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ENVIRONMENT COMMITTEE

Minutes of a Meeting held on Thursday 18 December 2014 in the Council Chamber, Town Hall, Matlock at 6.00pm

PRESENT Councillor Steve Bull - In the Chair

Councillors Sue Burfoot, Tom Donnelly, Ann Elliott, Steve Flitter, Chris Furness, Neil Horton, Angus Jenkins, Garry Purdy, Mike Ratcliffe, Lewis Rose, OBE, Andrew Shirley, Peter Slack, Geoff Stevens MBE and Judith Twigg.

Dorcas Bunton (Chief Executive), Peter Foley (Corporate Director), Paul Wilson (Corporate Director) Sandra Lamb (Head of Corporate Services), Tim Braund (Head of Regulatory Services), Heidi McDougall (Head of Environmental Services), Wendy Li (Senior Solicitor), Tanya Shaw (Design and Conservation Officer) and Christine Laver (Democratic Services Team Leader)

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APOLOGIES

Apologies for absence were received from Councillors Cate Hunt, Carol Walker and Jo Wild. Councillors Tom Donnelly and Judith Twigg attended as substitute members.

212/14 – MINUTES

It was moved by Councillor Geoff Stevens, seconded by Councillor Chris Furness and

RESOLVED That the minutes of the meeting of the Environment Committee held (unanimously) on 17 July 2014 be approved as a correct record.

The Minutes were signed by the Chairman.

213/14 – SECTION 106 OBLIGATIONS AND AFFORDABLE HOUSING PROVISION

This report informed the Committee of reforms to National Planning Practice Guidance, introduced on 28 November 2014, which would fundamentally affect the ability of the District Council to secure financial contributions from developers of sites with 10 units or less via a Section 106 agreement. It was anticipated that this would have a severe impact

on the District Council's ability to provide funding to enable affordable housing schemes, which were not fully funded by the Homes and Communities Agency, to go forward and, consequently, on its ability to deliver its number one priority of affordable housing.

The Corporate Director, in consultation with the Leader and Deputy Leader of the Council, had written to the Minister of State for Housing and Planning to set out the impact of the changes on the provision of affordable housing in Derbyshire Dales. The Committee was asked to endorse this letter

It was moved by Councillor Lewis Rose, OBE, seconded by Councillor Chris Furness and

- RESOLVED**
(Unanimously)
1. That the changes to National Planning Practice Guidance be noted
 2. That the letter, reproduced as Appendix 1 to the report, be endorsed as the District Council's formal response to the Government's decision.

214/14 - DRAFT CHARACTER APPRAISAL FOR KIRK IRETON CONSERVATION AREA

The Committee considered the contents of a Draft Character Appraisal for Kirk Ireton Conservation Area and approval was sought for a six week period of public consultation.

It was moved by Councillor Chris Furness, seconded by Councillor Mike Ratcliffe and

- RESOLVED**
(Unanimously)
1. That the contents of the Draft Character Appraisal for Kirk Ireton Conservation Area, published as appendix 1 to the report, be approved and be subject to a six-week public consultation period as set out in paragraph 2.4 of the report.
 2. That the outcome of the period of public consultation be reported back to a future meeting of the Committee

215/14 – BAKEWELL RECREATION GROUND WET PLAY FACILITY – OUTCOME OF NOISE MONITORING

In July 2014 Council considered a report concerning complaints about noise associated with the use and operation of the wet play area at Bakewell Recreation Ground. An investigation by Environmental Health had indicated that noise levels were sufficiently intrusive as to have potential to amount to a statutory noise nuisance.

Following a trial of reduced operating hours, Council considered the options outlined in the report but determined that, having regard to the technical improvements made to the pump house; a commitment to undertake appropriate monitoring and the ongoing investigation of potential improvements designed to reduce noise, the original opening hours should be reinstated and run until 1 September 2014.

Independent monitoring using the BS4142 standard took place in August. The methodology and results were set out in the report and indicated that the main problem was

'peaks' of noise associated with the squeals of the children using the wet play facility. A number of options to mitigate these peaks were put forward and, in consultation with the complainant, the one put forward for approval was the erection of an acoustic polycarbonate barrier half way round the splash park facility at an estimated cost of £12,000 to be met from the capital programme. In addition, it was recommended that additional planting be undertaken in front of the complainants' boundary as was considered a more acceptable option to all parties than the erection of a fence on the boundary.

It was moved by Councillor Judith Twigg, seconded by Councillor Peter Slack and

RESOLVED
(Unanimously)

1. That the the construction of an acoustic polycarbonate screen, as outlined in section 1.30 of the report, be approved in order to comply with the District Council's legal obligations.
2. That the cost of constructing an acoustic screen, estimated at approximately £12,000 be met from the capital programme
3. That the cost of implementing a landscaped shrub border at approximately £2,500 be funded from the capital programme.
4. That, if necessary, further monitoring be undertaken next summer to determine the effectiveness of the acoustic screen and the need for a second boundary screen.
5. That the reduction in noise from the pump house to an acceptable level, resulting from the modifications already made to the water pressure and water jets be noted and that the situation be reassessed should any adjustments to these be made in future.
6. That the existing times of operation (10.00am – 12.30pm and 1.30pm – 5.00pm) from 1st April to 1st September annually be maintained.

216/14 – DERBYSHIRE AND DERBYS JOINT MUNICIPAL WASTE STRATEGY AND DERBYSHIRE DALES ACTION PLAN

The Derbyshire Joint Municipal Waste Management Strategy (DJMWMS) was originally developed and adopted in 2006 by Derbyshire County Council, Derby City Council and the eight Derbyshire District and Borough Councils. A Review of the Strategy began in 2011 and a draft headline document entitled *Dealing with Derbyshire's Waste* was developed this focussed on the following principles:-

- Adopting a partnership approach to waste management in Derbyshire
- Expansion of recycling and composting schemes and infrastructure to achieve a recycling and composting target of up to 55%
- Meeting the requirements of the Landfill Directive by diverting waste through recycling and composting and recovery practices.

In November 2013 the draft strategy and supporting individual Action Plans for the partner

authorities were published for public consultation until 14 February 2014. Approval was sought for the Derbyshire and Derby's Joint Municipal Waste Strategy 2013 – 2020 and the associated Derbyshire Dales Action Plan.

It was moved by Councillor Garry Purdy, seconded by Councillor Judith Twigg and

RESOLVED That the Derbyshire and Derby Joint Municipal Waste Strategy
(Unanimously) and the Derbyshire Dales Action Plan be approved.

217/14 – TRADE WASTE AND RECYCLING CHARGES

The Committee considered approval of the introduction of a recycling service for trade premises as required by the Waste (England and Wales)(Amendment) Regulations 2012 and new charges for both trade waste and recycling services following the revision of the Controlled Waste Regulations 2012.

It was moved by Councillor Chris Furness, seconded by Councillor Lewis Rose and

RESOLVED (Unanimously)

1. That a new trade recycling service for glass, cans, plastic, paper and cardboard, as outlined in paragraphs 2.2 and 2.3 of the report, be introduced from 1 January 2015.
2. That the trade recycling charges proposed in paragraph 2.7 of the report be implemented from 1 January 2015 and remain fixed until March 2016.
3. That the revised trade waste fees and charges proposed in paragraph 2.12 of the report (not for profit) and 2.16 (trade premises) be approved and implemented on 1 April 2015.
4. That authority be delegated to the Head of Environmental Services to recover any disposal costs recharged by Derbyshire County Council
5. That the planned promotion work be noted.

218/14 – HIGHWAY AGENCY SERVICE REVIEW#

On 25th September 2014, the Council considered the Medium Term Financial Plan which showed that, over the next five years, savings of over £1.2 million are required. At the Council meeting on 26th September 2013, a report on 'Planning for the Future' was considered, and a series of Service Reviews were approved, including a review of the Highway Agency Service which would be carried out with the intention of achieving savings to contribute towards the overall savings target. The review is to be completed within 2014 / 2015.

The Highway Agency Review will encompass the areas covered by the Highway Agency Agreement between Derbyshire County Council and the District Council. Under that Agreement the District Council delivers the following services locally on behalf of the County Council

- Gully cleansing – scheduled cleansing delivered in house

- Pedestrian mowing – delivered in house by Clean and Green Team
- Flail mowing – mixture of in-house and contractor
- Weed killing – delivered by contractor twice a year
- Winter maintenance – delivered in house by Clean and Green Team

The report set out the proposed scope of the Review and its methodology, which was designed to result in three options being put forward, low, medium and high risk, all of which should achieve efficiency savings.

Member input would be required and the report asked for the nomination of three Members.

It was moved by Councillor Lewis Rose, seconded by Councillor Geoff Stevens and

- RESOLVED**
(Unanimously)
1. That the scope of the Review outlined in the report be approved.
 2. That the names of two Conservative nominees and one Labour nominee be communicated to the Head of Corporate Services by 31 December 2014.

219/14 – FEES AND CHARGES – 2015/2016

The Committee considered recommendations in respect of fees and charges in relation to pest control and stray dog services, cemeteries, clean and green services, stall markets, livestock markets, farmer's markets, room hire at the Agricultural Business Centre and land charges

It was moved by Councillor Geoff Stevens, seconded by Councillor Judith Twigg and

- RESOLVED**
(Unanimously)
- That the fees and charges recommended in Appendices 1 – 7 of the report and appended to these minutes be approved and implemented with effect from 1 April 2015.

220/14 – EXCLUSION OF PUBLIC AND PRESS

It was moved by Councillor Steve Bull, seconded by Councillor Tom Donnelly and

- RESOLVED**
(Unanimously)
- That in accordance with Section 100(a) of the Local Government Act 1972 the public and press be excluded because it is likely that the nature of the business to be transacted would result in exempt information being disclosed.

221/14 - THE WASTE AND RECYCLING COLLECTION SERVICES CONTRACT 2012-2020 – LOT 1

The Committee considered a report on proposals for a contractual change to the waste and recycling collection services contract awarded to Serco Limited in October 2011.

MEETING CLOSED 7.26 PM