

## ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE

17<sup>th</sup> November 2016

### **PRESENT:-**

#### **Conservative Group**

Councillor Muller (Vice-Chairman), Councillors Mrs Brown, Mrs Coyle (substituting for Councillor Mrs Patten), Ford, Hall, Harrison (substituting for Councillor Watson), Hewlett (substituting for Councillor Coe) Roberts and Wheeler (substituting for Councillor Stanton).

#### **Labour Group**

Councillors Shepherd, Taylor and Tilley

### **In attendance**

Councillor Atkin (Conservative Group)

#### EDS/47 **BRITISH CONSTRUCTION INDUSTRY AWARDS**

The Vice-Chairman notified the Committee of Councillor Watson's letter to Keystone Group UK and joined in congratulating them on winning the Product and Design Innovation Award at this year's British Construction Industry Award.

#### EDS/48 **APOLOGIES**

Apologies for absence from the meeting were received from Councillors Coe, Mrs Patten, Stanton, Watson (Conservative Group) and Chahal (Labour Group).

#### EDS/49 **MINUTES**

The Open Minutes of the Meeting held on 29<sup>th</sup> September 2016 were noted, approved as a true record and signed by the Chairman.

#### EDS/50 **DECLARATIONS OF INTEREST**

Councillor Roberts declared a personal interest in item 8 on the agenda by the way of being a Private Hire Driver licensed with SDDC under the Licensing Act 2003.

#### EDS/51 **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/52 **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/53 **REPORTS OF THE OVERVIEW & SCRUTINY COMMITTEE**

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

**MATTERS DELEGATED TO COMMITTEE**

EDS/54 **CORPORATE PLAN 2016-21: PERFORMANCE MANAGEMENT (1 JULY – 30 SEPTEMBER 2016)**

The Director of Housing and Environmental Services presented the report to inform Members of the progress made during the period 1 July to 30 September 2016 highlighting action being taken to address those areas not currently on target.

Councillor Tilley, as local Ward Member for Swadlincote, whilst acknowledging the redevelopment of the Delph, addressed the Committee regarding plans for refurbishment for the remainder of the town. The Chief Executive responded advising that plans for refurbishment are in place, but the allocation of funding from Section 106 Agreements has delayed the process.

Councillor Harrison queried the number of noise complaints and asked for clarification on the types of noise the complaints related to. The Environmental Health Manager responded that the majority of complaints related to domestic noise.

**RESOLVED:**

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

EDS/55 **KEY PERFORMANCE INDICATORS – LICENSING DEPARTMENT**

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

**RESOLVED:**

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

**EDS/56 VEHICLE MANAGEMENT STRATEGY AND VEHICLE REPLACEMENT PLAN**

The Direct Services Manager presented the report highlighting key areas identified relating to the procurement, maintenance and disposal of vehicles.

Councillors raised their concerns regarding cost implications of bulk replacement, the outright purchase of new and/or used vehicles, contract hire, and sought clarification on the seven year replacement programme.

The Direct Services Manager addressed these issues explaining that a large number of the vehicles currently owned were over seven years old, so replacement would be preferential, however, the performance of each vehicle would be assessed individually. The Direct Services Manager advised that the management strategy and replacement programme would involve monitoring mileage and consequent effective distribution of vehicles.

**RESOLVED:**

***Members approved the Vehicle Management Strategy and the Vehicle Replacement Plan.***

**EDS/57 DRIVING AT WORK POLICY**

The Direct Services Manager presented the report.

**RESOLVED:**

***Members approved the draft 'Driving at Work Policy' for consultation with service areas and employees, through the Council's Health & Safety Committee.***

**EDS/58 CORPORATE ENFORCEMENT POLICY**

The Environmental Health Manager presented the report highlighting that this combined regulatory policy would cover all of the regulatory functions of licensing, environmental health, planning enforcement and building control. Section 8.7 of the Corporate Enforcement Policy document was noted, in particular, where the policy commits that the Council would not automatically trigger enforcement action where those who are regulated showed a willingness to resolve non-compliance.

Councillor Mrs Coyle queried the reasons for this report being on both the agenda for this committee as well as the Housing and Community Services Committee and furthermore asked what the implications would be if one committee were to approve and the other reject. The Environmental Health Manager explained that due to the wide scope of the document, both committees needed to be consulted, but any changes would be incorporated and then re-submitted.

**RESOLVED:**

***Members approved a new Corporate Enforcement Policy.***

**EDS/59 QUARTERLY ENFORCEMENT POLICY**

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

Councillor Mrs Brown, alluding to a case recently in the media queried how many cases have been taken to court. The Environmental Health Manager referred to the data in the report illustrating that three prosecutions had been made.

Whilst commending the work of the 'clean team', Councillors raised their concerns regarding fly tipping and to feedback from residents regarding the location of recycling facilities in / outside the District. Suggestions were made regarding collaboration with other neighbouring authorities. The Director of Housing and Environmental Services advised that this issue was being addressed and is also being reviewed by the Overview and Scrutiny Committee.

**RESOLVED:**

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

**EDS/60 PUBLIC SPACES PROTECTION ORDERS UNDER THE ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014**

The Environmental Health Manager presented the report explaining that feedback to the proposal to prohibit dogs from the cemetery had shown strong opposition; therefore the consensus was to keep existing enforcement to keep dogs on a lead. The same enforcement action was proposed for Melbourne Sporting Partnership which was welcomed by Members.

**RESOLVED:**

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

**EDS/61 WORK PROGRAMME 2016/17**

Making reference to a recent Planning Committee, Councillor Tilley queried the guidance supplied to those registering to speak at Planning Committee meetings. The Director of Housing and Environmental Services advised that this matter would be referred to the Director of Planning and Community Services.

**RESOLVED:**

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

**EDS/62 LOCAL GOVERNMENT ACT 1972 AS AMENDED BY THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

**RESOLVED:-**

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

**MINUTES**

*The Exempt Minutes of the Meeting held on the on 29<sup>th</sup> September 2016 were received.*

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

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

**A REVIEW OF THE LAND CHARGES UNIT (Paragraph 1)**

*Members approved the recommendations contained in the report.*

The meeting terminated at 7.20pm.

COUNCILLOR D MULLER

VICE-CHAIRMAN