was allocated but not spent (or transferred) 2019-2020

Contribution Type	Organisation Responsible for Spending	Project Allocated To	Amount
Post 16 Education	Derbyshire County Council	John Port Improvement Works	£510,155.09
Post 16 Education	Derbyshire County Council	Pingle School Improvement Works	£47,439.20
Total			£557,594.29

Table 17: Primary Education S106 funding which was allocated but not spent (or transferred) 2019-2020

Contribution Type	Organisation Responsible for Spending	Project Allocated To	Amount
Primary Education	Derbyshire County Council	Eureka Primary School Expansion	£149,421.97
Primary Education	Derbyshire County Council	Linton Primary School Expansion	£63,839.67
Primary Education	Derbyshire County Council	Newhall Junior School Expansion	£12,236.23
Primary Education	Derbyshire County Council	Overseal Primary School Expansion	£88,472.21
Primary Education	Derbyshire County Council	Repton Primary School Expansion	£93,819.21
Primary Education	Derbyshire County Council	Rosliston Primary School Expansion	£24,806.25
Primary Education	Derbyshire County Council	Stanton Primary School Expansion	£45,157.11
Primary Education	Derbyshire County Council	Woodville Infant & Junior School Expansion	£9,801.14
Total			£487,553.79

Table 18: Secondary Education Section 106 funding which was allocated but not spent (or transferred) 2019-2020

Contribution Type	Organisation Responsible for Spending	Project Allocated To	Amount
Secondary Education	Derbyshire County Council	Chellaston Academy Expansion	£335,785.15
Secondary Education	Derbyshire County Council	John Port Improvement Works	£555,353.07



Secondary Education	Derbyshire County Council	Pingle School Improvement Works	£116,654.63
Secondary Education	Derbyshire County Council	William Allitt Improvement Works	£332,127.02
Total			£1,339,919.87

Table 19: Transport and Travel Section 106 funding which was allocated but not spent (or transferred) 2019-2020

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
Total			£111,628.82

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 20: Total monies spent by South Derbyshire District Council 2019-2020

Infrastructure Type	Infrastructure Project	Monies Spent
Affordable Housing	Purchase of 12 Affordable Homes in Aston-on-Trent	£277,999.22
Open Space and Leisure	Eureka Park Planting	£13,211.94
Open Space and Leisure	Improvements to the drainage at Melbourne Sports Park	£27,457.13
Total		£318,668.29

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 21: Community S106 funding transferred 2019-2020

Recipient	Infrastructure Project	Monies Transferred
Etwall Parish Council	Toilet Refurbishment at Frank Wickham Hall	£30,098.84
Linton Village Hall	Linton Village Hall Refurbishment	£58,071.57
Repton Village Hall Company	Repton Village Hall Refurbishment	£10,161.35
Total		£98,331.76





Repton Village Hall, opened September 1st, 2019 which was partially funded by S106 contributions.

Table 22: Flood and Water Management S106 funding transferred 2019-2020

Recipient	Infrastructure Project	Monies Transferred
North West Leicestershire District Council	River Mease Developer Contribution Scheme	£41,007.29
	Total	£41,007.29

Table 23: Highways S106 funding transferred 2019-2020

Recipient	Infrastructure Project	Monies Transferred
Derby City Council	Riber Drive Controlled Crossing Installation	£99,950.00
Etwall Parish Council	Pedestrian Improvements around Church Hill	£5,862.06
	Total	£105,812.06

Table 24: Open Space and Leisure S106 funding transferred 2019/20

Recipient	Infrastructure Project	Monies Transferred
Burton Canoe Club	Refurbishment works to the clubhouse	£51,983.25
Derby City Council	Chellaston Community Centre Improvements	£15,554.53
Derby City Council	Moorways Swimming Complex	£27,866.43
Derbyshire County Council	Etwall Library Stock	£20,000.00
Derbyshire Wildlife Trust	Willington Gravel Pits Nature Reserve	£19,950.00
East Staffordshire Borough Council	Newton Road Park Improvement Project	£43,289.40
Etwall Parish Council	Bowls Club Improvement Project	£20,000.00
Hatton Parish Council	Remembrance Wood at Jubilee Field	£2,865.00
Hatton Parish Council	Scropton Road Play Equipment	£11,160.00
Hatton Parish Council	Scropton Road Bowls Club Improvements	£6,600.00
Linton Parish Council	Linton Recreation Ground Refurbishments	£76,700.35
Overseal Parish Council	Enlargement of MUGA	£86,816.55



Repton Casuals FC	Broomhills Lane Redevelopment	£30,478.85
Repton Parish Council	Outdoor Sports Facilities Adjacent to Brookside Close	£6,991.00
Whistlewood Common	Play Facilities	£39,461.52
Woodville Parish Council	Commuted sum for maintenance of Public Open Space at Woodville Woodlands	£15,000.00
Total		£474,716.88

Table 25: Primary Education S106 funding transferred 2019-2020

Recipient	Infrastructure Project	Monies Transferred
Derbyshire County Council	Linton Primary School Expansion	£144,423.09
Derbyshire County Council	Church Gresley Infant School	£130,805.34
Derbyshire County Council	Chellaston Fields Primary School	£83,529.25
Derbyshire County Council	Stanton Primary School Expansion	£87,425.71
Derbyshire County Council	Overseal Primary School Expansion	£66,351.33
Derbyshire County Council	Belmont Primary School Expansion	£134,311.01
Derbyshire County Council	Willington Primary School Expansion	£132,792.43
Total		£779,638.16

Table 26: Secondary Education S106 funding transferred 2019-2020

Recipient	Infrastructure Project	Monies Transferred
Derbyshire County Council	Pingle School Expansion	£317,673.94
Derbyshire County Council	Chellaston Academy Expansion	£128,902.32
Derbyshire County Council	John Port Academy Expansion	£20,000.00
Total		£466,576.26

Table 27: Transport and Travel S106 funding transferred 2019/20

Recipient	Infrastructure Project	Monies Spent
Persimmon Homes North Midlands	Repayment of Travel Plan Contribution (in order to pay into an ESCROW account)	£52,409.64
Total		£52,409.64

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.**

These “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 Cultural Services teams.

There is £653,746.27 of commuted sums held by South Derbyshire Council as of March 31, 2020.



REPORT TO:	ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE	AGENDA ITEM: 13
DATE OF MEETING:	12th NOVEMBER 2020	CATEGORY: DELEGATED
REPORT FROM:	STRATEGIC DIRECTOR (SERVICE DELIVERY)	OPEN
MEMBERS' CONTACT POINT:	DEMOCRATIC SERVICES 01283 595848/5722 democraticservices@southderbyshire.gov. uk	DOC:
SUBJECT:	COMMITTEE WORK PROGRAMME	REF:
WARD(S) AFFECTED:	ALL	TERMS OF REFERENCE: G

1.0 Recommendations

1.1 That the Committee considers and approves the updated work programme.

2.0 Purpose of Report

2.1 The Committee is asked to consider the updated work programme.

3.0 Detail

3.1 Attached at Annexe 'A' is an updated work programme document. The Committee is asked to consider and review the content of this document.

4.0 Financial Implications

4.1 None arising directly from this report.

5.0 Background Papers

5.1 Work Programme.

Environmental & Development Committee – 12th November 2020 Work Programme

Work Programme Area	Date of Committee meetings	Contact Officer (Contact details)
Reports Previously Considered by Last Three Committees		
Review of Charitable Collections Policy	6 th July 2020	Emma McHugh Licensing / Legal & Democratic Services 8745
Annual Enforcement & Compliance Report 2019/20	6 th July 2020	Matt Holford Head of Environmental Services (01283) 595856
Corporate Plan 2020-24: Performance Report (2019-2020 Quarter 4 – 1 January To 31 March)	6 th July 2020	Fiona Pittman
Central Building Control Partnership Performance Report	6 th July 2020	Chris Nash Planning Delivery Team Leader – Service Delivery 01283 595926
Introduction of Animal Welfare Licensing Policy	13 th August 2020	Emma McHugh Senior Licensing Officer (01283) 595716

Local Environmental Quality Survey 2020	13 th August 2020	Adrian Lowery Head of Operational Services 01283 595764
Hilton, Marston on Dove and Hoon Neighbourhood Development Plan Regulation 16 Consultation	13 th August 2020	Karen Beavin Planning Policy Team Leader (01283) 595749
Biodiversity Offsetting and Update from Biodiversity Working Group	13 th August 2020	Kevin Exley Planning Policy Officer (01283) 228717
Licensing Act 2003 – Statement of Licensing Policy	24 th September 2020	Emma McHugh Senior Licensing Officer (01283) 595716
Q1 Corporate Plan Performance 2020-24	24 th September 2020	Clare Booth Corporate Performance & Policy Officer (01283) 595788
Consultation on Planning White Paper: Planning for the Future	24 th September 2020	Steffan Saunders Head of Planning Services and Strategic Housing
Adoption of Local Green Spaces Plan	24 th September 2020	Karen Beavin Planning Policy Team Leader (01283) 595749
Changes to the Current Planning System' Ministry of Housing, Communities and Local Government Consultation	24 th September 2020	Karen Beavin Planning Policy Team Leader (01283) 595749

Trial of Pool Car Arrangements with the NHS	24 th September 2020	Matt Holford Head of Environmental Services (01283) 595856
Bid for Electric Vehicle Recharge Points	24 th September 2020	Matt Holford Head of Environmental Services (01283) 595856
Licensing KPI Report	24 th September 2020	Emma McHugh Senior Licensing Officer (01283) 595716
Provisional Programme of Reports To Be Considered by Committee		
Consideration of Statutory Taxi and Private Hire Standards	12th November 2020	Emma McHugh / Nigel Marston Senior Licensing Officer (01283) 595716
Review of Private Hire Fees	12th November 2020	Emma McHugh / Nigel Marston Senior Licensing Officer (01283) 595716
Corporate Environmental Sustainability Group	12 th November 2020	Matt Holford Head of Environmental Services (01283) 595856
Corporate Plan 2020 - 2024: Performance Report Q2	12 th November 2020	Clare Booth Corporate Performance & Policy Officer (01283) 595 788

Waste and Minerals Plan Consultation from the County Council	12 th November	Karen Beavin Planning Policy Team Leader (01283) 595749
Waste Delivery Review Outcome Report	12 th November 2020	Adrian Lowery Head of Operational Services 01283 595764
Approval of the Infrastructure Funding Statement	12 th November 2020	Karen Beavin Planning Policy Team Leader (01283) 595749
Authority Monitoring Report	21 st January 2021	Karen Beavin Planning Policy Team Leader (01283) 595749
Corporate Plan 2020 - 2024: Performance Report Q3	4 th March 2021	Clare Booth Corporate Performance & Policy Officer (01283) 595788
Air Quality Strategy	4 th March 2020	Matt Holford Head of Environmental Services (01283) 595856
Climate and Environmental Action Plan Annual Review	4 th March 2020	Matt Holford Head of Environmental Services (01283) 595856
S106 Developer Contributions Protocol	4 th March 2021	Karen Beavin Planning Policy Team Leader (01283) 595749

S106 Monitoring Officer Post	4 th March 2021	Karen Beavin Planning Policy Team Leader (01283) 595749
East Midlands Airport Airspace Redesign Consultation (changing the flight paths)	21 st April 2021	Karen Beavin Planning Policy Team Leader (01283) 595749
Derbyshire Strategic Planning Framework Statement of Common Ground	21 st April 2021	Karen Beavin Planning Policy Team Leader (01283) 595749
Local Development Scheme	21 st April 2021	Karen Beavin Planning Policy Team Leader (01283) 595749
Gypsy and Traveller Accommodation Assessment Report	21 st April 2021	Karen Beavin Planning Policy Team Leader (01283) 595749
Statement of Community Involvement	21 st April 2021	Karen Beavin Planning Policy Team Leader (01283) 595749
Enforcement & Regulatory Annual Report	June 2021	Matt Holford Head of Environmental Services (01283) 595856
Environmental Services - commercialisation business plan	October 2021	Matt Holford Head of Environmental Services (01283) 595856

Corporate Environmental Sustainability Group Activity	November 2021	Matt Holford Head of Environmental Services (01283) 595856
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