

ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE

31st January 2008

**PRESENT:-**

**Conservative Group**

Councillor Bladen (Chairman) and Councillors Bale, Mrs. Farrington (substitute for Councillor Ford (Vice-Chairman)), Mrs. Hood, Mrs. Patten, Timms and Wheeler (substitute for Councillor Lemmon).

**Labour Group**

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

**In Attendance**

Councillors Atkin and Jones (Conservative Group) and Councillor Richards (Labour Group).

**APOLOGIES**

Apologies for absence from the Meeting were received from Councillors Ford (Vice-Chairman) and Lemmon (Conservative Group).

**MATTERS DELEGATED TO COMMITTEE**

EDS/38. **PERFORMANCE MANAGEMENT REPORT (APRIL TO DECEMBER 2007)**

A report was submitted detailing the performance levels and achievements to date for the nine months ending 31st December 2007, in relation to the Committee's contribution to the Council's Performance Management Framework. Full details of achievements and performance levels relevant to the Committee were grouped by the following service areas:-

- Environmental Services.
- Planning Services.
- Leisure and Community Development.

The report also provided an opportunity to review areas where performance was either not 'on track' or 'at risk of failure' of achieving agreed target levels set for the year by 31st March 2008.

It was confirmed that this Committee had responsibility for 19 actions out of a total of 58 within the Corporate Plan, and the current projected performance was shown in a table within the report. This table showed that 16 actions were 'on track', one action was 'at risk' and two actions were 'likely to fail'. Further information was provided on those actions that were 'at risk of failure' or 'probable failure', along with proposed remedial measures.

The report outlined that the Council had responsibility for 14 actions from a total of 26 within the Community Strategy Action Plan. This Committee had responsibility for 4 actions, which were included within the 'vibrant economy' and 'sustainable environment' themes of the Action Plan. It was confirmed

that all actions that this Committee was responsible for, had been achieved or were 'on track'.

With regard to Best Value Performance Indicators (BVPI's), there were a total of 75 across the Council, and this Committee had responsibility for 31. A table provided a summary of BVPI performance for this Committee and the Council as a whole. At 31st December 2007, 21 (67.7%) of the entire Committee's BVPI's had been achieved or were on track. Other priority and non-priority BVPI's that required review were also detailed.

A further table provided a summary of all Service Level Targets for this Committee. It was confirmed that these targets were specific to service areas and had been set to assist Heads of Service in monitoring their operational performance.

With regard to the Corporate Plan and targets within Theme 5, 'Rural South Derbyshire', the Chairman commented that there had been a lot of interest in the Carbon Footprint project, which had been completed at Walton-on-Trent. The Director of Corporate Services confirmed that the District Council was currently looking for another village to take part in a future project. Councillor Richards added that the Council could look at the thermal imaging map, in order to assist residents reducing their carbon footprint in all high output properties. Councillor Taylor added that although it was laudable to reduce carbon footprints, it was also very important to provide affordable warmth. There were significant areas within the District where householders would benefit from assistance with providing affordable warmth. Councillor Timms added that the results had been amazing from the carbon footprint project at Walton-on-Trent and it was considered a very worthwhile project.

Councillor Southerd asked for further clarification with regard to the BVPI's concerning planning. The Head of Planning responded that when the re-engineering project was completed, it should enable professional officers to deal with work quicker and more efficiently. In addition, two officers had been very heavily involved with a major appeals inquiry. However, when these were completed, planning figures should improve.

With regard to a Service Level Target, Councillor Taylor stated that significant progress had been made with regards to the Swadlincote Town Centre Master Plan. However, he was concerned that there was no finance in place to pursue further improvements. He added that it was important that all opportunities to take projects further in the future were identified.

**RESOLVED:-**

***That the Committee:-***

- (1) Notes the key achievements and performance for the nine month period ending 31st December 2007 within its areas of responsibility.***
- (2) Notes where performance has failed to achieve the specified target and agrees the proposed remedial measures in those cases.***

**EDS/39. AUTHORISATION FOR OFFICERS TO ENTER LAND PURSUANT TO THE BUILDING ACT 1984 AND OTHER RELEVANT LEGISLATION**

A report was submitted to confirm the authorisation for nominated officers, the right to enter premises in the performance of their duties under the Building Act 1984 and the Building Regulations 2000 (as amended).

The authority to enter premises was set out in Section 95 of the Building Act 1984. Admission to premises, other than a factory or workplace could not be demanded as of right unless 24 hours notice had been given to the occupier. Under certain circumstances, a Justice of the Peace might issue a warrant for an authorised officer to enter the premises. The Occupier must be given notice of the intention to apply for a warrant. The relevant sections of the 1984 Act under which this authority might be exercised were included within the report. Currently the officers that would be nominated under the scheme were G. Hague, S. Powell, G. Billinge, J. Davey, A. Goudin, M. Hewings, I. Soar, A. Palmer, J. Holder and S. Holden.

**RESOLVED:-**

***That the Committee confirms the Scheme of Delegation which grants the Head of Planning powers to authorise nominated officers the right to enter premises, as set out in the detail within the report.***

**EDS/40. SAFER NEIGHBOURHOOD WARDEN REVIEW CONSISTING OF FIXED PENALTY NOTICE POLICY AND SETTING FINES**

This item was withdrawn.

**EDS/41. LONG HORSE BRIDGE ACCESS LINK**

The Committee's approval was sought to recommend to the Finance and Management Committee the sale to Derbyshire County Council of part of the District Council-owned public car park at Wilne Lane, Shardlow. This was to enable the development of part of a multi-user route linking Wilne Lane to the proposed replacement Long Horse Bridge. This matter was previously considered by the Committee on 23rd August 2007. The proposal formed part of a multi-user route for walkers, cyclists and horse riders and was referred to by the County Council as a 'greenway'. Since the matter was last considered by this Committee, a new alignment for the route through the car park, running along the southern and eastern boundaries had been proposed. The suggested alignment of this route was shown in an Annexe to the report. The area of land that the County Council wished to purchase measured five metres in width and represented an area of some 520 square metres in total, or approximately 25% of the total existing car park area.

The report also previously detailed issues to be addressed before work started, suggested by Councillor Mrs. Coyle, Shardlow and Great Wilne Parish Council and also the District Council's Waste and Cleansing Manager.

It was confirmed that the approval of the Finance and Management Committee would also be required for the sale of this land. Should this Committee approve the disposal of the land, from a service user point of view, Property Services would be responsible for the negotiation of terms with

Derbyshire County Council's Estates department, prior to its consideration by the Finance and Management Committee.

**RESOLVED:-**

- (1) That the Finance and Management Committee be requested to approve the sale of land at the public car park at Wilne Lane, Shardlow (as shown on the plan at Annexe SMB1 to the Signed Minute Book), subject to appropriate conditions being attached to any planning consent and to the agreement to sell the land, to ensure that the comments set out in 4.4 and 4.5 of the report are addressed satisfactorily.***
- (2) That the Chief Executive be authorised to determine any minor alterations to the proposal, in consultation with the Chairman of the Committee and the local Ward Member on the Committee (Councillor Watson).***

EDS/42. **HERITAGE GRANTS SUB COMMITTEE**

**RESOLVED:-**

***That the Open Minutes of the Heritage Grants Sub-Committee Meeting held on 14th November 2007 be received and noted.***

J. BLADEN

CHAIRMAN

The Meeting terminated at 6.25 p.m.