

ENVIRONMENTAL SERVICES COMMITTEE

28th March 2002

PRESENT:-

Labour Group

Councillor Southerd (Chair), Councillor Taylor (Vice-Chair) and Councillors Bambrick, Brooks, Carroll, Mrs. Mead (substitute for Councillor Shepherd), Pabla, Rose and Whyman.

Conservative Group

Councillors Bale and Shaw.

APOLOGIES

Apologies for absence from the Meeting were received from Councillor Shepherd (Labour Group) and Councillor Mrs. Walton (Conservative Group).

ES/20. **MINUTES**

The Open Minutes of the Meeting held on 14th February 2002 were taken as read, approved as a true record and signed by the Chair.

MATTERS DELEGATED TO COMMITTEE

ES/21. **MEMBERS' QUESTIONS AND REPORTS**

(a) Derbyshire Tourism Forum

The Committee received a report from Councillor Brooks following his attendance at the first meeting of the Derbyshire Tourism Forum. A copy of the Forum's Draft Constitution was provided and it had been agreed to establish a number of small working groups to consider such things as the Derbyshire Passport Scheme and improving tourism publicity for the County. The report was noted.

(b) Rural Commission

The Chair submitted an update, following his recent attendance at a meeting of the Rural Commission. The Commission had considered options for the appointment of office-holders for 2002/03 and agreed to ask LGA Group Leaders to determine the Chairmanship and Vice-Chairmanship of its Executive. Members were invited to attend the various breakout workshops and details were provided

Alun Michael MP, Minister for Rural Affairs addressed the Meeting on effective joint working between DEFRA and local authorities, particularly in relation to the Foot and Mouth outbreak of last year. He referred to the success of the "Your Countryside – Your Welcome" campaign and answered questions from representatives. Delegates received a presentation from Pam Warhurst, Deputy Chair of the Countryside Agency on its joint strategy with English Tourism for Rural Tourism in England 2001/05. The report was noted.

(c) Public Toilet Provision

Further to Minute No. ES/11(b) of 14th February 2002, the Chair requested an update on partnership arrangements for public toilet provision. A letter had been received from Repton Parish Council seeking the deferral of this matter for twelve months as it had no budget at present to meet the costs associated with a partnership arrangement. Officers had made the Council's position clear and to ensure equity with those existing partnership arrangements, Members felt that deferral of this matter could not be considered.

Willington Parish Council was minded to enter into a partnership arrangement for toilet facilities in that village, but had not yet identified a suitable person to manage the toilets. It was suggested that Officers seek to assist the Parish Council in appointing a suitable person and that a timescale be imposed for completion of the partnership arrangement.

RESOLVED:-

- (1) That Repton Parish Council be informed of this Council's intention to dispose of the public toilets in Repton.***
- (2) That this Council enters into a partnership arrangement with Willington Parish Council and that Officers liaise with the Parish Council regarding the appointment of a person to manage the toilet facilities.***
- (3) That a further report be submitted to the Committee if such an appointment has not been made within three months.***

(d) Multi-Modal Study

Councillor Brooks made a verbal report following his attendance at the East and West Midlands Multi-Modal Study Consultation on the development of transport strategies. The conference had been held to discuss transport problems and identify possible solutions. Proposals were made to reduce traffic congestion through:-

- improvement of junctions and widening roads in areas of real congestion;
- bypasses and improvements to secondary roads; and
- reducing travel demand by promoting a shift from use of the private car to public transport.

Proposals were also made to improve the management of the existing major road network through:-

- the development of designated heavy goods vehicle routes;
- charges for parking schemes;
- dedicated bus lanes;
- tolls on selected roads;
- encouragement of travel by bus, rail, cycling and walking; and
- the need to subsidise rural bus routes.

Councillor Brooks had taken the opportunity to promote the commercial needs for South Derbyshire, of providing a connection between the A38 and M42 trunk roads. Such a link, he felt would assist sustainability and allow expansion to take place whilst alleviating problems associated with 'travel-to-work' in neighbouring towns. He felt the commuter culture was not as prevalent in South Derbyshire as some neighbouring areas. Councillor Brooks had also voiced support for an extension of the National Forest line to Leicester, which he believed would promote rail use. The Chair referred to the recent National Forest Forum, at which further support had been given to the National Forest line. He explained the opportunities available to submit innovative ideas on behalf of the Council through those other forums attended by Members. The report was noted.

ES/22. **PROPOSED DIVERSION OF PUBLIC FOOTPATH NO. 4 (PART), PARISH OF OVERSEAL**

It was reported that an application had been received from Cameron Homes Limited to divert a short section of Public Footpath No. 4 in the Parish of Overseal. The diversion was sought to enable the incorporation of this route into the proposed development of land off Edward Street, Overseal. Details were given of the current definitive line and the proposed diversion together with the assessment of the Public Rights of Way Officer.

Informal consultations had been undertaken and objections were received from the Overseal Parish Council, copies of which were appended to the report. Officers had sought to resolve these objections, but the Parish Council felt it was inappropriate for this diversion to be supported as the current route was well used. The Council had power to confirm unopposed diversion orders. However, if formal objections were received, the application had to be referred to the Secretary of State and where appropriate, a Public Inquiry held.

RESOLVED:-

That, in the light of the objections received, the Committee does not support the making of a Diversion Order for Public Footpath No. 4 in the Parish of Overseal.

ES/23. **REQUEST TO FORWARD REPLY TO DEPARTMENT FOR ENVIRONMENT FOOD AND RURAL AFFAIRS**

At its Meeting on 4th March 2002, the Community Scrutiny Committee considered a report on the legislative provisions, costs and future Government proposals for dealing with abandoned vehicles. A copy of that report was appended for the Committee's information.

The Council had a statutory duty to remove vehicles abandoned in the open air. It was obliged to notify the owner of the vehicle and allow a specified notice period to expire before the vehicle could be removed. The Government intended in the short-term to enhance the powers of local authorities to deal with abandoned vehicles. This included reducing the required notice periods before an authority could remove a vehicle. It was proposed to empower local authorities to act as contractors to remove vehicles which were unlicensed, by clamping and then impounding them. The time periods for destruction of these vehicles would also be reduced and charges for the release of vehicles

could be levied. The Government was to make it easier and faster for local authorities to access DVLA records of vehicle ownership.

In the longer term, the Government believed that stringent measures were required to ensure that all vehicles could be associated with a registered keeper. The keeper would retain responsibility for a vehicle unless they could demonstrate its transfer or destruction. Incidences of abandoned vehicles were rising and the financial implications for the District and County Councils were reported. The Community Scrutiny Committee had concluded that a letter should be forwarded to the Department for Environment, Food and Rural Affairs supporting the Government's proposals for dealing with abandoned vehicles.

Members sought clarification on the statutory responsibilities of this Council and those of the Police and County Council. Liability for dealing with abandoned vehicles on private land was also considered, together with the responsibilities of insurance companies to remove vehicles where a registered keeper could be identified.

RESOLVED:-

That Members' views be submitted to the Department for Environment, Food and Rural Affairs supporting the proposals outlined for dealing with abandoned vehicles.

ES/24. **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.

OPTIONS FOR APPRAISAL FOR PEST CONTROL (Paragraph 7)

The Committee reviewed the Pest Control Service and agreed its future charging policy.

T. SOUTHERD

CHAIR