

# Public Document Pack



**Simon Hobbs**  
Director of Legal and  
Democratic Services  
County Hall  
Matlock  
Derbyshire  
DE4 3AG

Extension 38372  
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Ask for Anne Barrett

PUBLIC

To: Members of Cabinet Member meeting - Highways, Transport and Infrastructure

Friday, 6 March 2020

Dear Councillor,

Please attend a meeting of the **Cabinet Member meeting - Highways, Transport and Infrastructure** to be held at **4.00 pm** on **Monday, 16 March 2020** in Committee Room 3, County Hall, Matlock, DE4 3AG, the agenda for which is set out below.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'S Hobbs', written over a light blue horizontal line.

**Simon Hobbs**  
**Director of Legal and Democratic Services**

## **A G E N D A**

### **PART I - NON-EXEMPT ITEMS**

1. Declarations of Interest

To receive declarations of interest (if any)

2. To receive Petitions (Pages 1 - 24)

3. Minutes (Pages 25 - 28)

To confirm the non-exempt minutes of the meeting of the Cabinet Member

– Highways, Transport and Infrastructure held on 13 February 2020

To consider the non-exempt reports of the Executive Director for Economy, Transport and Environment on:

- 4 (a) Petition - Bradwell - Alleged Partial Blockage of the Highway (Pages 29 - 32)
- 4 (b) Petition Regarding Road Safety Concerns - A6 Buxton Road, Furness Vale (Pages 33 - 42)
- 4 (c) Report on the Delivery of the Section 19 Flooding Investigation (Pages 43 - 46)
- 5. To consider the non-exempt joint report of the Executive Director - Economy, Transport and Environment and the Director of Finance and ICT on Budget Monitoring 2019-20 - Period 9 (Pages 47 - 52)

**DERBYSHIRE COUNTY COUNCIL****CABINET MEMBER MEETING – HIGHWAYS, TRANSPORT AND  
INFRASTRUCTURE****16 MARCH 2020****Report of the Director of Legal and Democratic Services****REPORT ON PETITIONS TO BE RECEIVED**

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**2. Information and Analysis** In compliance with the Council's Petition Scheme, the following petitions are presented for receipt, investigation and formal response by the Executive Director – Economy, Transport and Environment:-

<b><u>LOCATION/SUBJECT</u></b>	<b><u>SIGNATURES</u></b>	<b><u>LOCAL MEMBER</u></b>
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**3. Considerations (to be specified individually where appropriate)**

In preparing this report the relevance of the following factors has been considered: financial, legal, prevention of crime and disorder, equality and

diversity, human resources, environmental, health, social values, property and transport considerations.

**4. Key Decision** No

**5. Call-in** Is it required that call-in be waived in respect of the decisions proposed in the report? No

**6. Background Papers**

Petition held on file 124.0 in Democratic Services.

## **7. OFFICER'S RECOMMENDATION**

- (1) that the petitions listed above be received and noted; and
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**MINUTES** of a meeting of the **CABINET MEMBER FOR HIGHWAYS, TRANSPORT AND INFRASTRUCTURE** held at County Hall, Matlock on 13 February 2020**PRESENT**

Cabinet Member - Councillor S A Spencer

Also in attendance – Councillors T Ainsworth and G Hickton

In accordance with Standing Orders, Councillor J Atkin attended the meeting as local Member in respect of Minute No. 13/20.

**11/20      PETITIONS      RESOLVED** (1) to receive the under-mentioned petition:-

<b>Location/Subject</b>	<b>Signatures</b>	<b>Local Member</b>
Warren Carr, Oldfield Lane – Request for 30mph Speed Limit	13	Councillor J Atkin
Whitwell, Duke Street – Request for Residents Parking	22	Councillor D McGregor

(2) that the Executive Director – Economy, Transport and Environment investigates and considers the matters raised in the petitions.

**12/20      MINUTES      RESOLVED** that the Minutes of the meeting of the Cabinet Member for Highways, Transport and Infrastructure held on 23 January 2020 be confirmed as a correct record and signed by the Cabinet Member.

**13/20      ADDITION OF FUNDING CONTRIBUTION TO THE HIGHWAYS AND TRANSPORT CAPITAL PROGRAMME 2019-20 – DARLEY BRIDGE**

The issues of large vehicles being unable to pass each other due to the constrained road widths at Darley Bridge was well known to the County Council and would benefit from better management of traffic movements.

A proposal to address the issues with a system of vehicle activated signs (VAS) was explored in 2013-14 but not progressed and in 2018 South Darley Parish Council approached the County Council again requesting reconsideration of the issue. A public meeting was held on 21 November 2018, to ascertain public support to justify carrying out further work on a mitigation scheme. A vote was taken with 25 in favour and 1 against and this was taken as a mandate to commit Officer time and resources

on designing a suitable VAS scheme and to explore funding streams. Work has progressed and a scheme has now been drawn up and costs estimated based upon current manufacturers' pricing for the required equipment.

HJ Enthoven and Sons committed to covering the cost of the supply of the relevant equipment up to a maximum of £25,000 and have also committed to donating an area of land to enable the construction of a passing place for lorries on Oldfield Lane. The County Council would be responsible for the cost of all associated civil engineering works and the on-going maintenance of all additional assets. The County Council now needed to add this contribution to its capital works programme in order that the appropriate works could be programmed.

Monitoring of the scheme would be undertaken and a review would be carried out after the scheme has been operational for a year.

Councillor Spencer stated that specialist professional officers had worked on proposals for Darley Bridge and had taken into account all relevant conditions, physical and financial constraints.

The Cabinet Member allowed Peter Savidge, Richard Barton and Kevin Dean to address the meeting. Paul Morris, Chair of Stanton in Peak Parish Council and Philippa Lloyd were also allowed to put forward comments. The comments included a request for details of the scheme, the type of vehicle activation control to be explained to residents and local representatives; the risk to vehicles and pedestrians using Darley Bridge; the use of traffic control on the bridge; and the suggestion that a feasibility study be undertaken to evaluate a new bridge. Concerns were also expressed in relation to non-compliance with the VAS, increased volume of HGVs and the lack of detailed information for residents.

Councillor Jason Atkin, Local County Councillor covering Darley Bridge also addressed the meeting and felt that as the matter had been the subject of discussion for a number of year progression was required. He therefore supported the recommendations.

Councillor Spencer responded in detail to the comments and proposed that County Council officers draw up a detailed proposal, which would include technical documents, with a view to holding constructive discussions with South Darley Parish Council, the elected local body, on an agreed date and venue.

**RESOLVED** (1) to note the commitment of a financial contribution of £25,000 and land dedication from HJ Enthoven and Sons to facilitate highway improvement works needed to mitigate the effects of long standing vehicle conflict situations at Darley Bridge;

(2) to approve the inclusion of a scheme in the Highways and Transport Capital Programme 2019-20 for Darley Bridge; and

(3) that officers draw up a detailed proposal, including technical documents, to discuss at a meeting with South Darley Parish Council at a venue and date to be agreed.

**14/20      PROPOSED EXTENSION OF THE FOOD BAG PROJECT IN THE HIGH PEAK**

On 6 June 2019, the Cabinet Member approved the expansion of the Food Bag project across the Glossop and Buxton areas to issue compostable food bags that would encourage more householders to divert food waste for composting through their garden waste bins for the period of October 2019 to March 2020.

Surveys have found that the average composting rate across the Buxton area for 2018/19 was 0.45kg and for Glossop was 0.54kg. The project incurred additional costs to supply compostable bags to households and to promote the scheme. These costs could be absorbed by the landfill savings resulting from the project provided that households continued to divert more than 0.40kg per household per week.

The food waste collected was composted at the County Council's in-vessel composting plant at Waterswallows, Buxton. This facility was managed by Suez on the County Council's behalf and has confirmed it was satisfied with the inputs from the project and would continue to spread the resulting compost on agricultural land in the Buxton area.

The Government has consulted on its new Resource and Waste Strategy and one of its elements was to eliminate food waste from landfill by 2030. The Strategy included the proposal to collect an increased amount of food waste separately from garden waste on a weekly basis from 2023 and to treat it at Anaerobic Digestion facilities in future. In view of this it would be unwise to expand the current food diversion project in High Peak. However, the councils did not want to discourage the existing participants for composting their food waste and it was therefore deemed practical to continue the project in its current form until there was greater clarity on the Government's intentions.

Approval was now being sought for the continuation of the compostable food bag for householders in the Glossop and Buxton areas for 2020/21.

**RESOLVED** (1) to approve the continuation of the compostable food bag project in the Glossop and Buxton areas until March 2021, whereby the County Council finds the costs outlined in the report from disposal savings; and

(2) that a further report is submitted to the Cabinet Member in due course to update on progress with this food waste diversion project and the implications of the Government's Resources and Waste Strategy.

**15/20      CHARGES FOR DEPOSITS OF LANDOWNER STATEMENTS AND DECLARATIONS**

Section 31(6) of the Highways Act 1980 provides a mechanism by which landowners could protect their land from public rights of way coming into existence across it, as a result of any future or further physical public use of ways over the land. It required a map and statement to be deposited with the

County Council, and to continue this statutory protection, a declaration must be deposited with the County Council by the landowner within 20 years of the deposit of a map and statement. To maintain the statutory protection further declarations need to be deposited with the Council at ongoing intervals of less than 20 years.

Section 15A (1) of the Commons Act 2006 provides a way for landowners to bring to an end any period of recreational use of land “as of right” by depositing a landowner statement.

The Growth and Infrastructure Act 2013 enabled the introduction within the Commons (Registration of Town or Village Greens) and Dedicated Highways (Landowner Statements and Declarations)(England) Regulations 2013 of a provision by which the County Council might charge landowners depositing these items with the Council reasonable fees in respect of the associated work it has to carry out. In order to maintain a sustainable delivery of this service, it was considered that the County Council now needed to introduce charges.

It was considered that it would be reasonable to charge fees on each application for the deposit of a section 31(6) Highways Act 1980 statement with map; a section 15A (1) Commons Act 2006 statement; a combined section 31(6) Highways Act 1980 statement with map and a section 15A (1) Commons Act 2006 statement, or Highways Act 1980 declaration; with the following fee structure:

- (a) Areas of land up to 100 hectares - £309
- (b) Areas of land 100-500 hectares - £359
- (c) Areas of land 500-1000 hectares - £409
- (d) Areas of land in excess of 1000 hectares - £459,

always subject, where the land comprises more than one parcel of land or the land was segmented by highways, to additional fees of £50 for each additional parcel and/or segment.

**RESOLVED** to approve the introduction of charging of fees in accordance with the fee structure described in the report and minute, in respect of applications received by the Council for the deposit of statements with maps pursuant to section 31 (6) Highways Act 1980, statements pursuant to section 15A (1) of the Commons Act 2006, statements with maps pursuant to section 31 (6) of the Highways Act 1980 combined with statements pursuant to section 15A (1) of the Commons Act 2006, and declarations under section 31 (6).

**Agenda Item No. 4(a)**

**DERBYSHIRE COUNTY COUNCIL**

**MEETING OF THE CABINET MEMBER – HIGHWAY, TRANSPORT AND  
INFRASTRUCTURE**

**16 March 2020**

Report of the Executive Director – Economy, Transport and Environment

**PETITION - BRADWELL – ALLEGED PARTIAL BLOCKAGE OF THE  
HIGHWAY**

(1) **Purpose of Report** To consider a petition requesting consideration be given to activities associated with partial blockage of the highway in Bradwell.

(2) **Information and Analysis**

**Background**

At the meeting on 8 November 2018, the Cabinet Member acknowledged receipt of a petition. It contains 43 signatures and was accompanied by a supporting letter.

**Officer Comment**

The area of highway affected by the obstruction is on a junction of several roads in Bradwell. The area immediately adjacent is sufficient to allow vehicles to park. Parking also takes place adjacent to other properties which have a frontage to the large junction area at this location. Many of these properties and others nearby do not have off-road parking.

In 2018, enquiries were received regarding the highway extents and the initial findings suggested some of this area was not public highway. Construction of a wall along what the adjacent property considered to be the boundary between private property and public highway commenced. Once alerted to this, the County Council wrote to the occupier, requested information of the work proposed, and advised that the work should cease until further investigation has been undertaken to establish the boundary. However, work continued and the wall is now built.

This was the trigger for the letter and this petition from other Bradwell residents expressing their fear that there has been some form of 'land grab' and that the on-street parking facility they have enjoyed for many years would be taken away.

Surveys have been undertaken and the extent of publicly maintainable highway clarified which indicate that encroachment appears to have occurred.

A number of options exist, now that the wall has been built:

### **Option 1**

Require the removal of the obstruction to the highway by serving a notice under Section 143 of the Highways Act 1980. Should the landowner fail to remove the obstruction within the time specified within the notice, the County Council would seek to remove and recover its reasonable costs.

### **Option 2**

Given that the wall has been completed, the landowner cannot apply under the Town and Country Planning Act 1990 to stop-up the highway as the development has been completed but such an application can be made retrospectively under Section 116 of the Highways Act 1980. Therefore, if the Council considered stopping-up to be an option, the occupier would need to request the County Council to make an application to the Court under Section 116 of the Highways Act 1980 and meet Derbyshire County Council's costs in doing so. However, the County Council is required to carry out statutory consultation with the District and Parish Councils for the area and, if they object, the application cannot proceed. Given the history of this matter, it is likely that such an objection would be forthcoming.

### **Option 3**

Use powers under Section 256 of the Highways Act 1980 to exchange land to adjust the boundaries of the highway.

### **Local Member Comment**

Councillor Judith Twigg is aware of the petition and is supportive of the Officer's Recommendation, and this has been communicated to Bradwell Parish Council.

(3) **Financial Considerations** Any costs would be met from the Highways Maintenance Revenue budgets. However, should enforcement action be undertaken, the County Council would seek to recover its reasonable costs.

(4) **Legal Considerations** The County Council, as highway authority, has a duty under section 130 of the Highways Act 1980 to assert and protect the rights of the public to the use and enjoyment of the highway.

### **Other Considerations**

In preparing this report the relevance of the following factors has also been considered: prevention of crime and disorder, equality and diversity, human



resources, environmental, health, property, social value and transport considerations.

(5) **Key Decision** No.

(6) **Call-In** Is it required that call in be waived in respect of the decisions proposed in the report? No.

(7) **Background Papers** Held on file within the Economy, Transport and Environment Department.

(8) **OFFICER'S RECOMMENDATIONS** That:

8.1 The Cabinet Member notes the information contained within this report relating to the obstruction on the highway in Bradwell.

8.2 The Local Member, head petitioner and all interested parties be notified accordingly.

**Mike Ashworth**  
**Executive Director – Economy, Transport and Environment**

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**Agenda Item No. 4(b)**

**DERBYSHIRE COUNTY COUNCIL**

**MEETING OF CABINET MEMBER – HIGHWAYS, TRANSPORT AND  
INFRASTRUCTURE**

**16 March 2020**

Report of the Executive Director – Economy, Transport and Environment

**PETITION REGARDING ROAD SAFETY CONCERNS - A6 BUXTON ROAD,  
FURNESS VALE**

(1) **Purpose of Report** To inform the Cabinet Member of investigations undertaken following the receipt of a petition requesting measures to provide speed cameras and evaluation of volume of traffic and the condition of the A6 Buxton Road, Furness Vale.

(2) **Information and Analysis** At the meeting on 12 September 2019, the Cabinet Member acknowledged receipt of a petition (Minute No. 43/19 refers). It contains 408 signatures and reads as follows:

*“Furness Vale residents would like speed cameras installed, to help reduce the speed of vehicles travelling through the village.”*

The lead petitioner also included a letter detailing the effect of the speed and volume of traffic using the A6, asking for speed cameras at either end of the village. Further concerns were noise from traffic running over the ironwork grids and air quality for the school children whose building is below road level.

**Background**

Buxton Road is a Primary Route, the A6, and is one of the UK's strategic north-south routes. This former Trunk Road runs through many towns and villages as it passes through Derbyshire.

This section of the A6, from the roundabout at Bridgemont to the A6015 junction at Newtown, has different speed limits to provide 30mph entry gateways to the most densely built up areas with 40mph sections in between.

The section through Furness Vale already has extensive traffic calming features, such as three vehicle activated signs to remind drivers of the speed limit, zig zags and flashing amber lights with 'School Safety Zone' signing outside the school and a light controlled crossing.

### **Officer Comment**

The section of the A6 through Furness Vale is subject to a 30mph speed limit. The County Council has already invested considerably in this stretch of road, having installed electronic vehicle activated signs (VAS) and a system of central hatching and pedestrian refuges. It is also identified as a CREST (Casualty Reduction Enforcement Support Team) mobile speed camera enforcement site.

A permanent traffic counter on the A6, just north of Furness Vale, has given readings of between 15,500 and 17,500 vehicles a day over the last three months. These figures have been compared to the Department for Transport's figures for 'A' class roads which gives an average daily flow of 18,700 vehicles. Therefore, this part of the A6 is carrying less than average traffic flow for a typical 'A' road in this country. There are no set upper or lower levels for traffic on any roads and, as the A6 is one of the County's main strategic roads, such levels of traffic are to be expected.

In terms of injury related collisions, on the section of the A6 from Bridgemont to Newtown, approximately 2 miles in length, there have been seven recorded injury collisions over the latest three year period. One of these collisions has been categorised as serious in severity, with the other six being categorised as being slight. The serious injury collision involved a cyclist riding off the pavement into an HGV. The slight injury collisions were: two rear end shunts, two involved drivers pulling out erroneously into moving traffic, one was the result of a driver having a medical episode and one was a lorry brushing past a driver getting into their car in the live running lane. According to Police data, none of these have been considered as involving excessive speed.

Along with the information from the permanent traffic counter, there have also been speed surveys carried out near the school which gave an 85<sup>th</sup> percentile speed of 36mph in May 2019 (this is the speed at which 85% of the traffic flow is travelling at or below).

The strategic nature of the road and the level of HGV usage rules out certain engineering measures to reduce vehicle speeds were that necessary. For instance, road humps would not be considered on this road due to the noise and vibration that would be generated for the residential properties. Bearing in mind all the facts listed, coupled with the measures already implemented, it is not recommended to consider further speed intervention measures on this section of the network at present.

With regard to the introduction of fixed safety cameras, this is the responsibility of the Derby and Derbyshire Road Safety Partnership. However, the criteria for these relates to the severity of the injury collision record, with excessive speed as a major contributory factor, and with a substantial percentage of drivers exceeding the speed limit. Currently, safety cameras

would be considered at sites with three injury related collisions involving people getting killed or seriously injured (KSI) over a 1km length during the latest 36 month period. This section of road does not currently meet this criteria but, due to the specific traffic situation along this section of the A6, the use of mobile speed cameras is seen as being more appropriate and this is why it has been identified as a mobile speed camera site by CREST.

In terms of air quality issues, the County Council produced a report to the Improvement and Scrutiny – Places Committee on 28 November 2018 which details future strategy (Minute No. 30/19 refers). Two reports, Corporate Environment Policy and Carbon Reduction Plan and Delivering the Climate and Carbon Reduction Manifesto, were submitted to Cabinet on 21 November 2019 (Minute Nos. 187/19 and 118/19 refer respectively). Both these documents are available for public inspection on the Derbyshire County Council's website. High Peak Borough Council has details on its website of the monitoring work that is carried out and its 2018 and 2019 Air Quality Annual Status Report (ASR) for September 2019. This states that site HP10 Furness Vale School has been monitored and the levels of NO<sub>2</sub> are below the minimum levels of intervention.

If residents consider there to be any defects, including ironwork grids in the road, these should be reported to the County Council, via its website, to enable inspections to be carried out and any appropriate remedial works to take place. This section of the A6 is subject to monthly inspections to identify any issues with road safety and condition, and residents are also encouraged to contact Derbyshire CREST for continued speed enforcement.

### **Local Member Comments**

The previous Local Member, Councillor Alison Fox, who has sadly passed away, had engaged with residents and made efforts to address the issues raised.

(3) **Financial Considerations**      There are no financial considerations associated with this report.

### **Other Considerations**

In preparing this report the relevance of the following factors has been considered: legal, prevention of crime and disorder, equality and diversity, human resources, environmental, health, property, social value and transport considerations.

(4) **Background Papers**      Held on file within the Economy, Transport and Environment Department.

(5) **Key Decision**      No.

(6) **Call-in** Is it required that call-in be waived in respect of the decisions proposed in the report? No.

(7) **OFFICER'S RECOMMENDATIONS** That the Cabinet Member notes:

- 7.1 The conditions on the A6 Buxton Road, Furness Vale, will continue to be monitored through the highway inspection process.
- 7.2 The Casualty Reduction Enforcement Support Team (CREST) will continue to enforce the current speed limit.
- 7.3 The lead petitioner be informed accordingly.

**Mike Ashworth**  
**Executive Director – Economy, Transport and Environment**

**DERBYSHIRE HEALTH IMPROVEMENT AND SCRUTINY COMMITTEE**

**28<sup>th</sup> November 2018**

**Report of the Derbyshire County Council**

**Air Quality in Derbyshire**

**1. Purpose of the report**

The report aims to provide an overview of the health impacts of air pollution for Derbyshire County, National and Local strategic action, and evidence for delivering change.

**2. Information and analysis**

**The impact of air quality on health**

Air pollution is a mixture of particles and gases that can have an adverse effect on health. Air quality is a significant determinant of health, and the largest environmental risk to public health. The health problems resulting from exposure to air pollution have a high cost to the population, to health services and to business. In the UK, these costs are estimated to be more than £20 billion a year, on a par with those from smoking and obesity. The impact of air pollution affects the whole population, however disproportionately affects the young, older people, those with underlying health conditions and the most disadvantaged within our communities.

Health can be affected both by short-term, high-pollution episodes and by long term exposure to lower levels of pollution. Each year in the UK, around 40,000 deaths are attributable to exposure to outdoor air pollution. Air pollution plays a role in a range of major health issues including cancer, asthma, stroke and heart disease, diabetes, and obesity.

Man-made sources of outdoor air pollutants include transport, household burning of solid fuels, and industrial activities. Highest levels are seen near the sources of pollution, however air pollution can stay around for days or weeks after it is created. Small particulate matter (PM) and nitrogen dioxides (No<sub>2</sub>) have the greatest epidemiological link to health outcomes, with traffic related sources being the most significant contributor. Current research indicates that at a population level, no thresholds of effect can be identified for the common air pollutants. This means that there are benefits to be gained from improving air quality, even below current EU and UK limits.

**National Strategy**

The profile of air quality has increased nationally in recent years with a number of policy and strategies supporting change to improve air quality including most recently the National Air Quality Plan 2017, Clean Air Strategy 2018 and Road to Zero 2018.

## **Air quality in Derbyshire**

In Derbyshire County mortality and morbidity attributed to air quality is calculated as equivalent to 402 deaths and 4041 life years (Appendix 1 shows these figures by Borough and District).

Under the Environment Act 1995, local authorities in the UK are required to assess air quality within their administrative areas and report annually. When potential breaches of the Air Quality Standards (AQS) occur, an Air Quality Management Area (AQMA) is declared and an Air Quality Action Plan (AQAP) developed. There are currently 6 Air Quality Management Areas (AQMA) in Derbyshire which are geographically located next to busy roads, these include;

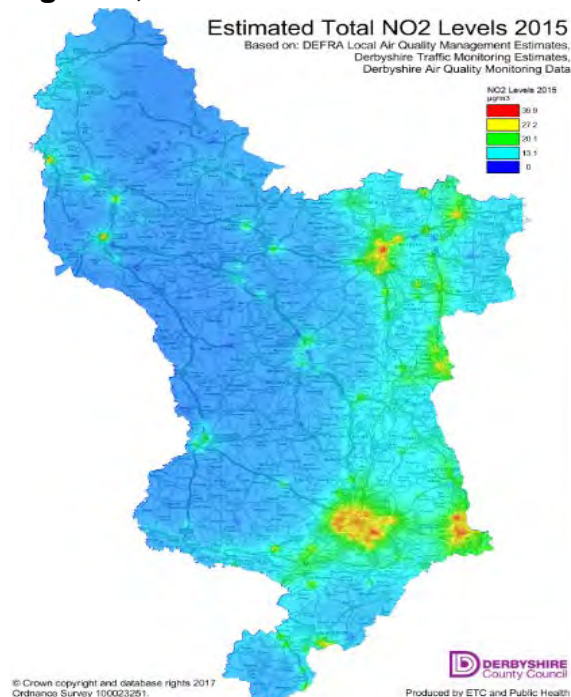
- Chesterfield, one AQMA on Church Street, Brimington;
- Erewash, two AQMA's East of the M1 Motorway in Sandiacre and Long Eaton
- Bolsover, one AQMA in South Normanton (near A38), two in Barlborough close to the M1

High Peak Borough Council are currently proposing an AQMA along the A628 Woodhead Road, Tintwistle. Bolsover District Council are looking to revoke two of the AQMA's in Barlborough, with the possibility of Erewash also revoking its AQMA's following traffic easing measures on the M1.

NO<sub>2</sub> is the most widely measured air pollutant across Derbyshire. In recent years this monitoring data has been collated by the Chief Regulators Group and presented to the Health Protection Board on an annual basis. Medium term analysis (7 year range) shows improvements in air quality at all monitoring sites within AQMA's and 90% of sites outside of AQMA's. 10% of air quality monitoring sites outside of AQMA's have seen a deterioration in air quality, these include sites at Chesterfield, North East Derbyshire and Southern Derbyshire. The Air Quality Working Group in conjunction with Public Health has utilised local air quality monitoring data and modelled traffic data to develop a heat map of air pollution levels across Derbyshire (Figure 1).



**Figure 1; Estimated total No2 levels in Derbyshire**



In March 2018 as part of the UK plan for tackling roadside nitrogen dioxide concentrations, the government directed 33 English local authorities including Bolsover District Council, (“the third wave local authorities”) to carry out studies to identify measures to reduce NO2 air pollution in their areas in the shortest possible time.

### **Local Strategy**

Following a paper to the Health and Wellbeing Board in 2016, the Derbyshire Air Quality Working Group was established across Derbyshire County and City. The group aims to agree drive progress on air quality, receive assurance on progress, facilitate strategic relationships between stakeholders, and support action based on best available evidence. The group chaired by the Director of Public Health for Derby City, is formed of a range of stakeholders including Borough and District Environmental Health, Public Health, Highways, Planning, Sustainable Travel, voluntary sector, and health representatives, and acts as a sub group of the Health Protection Board.

The group has developed a multi-agency action plan based on NICE guidance which focuses around six key themes;

- Strategic vision and cross organisational working;
- Improve access and promote usage of sustainable travel;
- Increase awareness of air quality issues amongst the population and strategic leaders;
- Reduce exposure and harm for those with existing health conditions and vulnerable groups;
- Planning and Development Control
- Monitoring.

Specific actions from partners have included;

- The production of air quality heat maps
- Initiatives to raise the profile of air quality including participation in Clean Air Day, Low Emission events, attendance at Sustainable Travel and Planning Groups
- Annual report to Health Protection Board of trends and issues related to Air quality locally
- Evidence review
- Development of supplementary planning guidance for local planners
- Links to wider strategic plans including Cycle Plan and supporting the development of a Derbyshire County Low Emission Strategy
- Collaborative working around Derby City Clean Air Zone and assessment work on the A38 in South Normanton
- Links with Healthy Homes teams to examine evidence on reducing solid fuel usage across the County

### **Evidence and best practice**

Even modest decreases in air pollution can lead to population impacts including increase in life expectancy. Similarly interventions to address air quality will likely deliver wider public health benefits including increasing active travel and reducing health inequalities.

A growing evidence base exists which examines the most effective interventions to reduce air pollution at a local level, including NICE guidance and soon to be published evidence review by Public Health England. There are also a range of toolkits to support organisations to examine the cost benefits of interventions.

### *Case studies*

- The East End Quality of Life Initiative community group works with Sheffield City Council to run local monitoring using low cost diffusion tubes. This has built local understanding of air pollution and engaged local communities in assessing and taking action on local issues.
- A Zero Emissions Network (ZEN) has been established by local businesses in Shoreditch with the help of Hackney Council. The network offers advice to businesses who wish to reduce their emissions, free trials of electric vehicles and cargo bikes, consultation on reducing energy demand and on reducing emissions resulting from supply chains.
- Wandsworth Council reviewed all its Smoke Control Areas, merged them into a single borough-wide Smoke Control Area, and put in place a communications campaign locally to raise awareness of the rules.
- A number of councils have retrofitted some or all of their vehicles to run on gas fuels (LPG, CNG or biogas). These emit as little as 1/30th of the PM as diesel and can have positive impacts on NO<sub>2</sub> emissions. It is also cheaper to run as the fuel costs less.
- Plymouth Hospital Travel Plan resulted in a reduction in staff arriving by car allocation, supplemented with improved Public Transport services, discounted Public Transport tickets and promotion of car sharing.

- California has introduced restrictions on where new schools can be sited in relation to the major sources of air pollution. Since 2003 state law prohibits new schools being sited within 500 feet of a highway. Guidance suggests how the siting of new schools, day care centres, and other public buildings needs to be considered to reduce the exposure of vulnerable young people to high levels of air pollution.
- Westminster City Council has introduced no pollution zones around Westminster schools. Measures include road closures, vehicle restrictions and no idling zones, replacing old boilers, planting gardens and green infrastructure.

## Appendix1

**Table 1; Fraction of mortality attributable to particulate air pollution PM<sub>2.5</sub> (2013): 3.01 Public Health Outcome**

Local Authority	Attributable Fraction (%)*	Attributable Deaths (Aged 25+)**	Associated Life-Years Lost***
Derby UA	5.7	131	1425
Derbyshire County Council	5.4	402	4041
Amber Valley	5.3	67	656
Bolsover	6.2	46	440
Chesterfield	5.4	59	572
Derbyshire Dales	4.5	33	306
Erewash	5.7	61	647
High Peak	4.4	39	451
North East Derbyshire	6.1	55	529
South Derbyshire	5.4	42	439

Source; \* The proportion of deaths estimated to be due to long term exposure to anthropogenic particle air pollution (2013) \*\*Long term exposure to anthropogenic particle air pollution is estimated to have an effect on mortality risks equivalent to the number of attributable deaths. Air pollution is likely to contribute to a small amount to the deaths of a large number of exposed individuals rather than being solely responsible for the number of deaths equivalent to the calculated figure of attributable deaths (2011). \*\*\*The years of life lost to the population due to increased mortality risk associated with exposure to particle air pollution (2011).

**Jane Careless - Public Health Lead (Health Protection)**  
**Richard Lovell – Senior Project Officer**  
**Derbyshire County Council**

**Agenda Item No. 4(c)**

**DERBYSHIRE COUNTY COUNCIL**

**MEETING OF CABINET MEMBER – HIGHWAYS, TRANSPORT AND  
INFRASTRUCTURE**

**16 March 2020**

Report of the Executive Director – Economy, Transport and Environment

**REPORT ON THE DELIVERY OF THE SECTION 19 FLOODING  
INVESTIGATION**

(1) **Purpose of Report** To update the Cabinet Member on the progress and delivery timescale for the Section 19 Flooding Investigation following the November 2019 flooding events which affected the County.

(2) **Information and Analysis** The flooding event between 7 and 16 November 2019, which affected large parts of the County, has triggered the requirement for the County Council, as the “Lead Local Flood Authority”, to undertake a Section 19 Flooding Investigation. This is a legal requirement under Section 19 of the Flood and Water Management Act 2010.

Although there is no legal requirement to complete the investigation within a particular timescale, given the scale and impact of the event, and the significant amount of public interest, there is an expectation and desire to complete it in a timely fashion.

The draft report is expected to be completed by the end of March 2020. Officers from the Flood Risk Management Team is currently carrying out a full investigation, which comprises of distributing a questionnaire to approximately 2,000 properties and businesses to obtain more detailed information from those affected by the flooding, site visits to the flood affected communities and liaising with all of the relevant authorities (Environment Agency, water authorities, district/borough councils, etc), all of which will inform this Section 19 Flooding Investigation.

The statutory requirement of the output of a formal Flooding Investigation is relatively simple, namely;

- To identify which risk management authorities have relevant flood risk management functions.
- To establish if those functions have been exercised or are intended to be.
- To publish the results and notify relevant risk management authorities.

The Flooding Investigation provides the opportunity to identify and engage with communities which have been affected, to ascertain if further support and advice can be offered in the immediate aftermath of the flooding event, and also to identify opportunities to develop flood mitigation projects to reduce the risk of these properties flooding during future events.

The format of the report will be formal, and structured with an introduction, background information of the areas affected, details of the flooding event itself and a conclusion.

(3) **Financial Considerations** The Section 19 Flooding Investigation will be undertaken by the County Council's Flood Risk Management Team so, therefore, no additional resource or funding has been required to undertake this work.

However, the Flood Risk Team has secured additional resource (Flood Engineer) on a temporary basis to assist with the significant increase in workload, following the November 2019 flooding event. This can be contained within existing budgets.

(4) **Legal Considerations** The County Council has a duty under the Flood and Water Management Act 2010 to conduct a Section 19 Flooding Investigation where there is a locally significant flood event.

(5) **Equality and Diversity Considerations** An Equality Impact Assessment (EIA) was undertaken in support of the Local Flood Risk Management Strategy (LFRMS). The LFRMS does refer to the requirement of the Section 19 Flooding Investigation, and is therefore intrinsically linked to every Section 19 Flooding Investigation undertaken. The main concerns in the EIA related to Public Health and the impacts of recurrent flooding on mental health and the effects of flooding on the elderly, infirm, pregnant and disabled, who may not be so able to adapt to/or be capable of making themselves resilient to the effects of flooding or deal with flooding should it enter or confine them to their property. The LFRMS takes on board these issues and seeks to address them through strong emphasis on preparation and development of personal resilience.

(6) **Environmental Considerations** The flooding event would have had a significant environmental impact in terms of pollution and damage to flora and fauna. Through the development of the Section 19 Flooding Investigation, there will be opportunities to identify areas where the environmental impact can be mitigated for future flooding events.

(7) **Social Value Considerations** The principal aim of the Flooding Investigation is to identify the risk management authorities involved and determine whether they have exercised their required functions. This will also

include engaging with the flood affected communities to ascertain who was affected, and if further support and advice can be offered in the immediate aftermath of the flooding event. All of these actions produce an intangible social value to health and well-being, simply by reducing fear of flooding, of loss of property and of the long term misery caused by the invasion of the home or business.

### **Other Considerations**

In preparing this report the relevance of the following factors has been considered: prevention of crime and disorder, human resources, health, property and transport considerations.

- (4) **Key Decision** No.
- (5) **Call-In** Is it required that call-in be waived in respect of the decisions proposed in the report? No.
- (6) **Background Papers** Guidance document on Section 19 Flood Investigations, held on file within the Economy Transport and Environment Department.
- (7) **OFFICER'S RECOMMENDATION** That the Cabinet Member notes and welcomes the progress being made on delivering the Section 19 Flooding Investigation following the November 2019 flooding events.

**Mike Ashworth**  
**Executive Director – Economy, Transport and Environment**

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**Agenda Item No.5**

**DERBYSHIRE COUNTY COUNCIL**

**MEETING OF CABINET MEMBER – HIGHWAYS, TRANSPORT AND  
INFRASTRUCTURE**

**16 March 2020**

Joint Report of the Executive Director - Economy, Transport and Environment  
Department and the Director of Finance & ICT

**BUDGET MONITORING 2019-20 – PERIOD 9**

(1) **Purpose of Report** To provide the Cabinet Member with an update of the Revenue Budget position for 2019-20 up to the end of 31 December 2019 - Period 9.

(2) **Information and Analysis**

**Forecast Summary**

The net controllable budget for the Highways, Transport and Infrastructure Portfolio is £77.639m.

The Revenue Budget Monitoring Statement, prepared at Period 9, indicates that there is a projected year-end overspend of £1.519m.

The Portfolio incurred additional costs of £0.547m due to the Toddbrook Reservoir Whaley Bridge incident, which has been funded from the General Reserve. The rest of the overspend will be supported by the use of £2.000m of Budget Management Earmarked Reserve, as agreed in the Revenue Budget report 2019-20, which was reported to Council on 6 February 2019 (Minute No. 12/19 refers). Use of this Reserve has enabled the Highway Maintenance budget to remain at the same level as the previous financial year. After the use of this reserve, the forecast is an underspend of £0.481m.

The areas which make up this projection are shown in the table below:

	<b>Controllable Budget £m</b>	<b>Projected Actuals £m</b>	<b>Forecast Over/ (Under) Spend £m</b>
Waste Management	44.081	41.347	(2.734)
Public and Community Transport	14.737	14.257	(0.480)
Highways Maintenance	14.032	14.541	0.509

Winter Maintenance	1.473	3.000	1.527
Highway Management and Land Reclamation	2.285	2.281	(0.004)
Road Safety	0.068	0.347	0.279
Resources and Improvement	2.381	2.047	(0.334)
Countryside Services	2.269	2.290	0.021
Council Fleet Services	(0.662)	(1.110)	(0.448)
Planning and Development	0.647	(1.173)	(1.820)
Flood Risk Management	0.453	0.316	(0.137)
Digital Derbyshire	0.181	0.146	(0.035)
Management Team	0.599	0.561	(0.038)
Pension Back Funding	0.329	0.308	(0.021)
Unallocated Savings	(5.234)	0.000	5.234
<b>Total</b>	<b>77.639</b>	<b>79.158</b>	<b>1.519</b>
Use of Budget Management Earmarked Reserve	2.000	0.000	(2.000)
<b>Total After Use of Reserves</b>	<b>79.639</b>	<b>79.158</b>	<b>(0.481)</b>

## Key Variances

Waste Management underspend £2.734m

The underspend is due to lower waste tonnages than originally forecast and additional savings under the new service continuity arrangements.

Public Transport underspend £0.480m

The main area of underspend is within Gold Card and is due to reduced demand for the service.

Highway Maintenance overspend £0.509m

The severe weather towards the end of 2019 caused a large amount of damage to the network, resulting in additional resources being directed to pothole and other highway repairs.

Winter Maintenance overspend £1.527m.

The budget for winter maintenance is £1.473m. At Period 9, £1.350m of this had been spent. The forecast for the year is £3.000m, giving a projected overspend of £1.527m.

Much of the cost for an average winter is paid for in advance of any severe weather. Grit salt is a large part of this and the Council has to build up a stock that complies with Department of Transport recommendations, for the amount the Council's expected to hold prior to the onset of winter. Fleet is the other major cost with the gritting and associated vehicles being paid for at the beginning of the financial year.

The Winter Service budget does not provide for more than a mild winter so, in years where winters are more severe, it is reliant on funding these additional service costs from contingency reserves.

Planning and Development underspend £1.820m.

An increase in sections 38 and 278 (Highways Act 1980) agreements income are the main contributors to this underspend.

### Budget Savings

Budget reductions totalling £2.593m were allocated for the year. Further reductions allocated in prior years, totalling £3.321m, had not been achieved and were brought forward to the current year. This has resulted in total reductions to be achieved of £5.914m at the start of the year.

The value of the savings initiatives, which have been identified for implementation in the current year, is £0.680m. In addition, there are £0.494m of savings initiatives identified in the previous year which have not been achieved at the start of the year, but are still expected to be achieved within the year.

The shortfall between the total reductions expected to be achieved and the identified savings initiatives at the start of the year is £5.250m, shown in the table above as 'Unallocated Savings'.

It is forecast that £0.680m of savings will have been achieved by the year-end. The table below shows performance against the target.

<b>Identified Savings Initiatives</b>	<b>Budget Reduction Amount £m</b>	<b>Forecast to be Achieved by the end of 2019-20 £m</b>	<b>(Shortfall)/ Additional Savings Achieved £m</b>
Gold Card	0.250	0.250	0.000
Safe and Active Travel	0.240	0.240	0.000
Countryside	0.100	0.100	0.000
Parking management	0.090	0.090	0.000
<b>Total of Identified Savings Initiatives</b>	<b>0.680</b>	<b>0.680</b>	<b>0.000</b>
Shortfall/(Surplus) of Identified Savings	5.234	0.000	5.234
<b>Total Savings Target</b>	<b>5.914</b>	<b>0.680</b>	<b>5.234</b>

<b>Budget Reductions</b>	<b>£m</b>
Prior Year Brought Forward	3.321
Current Year	2.593
<b>Total Savings Target</b>	<b>5.914</b>

### **Growth Items and One-Off Funding**

The Portfolio received the following additional budget allocations in 2019-20:

Waste Treatment and Disposal - £1.500m ongoing.

Increases in the cost of delivering the main waste treatment and disposal contracts across Derbyshire and the increased cost of recycling credits.

Highways Maintenance - £1.000m one-off.

To provide a co-ordinated, cyclical maintenance programme and maintenance improvements.

Public Transport - £0.500m ongoing

To enable reasonable levels of public transport accessibility to be maintained across Derbyshire.

Water Body - £0.100m one-off

Changes to regulations have given rise to additional project management responsibilities in respect of the Council's obligations to managing its water bodies.

HS2 Co-ordination Officer - £0.064m one-off

To provide support in representing the Council's interest as the HS2 route is developed.

Street Lighting - £0.048m one-off

To meet the inflationary costs of street lighting energy.

### **Risks**

There is a risk that the following issues could negatively impact on the Portfolio's forecast outturn position reported in the Forecast Summary above:

<b>Service</b>	<b>Risk</b>	<b>Sensitivity £m</b>	<b>Likelihood (1 = Low, 5 = High)</b>
Department General	Failure of assets including roads, pavements, bridges, retaining walls, street lighting columns, safety fencing, gullies, countryside assets, canals, reservoirs, etc.	1.500	4
Winter Maintenance	Impact of a severe winter.	1.500	4
Street Lighting Energy and Maintenance	Further energy price increases, or further slippage in implementation of the LED programme.	0.300	2

Flooding and/or extreme weather	Emergency response procedures are in place to minimise the impacts of these emergencies, however, have to deal with retrospectively.	1.000	3
Waste Management	Uncertainty in the future of the Waste Treatment Plant.	1.000	3

### **Earmarked Reserves**

Earmarked reserves totalling £16.882m are currently held to support future expenditure. Details of these reserves are as follows:

<b>Reserve Description</b>	<b>Amount £m</b>
Grants	1.369
Committed Liabilities – Revenue	1.311
Committed Liabilities – Capital	1.061
Winter Maintenance	2.000
Money Held on Behalf of Other Councils and Partnerships	0.409
Renewal Funds regarding Laboratory and Fleet Equipment	0.056
Waste Recycling Initiatives	0.598
Derby and Derbyshire Road Safety Partnership	0.202
ETE Underspend Reserve (committed to specific projects)	2.255
ETE Underspend Reserve (to assist with managing the department's savings programme)	7.621
<b>Total Earmarked Reserves</b>	<b>16.882</b>

### **Debt Position**

The profile of the debt raised, relating to income receivable by services within the Economy, Transport and Environment Department, is as follows:

<b>0 – 30 Days £m</b>	<b>31 – 365 Days £m</b>	<b>1 – 2 Years £m</b>	<b>2 – 3 Years £m</b>	<b>3 – 4 Years £m</b>	<b>Over 4 Years £m</b>	<b>Total £m</b>
1.697	4.200	0.427	0.046	0.007	0.020	6.397
26.53%	65.66%	6.67%	0.72%	0.11%	0.31%	100%

In the year up to the end of 31 December 2019, the value of debt that has been written off totals £0.012m.

(3) **Financial Considerations** As detailed in the report.

### **Other Considerations**

In preparing this report the relevance of the following factors has been considered: legal, prevention of crime and disorder, equality and diversity,

human resources, environmental, health, property, social value and transport considerations.

(4) **Key Decision** No.

(5) **Call-In** Is it required that call-in be waived in respect of decisions proposed in the report? No.

(6) **Background Papers** Held on file within the Economy, Transport and Environment Department.

(7) **OFFICER'S RECOMMENDATION** That the Cabinet Member notes the report.

**Mike Ashworth**  
**Executive Director – Economy,**  
**Transport and Environment**

**Peter Handford**  
**Director of Finance & ICT**