

ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE

4th October 2012

**PRESENT:-**

**Conservative Group**

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

**Labour Group**

Councillors Chahal, Dunn, Mrs. Heath, Mulgrew (substitute for Councillor Tilley), Stuart and Taylor.

EDS/20. **APOLOGIES**

Apologies for absence from the Meeting were received from Councillor Roberts (Vice Chairman (Conservative Group)), and Councillor Tilley (Labour Group).

EDS/21. **MINUTES**

The Open Minutes of the Meeting held on 23rd August 2012, were taken as read, approved as a true record and signed by the Chairman.

EDS/22. **MEMBERS QUESTIONS**

The Chairman introduced an urgent item (Proposed Permanent Diversion of Public Footpath Number 24 (part) in the Parish of Hartshorne under Section 257 of the Town & Country Planning Act 1990). He advised members that this had been bought before them with his agreement, due to the grounds for urgency, as noted in the report, and would be considered at item 6B.

**MATTERS DELEGATED TO COMMITTEE**

EDS/23. **PROPOSED PERMANENT DIVERSION OF PUBLIC FOOTPATH NO 24 (PART) IN THE PARISH OF HARTSHORNE UNDER SECTION 257 OF THE TOWN AND COUNTRY PLANNING ACT 1990**

Authority was sought to make an order to divert the above mentioned public footpath, to enable the permitted development of the site to be implemented. Details were provided of the existing line of the footpath and also the proposed diversion. Informal consultation had been undertaken with all the relevant interest groups and organisations, and 2 objections had been received from the Peak and Northern Footpath Society, and a Local Ward Member.

Concerns were raised over the additional length of the proposed route, and also the safety of walkers on part of the new proposed route.

**RESOLVED:-**

- (1) That the making of an Order under Section 257 of the Town and Country Planning Act 1990, in respect of the Proposed Permanent Diversion of Public Footpath No 24 (Part) in the Parish of Hartshorne, be authorised.***
- (2) That the subsequent confirmation of the Order in the event of there being no objections received during the formal consultation stage be agreed.***

(Councillor Taylor requested that it be recorded that he had voted against this decision).

**EDS/24. TOURISM UPDATE**

A presentation provided Members an update on Tourism within the District of South Derbyshire. It was reported that growth in visitors to South Derbyshire had exceeded 4 Million in 2011. Details were also provided on the growth of overnight visitors, growth in visitor spend, and also, growth in employment in the district, which had all significantly increased since 2003. Key activities were highlighted which included the development of the National Forest and its brand, investment in attractions/accommodation and facilities, and also the provision of visitor information.

The official tourism body of Derbyshire was the 'Visit Peak District and Derbyshire Destination Management Organisation,' (DMO). The DMO had been particularly successful in bidding for funding from the former East Midlands Tourism, but now faced a funding gap of £0.5m per annum with its demise. It had sought a temporary increase in funding from local authorities whilst additional funding streams could be identified and developed. Local Authorities across the wider Peak District were now contributing financially, and Regional Growth Fund funding was being accessed in partnership with Visit England. The DMO were also seeking to become a member-only organisation, with a target of 500 members by 31<sup>st</sup> March 2013 – a Major element in rebalancing income from the public to the private sector.

South Derbyshire was benefiting from the work of Visit Peak District and Derbyshire. However the National Forest and Beyond remained the key campaign for the District and surrounding areas, and it was therefore more difficult to evaluate the impact of the DMO for South Derbyshire. Derbyshire County Council had taken the lead in putting together a rescue package for the Visit Peak District and Derbyshire DMO. This had resulted in an increase financial contributed of £3500 being sought from this Council, of which £1000 was contributed by the National Forest Company, as a one off gesture, in recognition of the benefit that the National Forest and Beyond area received in consequence of this Council's financial contribution to the DMO.

The increased level of funding to the DMO by Derbyshire Local Authorities was for a maximum of 3 years, during which time the DMO was required to reduce its reliance on public sector finance. It was seeking to do this primarily by increasing private sector income and by drawing in funding not only from

Council's within the Peak District but also outside Derbyshire, and through bids to Visit England from central Government.

Full details on all financial implications were included within the report.

Members requested that their thanks and congratulations be passed onto officers involved in the production of this report and work in this area. It was also requested that, in the future, consideration be given to the impact of the Trent and Mersey Canal, and also interest in the National Forest Line.

**RESOLVED:-**

- (1) That work undertaken to ensure sustained growth of The National Forest as a major new visitor destination and brand, which is now part of Visit England's suite of national destinations, be noted.***
- (2) That recent changes to the financing and operation of the Visit Peak District and Derbyshire Destination Management Organisation (DMO), be endorsed, and the Council's financial contribution for 2012-13 be agreed.***

**EDS/25. DRAFT AVIATION POLICY FRAMEWORK CONSULTATION**

It was reported that the Government was reviewing national aviation policy, with the objective of developing a long term, high level framework for aviation. This would replace the 2003 Air Transport White Paper, which set out the current approach. Proposed answers to the questions posed by the Department for Transport were set out in an annexe to the report, and, where relevant, had been framed with reference to the Council's previously expressed position on the issues raised. A number of the questions had no direct relevance to East Midlands Airport or to South Derbyshire, and a "no comments" response had been proposed in these areas.

It was requested that a copy of the response be forwarded to the Airport Liaison Committee.

**RESOLVED:-**

***That the proposed response to the questions posed by the Department of Transport, as set out in Annexe A of the report, be accepted as the Council's response to the consultation.***

**EDS/26. CONSULTATION ON EAST STAFFORDSHIRE BOROUGH COUNCIL'S LOCAL DEVELOPMENT FRAMEWORK**

East Staffordshire Borough Council had published a "Preferred Option" document for consultation as a non-statutory stage of their Local Plan (Local Development Framework Core Strategy). This set out the Council's view on the scale and distribution of future growth, and their preferred policies covering a wide range of issues. This would be followed up with a formal draft plan next year, followed by submission to the Secretary of State, a public examination, and adoption was anticipated in 2014. Reflected within the

report were a number of issued of cross boundary interest which required ongoing liaison.

**RESOLVED:-**

***That the contents of the East Staffordshire Local Plan “Preferred Option” be noted, and that East Staffordshire Borough Council be informed that:***

- (i) the proposal to allocate sufficient sites to meet housing needs within the Borough, rather than attempting to rely on development at Drakelow Park in South Derbyshire addresses this Council’s earlier objections, and is welcomed;***
- (ii) the reference at paragraph 6.37 to the likely availability of employment land at Drakelow be removed or clarified;***
- (iii) in other respects, the Preferred Option document is considered to reflect ongoing cross-boundary issues in line with the ‘Duty to Co-operate’ and the District Council would welcome further liaison.***

EDS/27. **AIR QUALITY REVIEW AND ASSESSMENT**

A report was submitted which advised members of the Council’s statutory obligations to assess air quality within the District under The Environment Act 1995. The review and assessments were intended to establish whether levels of the 8 most common environmental air pollutants met European standards to ensure the protection of human health. The updating and screening assessment (USA) had established from the council’s air quality monitoring network that the air quality objectives continued to be met at all of the 12 monitoring locations around the District. It was also concluded that the nature of the emissions from all sources of air pollution within the District did not pose any risk of causing a breach of the air quality objectives. However a small potential risk was identified of elevated levels of Nitrogen Dioxide from traffic along High Street in Repton. The District Council had been recommended to undertake some additional air quality monitoring in Repton to establish if a canyon effect was occurring in the High Street, and if so, whether this was causing any risk of a breach of the air quality objective.

It was also suggested that further monitoring might take place on High Street, Woodville and the location of Church Street might need re-considering.

**RESOLVED:-**

- (1) That the contents and conclusions of the 2012 Air Quality Updating and Screening Assessment, be approved.***
- (2) That the Environmental Health Manager issues the Assessment report to DEFRA for its approval, in order to meet the Council’s statutory duties under the Environment Act 1995***
- (3) That the Environmental Health Manager be requested to provide a detailed assessment of air quality in Repton, to the Environmental and Development Services Committee within 12 months of this report.***

EDS/28. **REVISION OF THE SOUTH DERBYSHIRE DOG CONTROL ORDER**

Details were provided of the statutory framework for controlling dogs in public places, and of the contents of the existing South Derbyshire Dog Control Order.

Following a previous committee report on this matter on 31<sup>st</sup> May 2012, a full consultation exercise had been undertaken to determine public opinion on the specific proposals, and changes to the order. Full details were provided on suggested changes following the recent consultation.

Members were in agreement with the proposed changes, subject to the following amendments.

- 1) That dogs be excluded from the Catherine Jonathon Playing Fields, Egginton
- 2) That dogs be kept on a lead on Chestnut Avenue, midway
- 3) That dogs be kept on a lead at Swadlincote Woodlands Park.

**RESOLVED:-**

***(1) That the proposed changes detailed at paragraph 3.18 of the report, be made to the existing South Derbyshire Dog Control Order (DCO), subject to the following amendments:***

- *That, dogs be excluded from the Catherine Jonathon Playing Fields, Egginton.*
- *That, dogs be kept on a lead at Chestnut Avenue, Midway.*
- *That, dogs be kept on a lead at Swadlincote Woodlands Park.*

***(2) That, the due legal process to formalise the revision of the Order, be commenced.***

EDS/29. **WORK PROGRAMME**

Members were asked to consider the updated work programme and to review its content where appropriate.

**RESOLVED:-**

***That the updated work programme be approved.***

EDS/30. **LOCAL GOVERNMENT ACT 1972 AS AMENDED BY THE LOCAL GOVERNMENT ACT (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.*

**MEMORANDUM OF UNDERSTANDING BETWEEN SALVATION ARMY TRADING COMPANY LIMITED AND SOUTH DERBYSHIRE DISTRICT COUNCIL (Paragraph 1).**

*Members approved the memorandum of understanding.*

P. WATSON

CHAIRMAN