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To: Members of Improvement and Scrutiny Committee - Places

Tuesday, 16 July 2019

Dear Councillor,

Please attend a meeting of the **Improvement and Scrutiny Committee - Places** to be held at **2.00 pm** on **Wednesday, 24 July 2019** in Committee Room 1, County Hall, Matlock, the agenda for which is set out below.

Yours faithfully,

A handwritten signature in cursive script that reads 'Janie Berry'.

JANIE BERRY
Director of Legal Services

AGENDA

PART I - NON-EXEMPT ITEMS

1. To receive apologies for absence
2. To receive declarations of interest
3. To confirm the Minutes of the meeting held on 1 May 2019 (Pages 1 - 4)
4. Public Questions (30 minute maximum in total) (Pages 5 - 6)

Questions may be submitted to be answered by the Scrutiny Committee, or witnesses who are attending the meeting, on any item that is within the scope of the Committee

5. Joint Derbyshire and Derby Minerals Local Plan (Pages 7 - 8)

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MINUTES of a meeting of the **IMPROVEMENT AND SCRUTINY COMMITTEE – PLACES** held at County Hall, Matlock on 01 May 2019.

P R E S E N T

Councillor S Bull (in the Chair)

Councillors K S Athwal, E Atkins, D Charles, L Grooby, J Innes, T Kemp and P Makin.

Also in attendance were James Adams and Richard Ward.

Apologies for absence were submitted on behalf of Councillor H Elliott.

06/19 **MINUTES** **RESOLVED** that the Minutes of the meeting of the Committee held on 26 February 2019 be confirmed as a correct record and signed by the Chairman.

07/19 **DERBYSHIRE FLOOD RISK MANAGEMENT STRATEGY – ANNUAL UPDATE** Richard Ward presented a report to show the progress of Derbyshire’s Local Flood Risk Management Strategy April 2018 – April 2019.

The annual report gave details on the roles and responsibilities of a Lead Local Flood Authority. This gave an overview as to why this was such a key service provided by Derbyshire County Council and gave details on organisations that were linked to the Flood Authority.

Derbyshire County Council had a legal duty under the Flood and Water Management Act 2010 to produce a Local Flood Risk Management Strategy. The purpose of the Strategy was to set out a clear plan for future flood risk management in Derbyshire, which explained how services would be co-ordinated across the County, with the key aim of mitigating “local” flood risk. This ensured that people, businesses, communities and other risk management authorities had an active role in how flood risk was managed.

Derbyshire’s Strategy for Flood Risk Management was in two parts; Part one being a guide for Residents and Businesses and Part two the Technical Guidance.

Derbyshire County Council contributed just over £310k of money per annum, to the three Regional Flood and Coastal Committees which sat within Derbyshire. Every upper tier authority in England makes this contribution, and this was calculated based upon the number of Band D properties within the authorities’ area. Over the past five years, DCC had successfully claimed £428k of Local Levy funding for flood studies and flood mitigation schemes. It had also claimed in the region of £300k from grant in aid funding. Local Levy enabled Derbyshire County Council to lever out both grant in aid and other

sources of funding for flood schemes in Derbyshire. Melbourne Flood Study was a good example, where £160k of Local Levy money, would help deliver a £2.5 million capital scheme to protect 100+ properties from flooding.

Over the next 12 months the Flood Risk Management team would work towards a list of prioritisations where they would plan and deliver the 5-year full review of the Local Flood Risk Management Strategy. A Sustainable Drainage Systems (SuDS) handbook would be delivered for Developers amongst the list of priorities. The Committee would like to have the opportunity to comment on the draft of the SuDS guidance document.

RESOLVED to note the presentation.

08/19 **CIVIL PARKING ENFORCEMENT** James Adams gave a presentation to report on Civil Parking Enforcement within Derbyshire.

Civil Parking Enforcement (CPE) was the name given to the transfer of powers from the Police to local authorities for enforcing parking contraventions. This was made possible by the Traffic Management Act 2004 and included statutory guidance and operational guidance to local authorities as to how it should be managed and the subsequent appeal process for the tickets issued.

The key differences were:

- The majority of parking contraventions, including parking on yellow lines and in parking bays, were no longer criminal;
- Local authorities enforce parking controls and keep the income from parking tickets – this money could be used to improve local transport/highway infrastructure; and
- A new type of parking ticket, called a Penalty Charge Notice (PCN), had been introduced.

Derbyshire Constabulary transferred some powers to Derbyshire County Council to enforce parking regulations within the County. The Council, as the Highway Authority, had a legal obligation to keep the highway free moving, safe and available to all users. One of the tools used by the Council to achieve this was by the use of parking regulations/restrictions. This is why it introduced CPE.

There were many benefits to Managing Civil Parking Enforcements well in the communities of Derbyshire. The benefits included the turnover of parking spaces, providing better access to shops and services which in turn had local economic benefits. This acted as a deterrent to inconsiderate and dangerous parking, alleviated congestion, and pollution and reduced the abuse of disabled parking spaces, leaving them free for genuine users.

Derbyshire County Council only had 23 FTE CEOs covering the whole of Derbyshire. Unfortunately they were unable to provide a reactive service, as resource levels and logistics of officer movements prevented urgent re-deployment. Customer requests for enforcement were scheduled into routine patrols where possible and as and when resources allowed.

Although the transfer of power was shifted from the Police to Derbyshire County Council the police were still responsible for enforcing a number of things, all which were discussed during the presentation.

RESOLVED to note the presentation.

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Procedure for Public Questions at Improvement and Scrutiny Committee meetings

Members of the public who are on the Derbyshire County Council register of electors, or are Derbyshire County Council tax payers or non-domestic tax payers, may ask questions of the Improvement and Scrutiny Committees, or witnesses who are attending the meeting of the Committee. The maximum period of time for questions by the public at a Committee meeting shall be 30 minutes in total.

Order of Questions

Questions will be asked in the order they were received in accordance with the Notice of Questions requirements, except that the Chairman may group together similar questions.

Notice of Questions

A question may only be asked if notice has been given by delivering it in writing or by email to the Director of Legal Services no later than 12noon three working days before the Committee meeting (i.e. 12 noon on a Wednesday when the Committee meets on the following Monday). The notice must give the name and address of the questioner and the name of the person to whom the question is to be put.

Questions may be emailed to democratic.services@derbyshire.gov.uk

Number of Questions

At any one meeting no person may submit more than one question, and no more than one such question may be asked on behalf of one organisation about a single topic.

Scope of Questions

The Director of Legal Services may reject a question if it:

- Exceeds 200 words in length;
- is not about a matter for which the Committee has a responsibility, or does not affect Derbyshire;
- is defamatory, frivolous or offensive;
- is substantially the same as a question which has been put at a meeting of the Committee in the past six months; or
- requires the disclosure of confidential or exempt information.

Submitting Questions at the Meeting

Questions received by the deadline (see **Notice of Question** section above) will be shared with the respondent with the request for a written response to be provided by 5pm on the last working day before the meeting (i.e. 5pm on Friday before the meeting on Monday). A schedule of questions and responses will be produced and made available 30 minutes prior to the meeting (from Democratic Services Officers in the meeting room).

It will not be necessary for the questions and responses to be read out at the meeting, however, the Chairman will refer to the questions and responses and invite each questioner to put forward a supplementary question.

Supplementary Question

Anyone who has put a question to the meeting may also put one supplementary question without notice to the person who has replied to his/her original question. A supplementary question must arise directly out of the original question or the reply. The Chairman may reject a supplementary question on any of the grounds detailed in the **Scope of Questions** section above.

Written Answers

The time allocated for questions by the public at each meeting will be 30 minutes. This period may be extended at the discretion of the Chairman. Any questions not answered at the end of the time allocated for questions by the public will be answered in writing. Any question that cannot be dealt with during public question time because of the non-attendance of the person to whom it was to be put, will be dealt with by a written answer.

DERBYSHIRE COUNTY COUNCIL

IMPROVEMENT AND SCRUTINY COMMITTEE – PLACES

24 JULY 2019

Joint Derbyshire and Derby Minerals Local Plan

1. Purpose of the Report

The Improvement and Scrutiny Committee have asked to receive a presentation to inform them of the process and procedures involved in the production of the new Joint Derbyshire and Derby Minerals Local Plan at their meeting on 24th July 2019. This report summarises the content of the presentation.

2. Information and Analysis

Planning authorities have a statutory requirement to prepare Development Plans, setting out policies for the development and use of land in their area. Derbyshire County Council and Derby City Council are working together to prepare a new Minerals Local Plan which will set out the detailed planning strategy and policies to enable the delivery of sustainable minerals development in the Plan area to 2036.

The presentation will cover the following:

- A spatial portrait of Derbyshire and Derby - providing an overview of the spatial characteristics of the Plan area, the social, environmental and economic context and the mineral resources of Derbyshire and Derby, their distribution and reserves;
- The purpose of the Joint Minerals Local Plan and why we need to prepare one;
- The legislative, policy and guidance overview - a reference to the current national, international, European and local legislation, policy and guidance to which the Plan must conform and/or take into account;

- The formal stages in the preparation of the Joint Minerals Local Plan, including the requirements for consultation;
- The requirements to prepare a sound Plan which is legally compliant and meets the duty to co-operate;
- The governance arrangements for the Joint Minerals Local Plan;
- What has been done so far and the next steps; and
- Concluding summary

3. Considerations

In preparing this report the relevance of the following factors has been considered; financial, human relations, legal and human rights, prevention of crime and disorder, equality and diversity, environmental, health, property and transport.

4. Officer's Recommendations

The Committee is requested to note the process and procedures required to ensure the production of Joint Minerals Local Plan and the work undertaken to date.