

# ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE

20<sup>th</sup> August 2015

## **PRESENT:-**

### **Conservative Group**

Councillor Watson (Chairman), Councillor Muller (Vice-Chairman), Atkin (substituting for Councillor Coe) Mrs. Brown, Mrs Hall, MacPherson, Mrs Patten, Roberts and Stanton

### **Labour Group**

Councillors Chahal, Southerd, Taylor and Tilley.

## EDS/19 **APOLOGIES**

Apologies for absence from the meeting were received from Councillor Coe (Conservative Group).

## EDS/20 **MINUTES**

The Open Minutes of the Meetings held on the 4<sup>th</sup> June 2015 were approved as a true record.

## EDS/21 **DECLARATIONS OF INTEREST**

Councillor Roberts declared a prejudicial interest in Item 8 on the agenda due to his profession as a Private Hire Driver.

Councillor Mrs Patten declared a prejudicial interest in Item 9 on the agenda in her role as a County Councillor.

Councillor Southerd declared a prejudicial interest in Item 14 on the agenda as being consulted on this item in his role as a County Councillor.

## EDS/22 **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/23 **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/24 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/25 ADOPTION OF CONDITIONS FOR CAT BOARDING ESTABLISHMENTS UNDER THE ANIMAL BOARDING ACT 1963**

The Senior Licensing Officer presented the report to Committee on the proposed model conditions produced by the Chartered Institute of Environmental Health (CIEH), which states the basic minimum standards considered necessary, to ensure animal health and welfare are maintained in boarding establishments.

**RESOLVED:**

*That Members approved the conditions contained in Appendix 1 of the report relating to cat boarding establishments to come into effect upon adoption by Council.*

Councillor Roberts left the Committee meeting whilst the following item was debated.

**EDS/26 DEREGULATION ACT 2015 – CHANGES TO PRIVATE HIRE LICENSING**

The Senior Licensing Officer presented the report to Committee to advise Members of the changes to private hire licensing, introduced by the Deregulation Act 2015. The Senior Licensing Officer also provided Members with the necessary information to approve the proposed fees.

The Committee discussed concerns regarding the current procedure South Derbyshire Police use to inform the Licensing Department of offences committed by licenced Private Hire Drivers. The Senior Licensing Officer advised Members that she is currently in talks with the Police regarding this issue and will report back to Committee on the outcome.

**RESOLVED:**

*1.1 That the proposed changes to the Private Hire Licensing Policy be approved to ensure full compliance with the provisions of the Deregulation Act 2015 by 1st October 2015.*

*1.2 That the proposed fees for private hire drivers and operators be approved.*

**EDS/27 LOCAL PLAN PART 1 – EVIDENCE BASE**

The Planning Policy Manager updated Members on work that had been ongoing with the Local Plan evidence base around the Gypsy and Traveller

Accommodation Assessment and the Open Space, Sport & Community Facilities Strategy. The strategy will be considered through the Housing and Community Services Committee also. The strategy will include consultation with Members, Parishes and residents. The Committee discussed the need to reach residents most affected by the Local Plan and to ensure that consultations are evenly distributed across the district, concerns were noted and responded to accordingly.

**RESOLVED:**

***That Members noted the updated report.***

EDS/28 **DIESEL ROAD ROLLER LOAN**

The Planning Policy Manager presented the report to Committee of the Council's ownership of an Aveling Barford diesel Road Roller currently stored at Snibston Discovery Park which recently closed, highlighting the five options identified for its removal:

1. Storage somewhere in South Derbyshire
2. Agree a loan agreement with another Local Authority
3. Place an advert in an enthusiast's magazine for someone willing to enter into a loan agreement with the Council
4. Place an advert in an enthusiast's magazine for someone willing to purchase the Road Roller with agreement to maintain it
5. Dispose of the roller in the most cost efficient way.

The Committee discussed the five options in detail, and agreed to add restoration to option one, and delete option five on the list.

**RESOLVED:**

***1.1 The Committee approved that option one should now read restoration and storage somewhere in South Derbyshire.***

***1.2 The Committee approved that option one be investigated and a report brought back to Committee.***

***1.3 The Committee approved that option five be deleted from the list.***

EDS/29 **DERBYSHIRE CYCLE PLAN CONSULTATION**

The Planning Policy Manager presented the report to Committee to update them on the work which County and City Councils, Derbyshire District and Borough Councils, Derby University, Sustrans, Peak District National Park, The National Forest and British Cycling have undertaken in the last 12 months.

A discussion took place around the provision of safer cycling, the use and maintenance of bridleways and disused train lines in the district, comments were noted and responded to accordingly.

**RESOLVED:**

***1.1 That Members comments be forwarded along with Planning Policy comments as part of the Councils response to the Derbyshire Cycling Plan consultation exercise.***

***1.2 That Members approved the development of a South Derbyshire Action Plan for Cycling and that it be reported to Committee for future consideration.***

EDS/30 **LOCAL PLAN PART 1**

The Planning Policy Manager presented the report to update Members on the Local Plan and the Derby Housing Market Area (HMA) position. The agreement across the HMA was that the full housing requirement of 33,388 dwellings can be met across the Derby HMA from 2011 – 2028. Derby City confirmed their aim to deliver 11,000 dwellings in that period meaning that 5,388 dwellings will need to be delivered outside of the City boundary through the ‘Duty to Co-operate’ requirement by South Derbyshire District Council and Amber Valley Borough Council.

The Planning Policy Manager highlighted the work undertaken by a Consultant, which concluded that a target of 30% for affordable housing on housing sites was considered viable across the majority of sites in South Derbyshire.

A discussion took place around the Local Plan Part 2 and the five-year housing supply, comments were noted and responded to accordingly.

**RESOLVED:**

***Members approved the continued approach to the Local Plan work***

EDS/31 **PUBLIC SPACES PROTECTION ORDERS AND FIXED PENALTY NOTICE SANCTIONS UNDER THE ANTI-SOCIAL BEHAVIOUR CRIME AND POLICING ACT 2014**

The Director of Housing and Environmental Services presented the report to Committee to inform them that The Anti-Social Behaviour Crime and Policing Act 2014 (The Act) had introduced various new discretionary powers for the police and local authorities to tackle anti-social behaviour. The Act revokes 19 forms of legal intervention contained in previous statutes and replaces them with six new forms of intervention, Civil Injunctions and Criminal Behaviour Orders, Dispersal Powers, Closure Powers, Community Protection Notices and Public Spaces Protection Notices (PSPO) which is subject to consultation

**RESOLVED:**

- 1.1 That Members approved the proposed consultation process for the production of District-wide Public Spaces Protection Order or Orders (PSPOs).***
- 1.2 That Members approved the proposed procedure for the development of future PSPOs where they are of limited geographical scope.***
- 1.3 That Members approved the proposed Fixed Penalty Notice charges under the Anti-Social Behaviour Crime and Policing Act 2014.***

EDS/32 **DERBY AND DERBYSHIRE MINERALS LOCAL PLAN**

The Planning Policy Manager presented the report to Committee to inform Members of the proposals set out in the current consultation of the Minerals Local Plan, which is being undertaken by the Minerals Planning Authorities for Derbyshire, (Derby City Council and Derbyshire County Council).

The Committee noted that the SMP1 Policy was not consistent with the National Planning Policy Framework and courteously requested that it be sent back to the Minerals Planning Authority as part of the consultation response.

**RESOLVED:-**

- 2.1 That the contents of Derby City Council's and Derbyshire County Councils 'Towards a Minerals Local Plan Consultation be noted; and***
- 2.2 That Derbyshire County Council and Derby City Council, in their role as Minerals Planning Authority, (MPA) be informed that:***
  - Policy SMP2 (Climate Change) is unlikely to conform with the NPPF as drafted and should be strengthened to ensure that new development be made safe without increasing flood risk elsewhere;***
  - That the Authority noted the proposed sand and gravel apportionment and the MPAs preference for extensions in the Trent and Derwent Valley over the opening up of new sites on the western part of the Trent Valley or Lower Dove Valley;***
  - That the Authority supported a coherent and comprehensive approach to managing change within the Trent Valley, including through the restoration of existing and future minerals sites;***
  - That appropriate provision was made for considering cumulative effects through the plan making and development control processes to ensure that communities affected by continued and further development, particularly to sand and gravel working in the Trent Valley, are not unacceptably impacted by minerals operations;***

- *That a specific coal extraction policy be included in the plan reflecting the potential for this resource to be worked in South Derbyshire to ensure that communities, businesses and the local environment are not unduly effected should further development come forward within the Plan period;*
- *That further liaison regarding the scope and wording of a minerals safeguarding policy may be beneficial between the MPA and this Authority.*

EDS/33 **LEICESTERSHIRE MINERALS AND WASTE LOCAL PLAN CONSULTATION**

The Planning Policy Manager presented the report to Committee on proposals relevant to South Derbyshire set out in the current consultation on the Minerals Local Plan undertaken by Leicestershire County Council.

**RESOLVED:-**

***2.1 That the contents of Leicestershire Minerals and Waste Local Plan Consultation be noted; and***

***2.2 That Leicestershire County Council, in their role as Minerals Planning Authority, (MPA) be informed that South Derbyshire has no objection to the policies and allocations in the Plan.***

EDS/34 **CORPORATE PLAN 2009 - 15; PERFORMANCE MANAGEMENT REPORT (1 APRIL – 30 JUNE 2015)**

The Director of Housing and Environmental Services presented the report to Committee to inform them that during the first quarter (1 April to 30 June) all targets for relevant projects and performance measures were achieved or were on track to be achieved.

**RESOLVED:-**

***That progress against performance targets be considered and approved.***

EDS/35 **COMMITTEE WORK PROGRAMME 2015/16**

**RESOLVED:-**

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

EDS/36 **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 4<sup>th</sup> June 2015 were approved as a true record.***

**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.***

The meeting terminated at 7:25 pm

COUNCILLOR P. WATSON

CHAIRMAN