

ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE

20th November 2008

**PRESENT:-**

**Conservative Group**

Councillor Bladen (Chairman), Councillor Ford (Vice-Chairman) and Councillors Bale, Mrs. Patten, Stanton, Timms and Watson.

**Labour Group**

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

**Independent Member**

Councillor Mrs. Brown

**In Attendance**

Councillors Mrs. Farrington, Jones, Mrs. Plenderleith and Mrs. Wheeler (Conservative Group) and Councillors Lane and Richards (Labour Group).

EDS/23. **MINUTES**

The Open Minutes of the Meeting held on 9th October 2008 were taken as read, approved as a true record and signed by the Chairman.

EDS/24. **DECLARATIONS OF INTEREST**

Councillor Mrs. Patten declared a prejudicial interest in Item No. 7 (Dog Control Order For The Hilton Ward) (Minute No. EDS/25), as a Member of the Committee of Hilton Harriers Football Club.

**MATTERS DELEGATED TO COMMITTEE**

EDS/25. **DOG CONTROL ORDERS FOR HILTON WARD**

A report was submitted advising Members of the results of a consultation exercise for a number of proposed Dog Control Orders in Hilton.

Information was given on the background to the Dog Control Orders (DCO's), and the offences that might be prescribed therein.

Consultation on various DCO's for the Hilton Ward had recently been completed and those that had been supported by consultees were as follows:

Dogs excluded:

- Children's play area at the Village Hall.
- Children's play area at Avon Way.
- Children's play area off Main Street.

Dogs to be kept on a lead:

- Village Hall picnic area.

The proposed DCO that had been opposed by consultees was:

Dogs to be kept on a lead:

- The Mease Football Ground (approximately 50 objections had been received).

Further details were given on checks that had been completed by Safer Neighbourhood Wardens at the Mease Football Ground, and comments in support of the DCO had been received from Hilton Harriers Football Club. Officers concluded that the proposals for the Hilton Ward had, in the main, been supported. However, the proposal for the Mease Football Pitch had met with significant opposition, and it was recommended that this Order not be implemented.

Members responded that there was a problem with dog fouling, not only at the Mease, but on sports pitches throughout the District, and felt that this Order should be implemented.

**RESOLVED:-**

***That the implementation of the following Dog Control Orders in the Hilton Ward, be approved:-***

***Dogs excluded:***

- ***Children's play area at the Village Hall.***
- ***Children's play area at Avon Way.***
- ***Children's play area off Main Street.***

***Dogs to be kept on a lead:***

- ***Village Hall picnic area.***
- ***The Mease football pitches.***

Councillor Mrs. Patten declared a prejudicial interest in this item, and withdrew from the Meeting during the consideration and determination thereof.

**EDS/26. LDF ANNUAL MONITORING REPORT 2007/08**

Members were asked to authorise the submission of the Local Development Framework (LDF) Annual Monitoring Report (AMR) for 2007/08 to the Secretary of the State, and to consider the need for a revision to the Local Development Scheme (LDS).

Regulations required the submission of an AMR by 31st December each year. The AMR had two main purposes:

1. To review progress in the preparation of LDF documents against the milestones set out in the LDS, and
2. To assess the extent to which development plan policies were being successfully implemented through the use of a number of national and local indicators.

The AMR was, in practice, a management tool to inform the need for a review of LDF policies or revisions to the timetable.

The findings of the AMR were summarised within the report for the period 1st April 2006 to 31st March 2008. Attention was also drawn to significant

issues, which had arisen since the close of the monitoring period, which would be formally recorded in next year's AMR.

The headline findings of the AMR for 2006/07 were summarised, under the following headings:

- Progress on LDF Documents – Local Development Scheme 2007/08.
- Policy Performance.
- Employment Development Trends.
- Housing Development Trends.

Further details were given to Members on how the Committee would manage the milestones set out in this document.

Members expressed concern that the report did not seem to take into account the requirement for affordable housing in rural areas. The Head of Planning Services responded that this would emerge through the LDF process.

**RESOLVED:-**

- (1) That the contents of the LDF Annual Monitoring Report be noted.***
- (2) That the AMR be submitted to the Government Office for the East Midlands before the deadline of 31st December 2008.***
- (3) That a revised LDS be prepared and brought before Members before April 2009, reflecting the need for revisions to the timetables for the preparation of LDF documents in the light of recently revised Government guidance in PPS12.***

**EDS/27. DRAFT WEST MIDLANDS REGIONAL SPATIAL STRATEGY – PREFERRED OPTION**

Members were asked to consider and formulate a response to consultations on the following two documents:

1. The draft "Phase 2 West Midlands Regional Spatial Strategy – Preferred Option".
2. "Development of Options for the West Midlands RSS in response to the NHPAU Report".

The West Midlands Regional Assembly (WMRA) was undertaking a review of certain aspects of the West Midlands RSS (WMRSS), which was published in June 2004. It was pointed out that, whilst the bulk of the planning strategy for the West Midlands was of limited direct interest to South Derbyshire, the RSS's treatment of Burton upon Trent was clearly a key issue, given its proximity. In an earlier consultation on the WMRSS, there had been a suggestion that in view of likely future levels of housing development at Burton upon Trent, some of East Staffordshire's housing requirements might need to be accommodated within South Derbyshire as an urban extension to Burton upon Trent.

The recommended response to this document was included within the report.

A second, related consultation was also underway, arising from the Government's concern that the preferred option did not propose sufficient

housing numbers. The Government Office for the West Midlands had commissioned a study from Nathaniel Lichfield and Partners (NLP), to advise on the capacity of the West Midlands to accommodate higher growth levels. The NLP report was published and comments were required to be submitted by noon on 8th December 2008.

This study put forward 3 overall development scenarios for future housing growth in the West Midlands, for consideration by the RSS Examination Panel. The scenarios related to strategies of a “South-East Focus”, “Spreading Growth” and “Maximising Growth”. With regard to East Staffordshire, these scenarios would mean a potential additional housing requirement of zero, 2,500 and 5,000 dwellings respectively. There was no specific reference or acknowledgement of South Derbyshire in the study other than an oblique reference to “possible cross boundary/regional issues to address here”. However, given the concerns over likely pressure for development impacting on South Derbyshire, even under the lowest growth scenario, the prospect of higher growth requirements would clearly be unsustainable and completely unacceptable. In this regard, it was understood that East Staffordshire Borough Council had similar serious concerns, and intended to raise objections to their housing figures being increased further.

The recommended response was included in full within the report.

Members fully supported the report, whilst requesting an amendment to the wording of paragraph 4.6.

**RESOLVED:-**

- (1) That the draft Phase 2 West Midlands Regional Spatial Strategy – Preferred Option and the Development of Options for the West Midlands RSS in response to the NHPAU Report (prepared by Nathaniel Lichfield and Partners) be noted.***
- (2) That objections be raised to both these documents as set out in paragraphs 4.5 to 4.7 and paragraphs 4.11 of the report, subject to an amendment of paragraph 4.6 inserting ‘very’ to read “ the Council very strongly objects to the provision...”.***

EDS/28. **CLIMATE CHANGE STRATEGY**

A report was submitted informing Members of the Climate Change Strategy adopted by the Derbyshire Partnership Forum for the whole County, and to agree the outline of the South Derbyshire Climate Change Strategy, aimed at reducing carbon emissions and encouraging adaptation within its area.

The Derbyshire Partnership Forum’s Strategy would, in time, be followed up by an action plan, which would also be over-arching and would address County-wide issues such as transport and schools, etc. This had, however, not been rapidly forthcoming and given the enormity of the scale, and challenge of the targets imposed on Councils by the Climate Change Bill, it was necessary to introduce the Derbyshire Partnership Forum Strategy to Members and to agree an early draft of the Climate Change Strategy for South Derbyshire. A draft of the Climate Change Strategy for South Derbyshire was attached as an appendix to the report.

**RESOLVED:-**

- (1) That the Derbyshire Partnership Forum's Climate Change Strategy be accepted, in principle, as the over-arching strategy to form the framework for County-wide action on Climate Change.***
- (2) That the informational content of the South Derbyshire District Council's Climate Change Strategy be noted and accepted as a basis for consultation with partners, including the LSP and Derbyshire County Council, with a view to adopting a Climate Change Strategy for the South Derbyshire area later this financial year.***

**EDS/29. ENVIRONMENTAL STATEMENT APPROVAL AND ADOPTION**

As a pre-requisite to the Council's implementation of, and accreditation to, the Eco Management and Audit Scheme (EMAS) in early 2009, it was necessary to adopt an annual Environmental Statement. This statement (enclosed as an appendix to the report), detailed the Council's intention to become EMAS accredited. It also included the Council's Environmental Policy, environmental aspects and impacts, targets, objectives and a summary of key environmental data.

**RESOLVED:-**

- (1) That the Environmental Statement 2006-2008 be approved and adopted, which will form a key element in communicating the Council's Environmental Performance to the public and as a pre-requisite of accreditation to EMAS.***
- (2) That the Council's progress in environmental improvements, reported in the Environmental Statement, be noted.***

**EDS/30. EAST MIDLANDS AIRPORT RUNWAY EXTENSION PROPOSALS**

A planning application had been submitted to North West Leicestershire District Council, to extend the East Midlands Airport (EMA) runway, and a report was submitted requesting a response from Members.

It was confirmed that the purpose of the runway extension was to allow the largest aircraft to depart at heavier take-off weights, thus supporting the establishment and maintenance of long-haul services. The proposal was not in itself, forecast to result in any additional flights.

A table was included within the report showing forecasts for passenger numbers, air cargo tonnage and air traffic movements as set out in the 2000 Environmental Statement (ES), 2004 ES Supplement and the 2006 Master Plan. It was also forecast that each aeroplane would carry more passengers, meaning that the total number of passengers could be carried more efficiently with fewer total air transport movements.

The District Council had previously acknowledged that the presence of EMA provided substantial economic benefits for the region and South Derbyshire,

and had recognised the need to accommodate controlled growth in air transport. However, it was not considered possible at this stage to comment on the acceptability of the proposal, as it was considered that the issue of noise had been inadequately addressed in the ES update.

Further details and Officer comments were provided within the report, under the headings of Noise, Air Quality and Road Traffic.

**RESOLVED:-**

***That Officer comments as set out in the report be forwarded as the Council's response to the runway extension proposal.***

EDS/31. **PERFORMANCE MANAGEMENT REPORT (1st APRIL - 30th SEPTEMBER 2008)**

A report was submitted detailing performance levels and achievements for the quarter ending 30th September 2008, in relation to this Committee's contribution to the four key strands of the Council's Performance Management Framework. Full details were included in attached Appendices, entitled:-

- Corporate Plan.
- Community Strategy Action Plan.
- National Indicator Set Performance Indicators.
- Local Performance Indicators.
- Service Level Key Tasks.

The Head of Planning Services gave a further explanation of National Indicators 157(b) and (c), and confirmed that although they had been unable as yet to reach the top quartile performance level, as required by Members, they had reached the national target.

With regards to Theme 4, Healthier Communities, Item 4.4 Older Peoples Dance Pilot, it was raised that although this item was shown as "green", the proposed activity hadn't taken place. The Director of Community Services agreed to look into this matter.

**RESOLVED:-**

- (1) That this Committee's key achievements and performance for the quarter ending 30th September 2008 be noted.***
- (2) That Members note where performance has failed to achieve the specified target and accept the responses submitted.***

EDS/32. **WORK PROGRAMME**

Members were asked to consider the updated work programme and to review it's content where appropriate.

Officers were also reminded that a report on parking orders had been requested to be brought before Members, and it was suggested that this be forwarded to the Overview and Scrutiny Committee for consideration.

**RESOLVED:-**

***That the Committee approves the updated work programme.***

EDS/33. **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 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 paragraphs of Part 1 of the Schedule 12A of the Act indicated in brackets after each item.***

**RENEWAL OF STRAY DOGS KENNELING CONTRACT (Paragraph 3)**

***The Committee accepted tenders for the provision of the Stray Dogs Kennelling and Collection Services.***

J. BLADEN

CHAIRMAN