

**MINUTES** of a meeting of the **CABINET MEMBER FOR HIGHWAYS, TRANSPORT AND INFRASTRUCTURE** held on 30 July 2020

**PRESENT**

Cabinet Member - Councillor S Spencer

Also in attendance – Councillors T Ainsworth, G Hickton and M Wall

**36/20**      **PETITION**      **RESOLVED** (1) to receive the under-mentioned petition:-

<b>Location/Subject</b>	<b>Signatures</b>	<b>Local Member</b>
Glapwell, Park Avenue - Request for Village Green status	455	Councillor C Moesby

(2) that the organiser of the Glapwell petition listed in the report be informed by letter that:- no action can be taken by the Council to meet the request in the petition, because (i) it has no power to create a new village green, and (ii) it is not allowed to add any land to the Register of Village Greens (which it keeps as the Commons Registration Authority for Derbyshire) unless that is required by any determination from an application for registration which has been submitted to it in accordance with the Commons Registration Act 1965.

**37/20**      **MINUTES**      **RESOLVED** that the Minutes of the meeting of the Cabinet Member for Highways, Transport and Infrastructure held on 9 July 2020 be confirmed as a correct record.

**38/20**      **PETITION – HADY LANE, CHESTERFIELD**      Following receipt of a petition requesting the provision of a car parking area adjacent to Hady Primary and Nursery school with a surfaced footpath leading from Hady Lane to this car parking area the matter has been investigated. The petitioners also reported excessive vehicular speed and obstructive parking on Hady Lane as safety concerns.

A system of vertical traffic calming features is in place either side of the school entrance in the form of two bus friendly style road humps. One of the raised areas also forms an uncontrolled crossing point for the school patrol to operate at. Either side of the school patrol crossing site are school safety zone warning signs with flashing amber warning lights.

Hady Lane suffers from a parking problem caused by staff and visitors to the Chesterfield Royal Hospital and together with school parking could, on occasion, pose an obstruction issue for the bus service and emergency service vehicles. This contravenes parking rules found within the Highway Code and obstructions of the highway of this nature were enforced by the Police who should be contacted when this situation occurs.

The Council received many requests for speed reduction and safety measures from across the County and available resources were directed to those locations where there was a history of reported injury collisions and where a highway improvement scheme can effectively reduce the number of collisions. The Council's collision database showed one reported injury collision having occurred in the last three year period up to 31 December 2019 on Hady Lane. A speed survey undertaken on Hady Lane in June 2019 gave an 85 percentile speed of 26mph. The collision record and the recorded vehicular speed on Hady Lane did not meet the criteria required in the County Council's Speed Management Plan to justify the installation of further traffic calming features or any other speed reducing measures at this time.

It was not standard practice to provide car parking and drop-off facilities for parents, but to work alongside schools to adopt active School Travel Plans and reflects the national guidance from the Department for Education and such facilities were not listed as a statutory requirement. The request for a car parking area and link footpath must therefore be declined.

**RESOLVED** that (1) the request for the provision of a car parking area, a footpath link and additional engineering or safety measures on Hady Lane, Chesterfield be refused; and

(2) the Local Member and petitioner be informed of the decision.

**39/20 PEDESTRIAN CROSSING FACILITIES – ELDER WAY, CHESTERFIELD**

The County Council's Signals Team has been contacted by Chesterfield Borough Council requesting a price for services associated with the supply of detailed design drawings associated with the replacement of three existing pedestrians light controlled crossing facilities at Elder Way, Chesterfield. A costing of £3,149.75 has been submitted, which was in line with the County Council's 2020-21 fees and charges. The design fee for supply of detailed signal drawings would be recharged to Chesterfield Borough Council.

The Borough Council required formal permission from the County Council's, as Highway Authority, for works to be undertaken in the public highway using an Agreement under Section 278 of the Highways Act 1980.

**RESOLVED** to approve the addition of a traffic signal design scheme in the 2020-21 Capital Programme with regard to proposed works at Elder Way, Chesterfield, undertaken by Chesterfield Borough Council under a Section 278 Agreement of the Highways Act 1980.

**40/20**      **NATIONAL PROPERTY RESILIENCE FRAMEWORK**      The Department for Environment, Food and Rural Affairs (DEFRA) has made funding available, through the Property Flood Resilience Recovery Support Scheme, to install flood resilience and mitigation measures to properties and businesses affected by the floods in November 2019 and February 2020.

The County Council, as Lead Local Flood Authority, was best placed to manage the scheme, given its previous experience in managing other grant schemes, along with its expertise in flood mitigation. Derbyshire District and Borough Councils have confirmed the numbers of properties eligible for the scheme and this has been reported back to DEFRA.

Through the scheme, up to £5,000 per property or business was available. This included £500 to undertake a survey of the building, which was an obligatory requirement, to determine the measures required. The Council's Flood Risk Management Team was managing the scheme, which involves the processing of applications, liaising with applicants, conducting surveys and arranging payment for successful applications.

It was proposed that the Council utilises the Environment Agency's National Property Flood Resilience Framework, to procure a Contractor to deliver the survey work for the Property Flood Resilience Recovery Support Scheme, which would ensure that the Contractor was fit for purpose and reduce the timescales for procurement and award of contract.

In accordance with the County Council's Financial Regulations a business case for the use of the Environment Agency's National Property Resilience Framework has been approved by the Director of Finance & ICT and the Director of Legal Services. The award of contract from the Framework was delegated to the Executive Director - Economy, Transport and Environment, in accordance with Financial Regulations.

**RESOLVED** to approve the use of the Environment Agency's National Property Flood Resilience Framework to procure a Contractor to deliver survey work for the Property Flood Resilience Recovery Support Scheme, as detailed in the report.

**41/20**      **MINERALS LOCAL PLAN – SAND AND GRAVEL CONSULTATION**  
Derbyshire County Council and Derby City Council (the Councils) were working together to prepare a joint Minerals Local Plan, the Derbyshire and Derby Minerals Local Plan, which will cover the geographical area of Derbyshire and Derby, excluding the Peak District National Park. A revision to national planning policy in 2019 stipulated that local plans should cover a 15 year period from the time of adoption. This has required the councils to extend the Plan period to 2036.

The situation regarding the supply of sand and gravel has had to be re-examined and, as part of this, the sand and gravel operators within the County have been asked if they wished to promote additional sites for minerals working. Three further sites for the extraction of sand and gravel have been suggested by mineral

companies and along with the other five sites that were suggested previously, have been assessed against the same methodology to determine which sites have the greatest potential for working and which should therefore be included as allocations in the Minerals Local Plan.

Before publication of the full Proposed Draft Minerals Local Plan later this year, an interim public consultation was proposed to enable the public to comment on the proposed strategy for sand and gravel provision for this extended Plan period. The main consultation document and two supporting documents, the Site Assessment Methodology and Site Assessments, were attached to the report.

Consultation would run for 8 weeks and details would be determined following further guidance from Government and COVID-19 advice, relating to safe conduct of public drop-ins and meetings. Documents would be made widely available to interested parties and members of the public, including via the Councils' websites.

**RESOLVED** that approval be given for Derbyshire County Council to carry out the consultation on sand and gravel provision in Derbyshire.

#### **42/20 PLANNING SERVICES - STATEMENT OF COMMUNITY INVOLVEMENT**

Section 18 of the Planning and Compulsory Purchase Act 2004 introduced a requirement for all local planning authorities (LPA) to prepare a Statement of Community Involvement (SCI) setting out how the LPA would involve the community in matters relating to spatial development and town and country planning in its area. The purpose of a SCI was to be the first means for stakeholders and the community to find out when and how they could become effectively involved in all aspects of the planning process from the earliest stage.

Derbyshire County Council adopted its first SCI in December 2006 and there have been a number of legislative changes which need to be reflected in the updating of the content to ensure that it was legally compliant and fit-for-purpose. The SCI has been revised to include legislative changes and to bring it in line with the Council's current corporate approach to community engagement.

Whilst there was no legal requirement for LPAs to consult when reviewing and updating their SCI, in the spirit of encouraging meaningful community engagement, it was considered appropriate in this instance. It was anticipated that following completion of the consultation exercise a further report would be made to the Cabinet Member to seek approval for adoption of a revised and updated SCI.

**RESOLVED** that approval be given for the Planning Service to carry out a consultation on a revised and updated Statement of Community Involvement.

**43/20 REVENUE OUTTURN 2019-20** The net controllable expenditure in 2019-2020 for the Highways, Transport and Infrastructure Portfolio, detailed in the report, was £78.148m against a net controllable budget of £79.967m, resulting in a controllable year-end underspend of £1.819m.

The Portfolio incurred additional costs of £0.547m due to the Toddbrook Reservoir Whaley Bridge incident and £0.824m for costs incurred as a result of the flooding in November and Storm Ciara and Dennis, which have been funded from General Reserve.

Costs incurred in 2019-20 for Coronavirus COVID-19 were £0.011m which have also been funded from General Reserve. These costs were expected to rise significantly in 2020-21.

The Portfolio has also been 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.

Key variances included Waste Management (underspend of £3.250m), Public and Community Transport (underspend of £1.122m), Winter Maintenance (overspend £1.061m), Highway Maintenance and Land Reclamation (overspend of £0.572m), Resources and Improvement (underspend of £0.515m), Council Fleet Services (underspend £0.922m), Planning and Development (underspend of £0.666m); and Unallocated Savings (overspend of £3.234m). The underspend was to be used for offsetting the potential additional cost of the Woodville Swadlincote By-Pass.

Budget reductions totalling £2.593m were allocated for the year, with further reductions allocated in prior years totalling £3.321m, not being achieved and brought forward to the current year. Total reductions to be achieved was £5.914m. The shortfall between the total reductions expected to be achieved and the identified savings initiatives at the start of the year was £5.234m. This savings target has been reduced by £2.000m as a result of a contribution from the General Reserve for one year only to enable the Highway Maintenance budget to remain at the same level. Therefore, the unallocated savings in 2019-20 were £3.254m.

Growth items in the 2019-20 budget were Waste Management and Disposal (£1.500m ongoing); Highway Maintenance (£1.000m one-off); Public Transport (£0.500m ongoing); Water Body (£0.100m one-off), HS2 Co-ordination Officer (£0.064m one-off), and Street Lighting (£0.048m one-off).

Earmarked Reserves relating to the portfolio, totalling £17.238m, were currently held to support future expenditure. The Debt Position was also detailed in the report.

Discussion was held and comments made on the underspend, use of general reserves, future funding requests to central government and challenges being experienced over the last months. It was noted that details of the Bellwin funding would be provided to members.

Members commended all staff for their diligence during this unprecedented time.

**RESOLVED** to note the report.

**44/20**      **EXCLUSION OF THE PUBLIC**      **RESOLVED** that the public, including the press, be excluded from the meeting during consideration of the remaining items on the agenda to avoid the disclosure of the kind of exempt information detailed in the following summary of proceedings:-

**SUMMARY OF PROCEEDINGS CONDUCTED AFTER THE PUBLIC, INCLUDING THE PRESS, WERE EXCLUDED FROM THE MEETING**

1. To confirm the exempt Minutes of the meeting held on 9 July 2020.
2. To consider the exempt Report of the Executive Director – Economy, Transport and Environment on Further Extension of Contract for Emergency Event Management Resource to Enable the Continued Opening of Household Waste Recycling Centres. (contains information relating to the Financial or Business Affairs of a Particular Person (including the Authority Holding that Information))