

**ENVIRONMENTAL AND DEVELOPMENT SERVICES  
COMMITTEE**

**07 November 2024**

**PRESENT:**

**Labour Group**

Councillor S Taylor (Chair), Councillor K Storey (Vice-Chair)

and

Councillors A Archer, B Stuart, A Tilley, N Tilley and S Harrison (substitute for Councillor V Redfern)

**Conservative Group**

Councillors M Gotheridge, K Haines and J Patten

**Non-Grouped**

Councillor A Wheelton

**Liberal Democrats**

Councillor G Andrew

EDS/45 **APOLOGIES**

The Committee was informed that apologies had been received from Councillor V Redfern (Labour Group).

EDS/46 **MINUTES**

The Committee noted and approved the Open Minutes of the meetings held on 08 August 2024 and 19 September 2024 and were signed by the Chair as a true record.

EDS/47 **DECLARATIONS OF INTEREST**

The Committee was informed that a declaration of interest had been received from Councillor J Patten in respect of item EDS/54 by virtue of being a County Councillor.

The Committee was informed that a declaration of interest had been received from Councillor M Ford in respect of item EDS/54 by virtue of being a County Councillor.

EDS/48 **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/49 **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.

**MATTERS DELEGATED TO COMMITTEE**

EDS/50 **PRIVATE HIRE CROSS BORDER ENFORCEMENT – WOLVERHAMPTON CITY COUNCIL**

The Senior Licensing Officer provided a summary of the report to the Committee and sought approval for the recommendations within the report.

Councillor J Patten enquired as to the same arrangement being implemented with Northwest Leicestershire and East Staffordshire.

The Senior Licensing Officer confirmed that to date there was an arrangement in place whereby South Derbyshire District Council had delegated the power to undertake the compliance functions to the authorities, but it had not yet been reciprocated.

It was noted that the Executive Director – Law and People would be asked to write to the authorities, in consultation with the Chair, if it was appropriate.

**RESOLVED:**

- 1.1 The Committee recommended to Council to delegate the power to undertake the Council's compliance functions under section 68 and 73 of the Local Government (Miscellaneous Provisions) Act 1976 to named Officers at Wolverhampton City Council.***
- 1.2 The Committee recommended that Council accept the delegation from Wolverhampton City Council to named Officers of the Council, to undertake Wolverhampton City Council's compliance functions under s68 and s73 of the Local Government (Miscellaneous Provisions) Act 1976.***
- 1.3 The Committee delegated to the Executive Director, Law and People the operational aspects of the authorisations.***

EDS/51 **REVIEW OF PRIVATE HIRE LICENSING POLICY AND CONDITIONS**

The Senior Licensing Officer provided a summary of the report to the Committee noting the reasons for the review of Policy and Conditions due to an updated Best Practice Guidance released by the Department of Transport and the changing landscape of the taxi and private hire trade and sought approval for the recommendations within the report.

Councillor A Wheelton sought clarification regarding checks being carried out on Drivers outside of the area coming into the District and whether South Derbyshire District Council had any powers over other authorities to carry out sufficient checks to maintain high standards.

The Senior Licensing Officers confirmed that South Derbyshire District Council did not have any powers over other authorities, although relationships have been built and under the Safeguarding Act 2022, issues would be reported back for the relevant authority for action to be taken.

**RESOLVED:**

- 1.1 The Committee approved the changes to the Private Hire Licensing Policy and Private Hire Vehicle, Driver and Operator Conditions at Appendices 1-4 to come into effect on 18 November 2024.***
- 1.2 The Committee delegated to the Executive Director, Law and People the power to amend the Private Hire Licensing Policy in line with the revised Institute of Licensing's Suitability Guidance for Taxi and Private Hire Licensing.***

EDS/52 **REVISION OF STREET TRADING POLICY**

The Senior Licensing Officer provided a summary of the report to the Committee noting that the policy had been reviewed to streamline the application process and the consultation process to make it more user friendly for both officers and applicants.

Members considered the report and supported the officer's recommendations.

**RESOLVED:**

- 1.1 The Committee approved the amendments to the Council's Street Trading Policy attached at Appendix 1***

EDS/53 **COUNCIL PLAN 2024 -28: PERFORMANCE REPORT (2024-2025 QUARTER 2 – 1 APRIL TO 30 SEPTEMBER)**

The Executive Director – Environment and Communities presented the report to the Committee noting the project to publish and implement a South Derbyshire District Council Renewable Energy Production Plan had been suspended from the Council Plan due to a change in approach. It was noted that the Council would be working in partnership with the East Midlands Combined County Authority undertaking a study across the County with other authorities and would be appointing a consultant to work with the Council to gather information to help inform the Local Area Energy Plan.

Councillor G Andrew sought clarification on figures reported for planning application performance, household waste profile target and recycling rates.

The Head of Planning and Strategic Housing provided confirmation that planning applications were on course, however there had been some delay relating to biodiversity net gain and ensuring that all requirements had been met. The Committee was advised that a comprehensive report would be provided to the Committee in due course.

The Head of Operations informed the Committee that all information was currently paper based and not easy to extract data from, however new software had been purchased that would enable more detailed breakdown of reported figures in the future.

**RESOLVED:**

- 1.1 The Committee noted progress against the performance targets set out in the Council Plan 2024-2028, Performance Dashboard, in Appendix A.***

**EDS/54    REVIEW OF RECYCLING COLLECTION STREAMS**

The Head of Operational Services presented the report to the Committee and sought approval for the recommendations set out with the report.

Members raised concerns regarding the financial implications, funding streams, the number of unknowns and the lack of information provided by Derbyshire County Council.

The Chair informed the Committee that all concerns raised had been noted and required future discussion.

**RESOLVED:**

- 1.1 The Committee considered and approved, the options as recommended by Overview and Scrutiny Committee as follows:***
  - 1.1.1 To supply biodegradable internal kitchen caddy liners to residents and that they are provided free of charge***

*as an introductory incentive only (1 roll on implementation of scheme).*

**1.1.2** *After the introductory incentive to provide biodegradable internal kitchen caddy liners to residents for purchase at reasonable cost, but not to be distributed.*

**1.1.3** *To provide internal Kitchen Food Caddies at reasonable cost for residents to purchase.*

**EDS/55 DESIGNATION OF HATTON NEIGHBOURHOOD AREA**

The Head of Planning and Strategic Housing presented the report to the Committee and sought approval for the recommendations within the report.

Members considered the report and supported the officer's recommendations

**RESOLVED:**

**1.1** *The Committee designated the Parish of Hatton (as identified on the plan at Appendix A) as a Neighbourhood Area.*

**EDS/56 ADOPTION OF PLANNING OBLIGATIONS SUPPLEMENTARY PLANNING DOCUMENT**

The Planning Policy Officer provided a summary of the report to the Committee noting that the draft Supplementary Planning Document had been approved for consultation by Environmental and Development Services Committee on 20 April 2022. It was note that the consultation period for the Planning Obligations Supplementary Planning Document ran for a period of public consultation from 20 May 2022 to 27 June 2022 and 21 responses had been received as detailed in Appendix 2 of the report.

Members considered the report and supported the officer's recommendations.

**RESOLVED:**

**1.1** *The Committee approved the Planning Obligations Supplementary Planning Document (the SPD) (at Appendix 1) for adoption, and delegates to the Head of Planning and Strategic Housing in consultation with the Chair of Environmental and Development Services Committee to make any minor changes and formatting as required.*

**EDS/57 APPROVAL OF THE INFRASTRUCTURE FUNDING STATEMENT 2023-2024**

The Planning Policy Officer provided a summary of the report to the Committee outlining the financial contributions that had been secured through Section 106 Funding Agreements from new developments for off-site infrastructure provision and affordable housing and sought approval of the recommendations.

**RESOLVED:**

- 1.1 *The Committee approved the Infrastructure Funding Statement (IFS) for the 2023-24 financial year for publication.***

EDS/58 **INTRODUCTION OF PRE-PLANNING APPLICATION CHARGING**

The Head of Planning and Strategic Housing presented the report to the Committee, noting that a report which sought to introduce pre-application charging had been approved in 2021. The Committee was advised that the practice of pre-application engagement was firmly encouraged in the National Planning Policy Framework.

Councillor K Haines sought clarification regarding the impact to non-development application process.

The Head of Planning and Strategic Housing confirmed that the process had been thoroughly thought through and would not cause any adverse impact.

Councillor A Wheelton sought clarification on a review process for fees and charges and the monitoring process.

The Head Legal and Democratic Services confirmed that reports would be provided through budget monitoring and that fees and charges would be reviewed annually in line with guidance provided by The Local Government Association.

**RESOLVED:**

- 1.1 *The Committee recommended to Finance and Management Committee to approve the charges at Appendix 4 for planning pre-application advice to be implemented from 1 January 2025.***
- 1.2 *The Committee recommended to Finance and Management Committee to approve the increase in fees for Footpath Diversion Orders as set out in paragraph 3.15 of this Report to be implemented from 8 November 2024***

EDS/59 **COMMITTEE WORK PROGRAMME**

The Executive Director – Environment and Communities presented the report to the Committee

**RESOLVED:**

**1.1 The Committee considered and approved the updated Work Programme**

EDS/60 **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***

**EXEMPT MINUTES**

***The Committee received the Exempt Minutes of the meetings held on 08 August 2024 and 19 September 2024 and were signed by the Chair as a true record.***

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

***The Committee was informed that no exempt questions had been received.***

The meeting terminated at 19:45hours.

COUNCILLOR S TAYLOR

CHAIR