

Time commenced 6.00 pm  
Time finished 8.15 pm

**PLANNING AND ENVIRONMENT COMMISSION  
27 JUNE 2005**

Present: Councillor Troup (in the Chair)  
Councillors Ahern, Bolton, Leeming, Liversedge, Skelton

In attendance: Councillors Carr and Care

**01/05 Apologies for Absence**

Apologies for absence were received from Councillors Baxter and Smalley.

**02/05 Late Items Introduced by the Chair**

There were no late items.

**03/05 Declarations of Interest**

There were no declarations of interest.

**04/05 Minutes**

The minutes of the meeting held on 21 April 2005 were confirmed as a correct record and signed by the Chair.

**05/05 Call-In**

There were no call-ins.

**Items for Discussion**

**06/05 Presentation from Cabinet Members**

The Commission received a presentation from Councillor Care, Cabinet Member for Planning, Transportation and Environment and Councillor Carr, Cabinet Member for Personnel, Equalities and Direct Services.

Councillor Care gave a brief overview of her cabinet responsibilities. Members attention was particularly drawn to areas that they might wish to consider for topic review or scrutiny. These were:

- Building Control – the different outcomes when using private or public surveyors
- Environment – opportunities for businesses using recycled materials

Councillor Carr distributed to members details of his cabinet responsibilities, including Environmental Health and Trading Standards, Direct Services, Parks and Personnel. Councillor Carr provided further information of the departments and responsibilities under each heading.

## 07/05 Statement of Community Involvement

The Commission received a presentation from Rob Salmon – Head of Plans and Policies, on the draft Statement of Community Involvement. He advised the Commission that the Statement of Community Involvement (SCI) was a legal requirement of the Planning and Compulsory Purchase Act 2004 and it was one of a number of documents and plans that would make up the Local Development Framework for Derby. The SCI would help to deliver more effective community involvement in planning. It would set out when and how the community could be involved in preparation of local development documents and also set out the approach to consultation on planning applications.

The Commission were given a breakdown of the timetable for the SCI process which included a public consultation and participation on the draft SCI in August 2005, with the submission of the finalised SCI to the Secretary of State in January 2006. The SCI would be adopted in July 2006.

The informal consultation and gathering of information had already begun and input had already been sought from Community Policy, Planning Aid and selected umbrella groups.

Wide consultation on the draft SCI was commencing in August and the department needed to ensure consultation on the draft was inclusive and wide ranging taking into account hard to reach groups.

The Commission's views were also sought on the draft SCI and along with views from a range of organisations a finalised draft would be presented to Council Cabinet on 2 August 2005.

Councillor Troup asked how voluntary groups and pressure groups views were sought. Rob Salmon responded that the main issue was how to get the right groups involved, it was easier with local groups such as Residents Associations but sometimes harder to identify specialist pressure groups. Government guidance listed certain key groups that had to be consulted. Pressure groups that were already in regular contact with the council would be included in the consultation. Kathryn Armstrong-Prior, Senior Planning Officer advised the Commission that she had been in touch with Derby CVS asking them to assist in identifying voluntary groups in Derby.

Councillor Skelton advised that other organisations working in the city, such as Surestart, were already in contact with various hard to reach groups and it might be useful to tap into these contacts.

On a related issue David Romaine advised that a meeting needed to be arranged for the Commission to discuss the Local Plan Review. Rob Salmon added that the Council had to consider the inspectors' recommendations along with other suggested changes. As this was a very large document it was suggested that members received a presentation to go through the main points. The document would be presented to Council Cabinet in September 2005.

**1 Resolved to receive a presentation on the Local Plan Review on Monday 18 July 2005 at 6.00 pm.**

**2 To note the report.**

## **08/05 Home Energy Conservation Action Plan**

The Commission considered a report from the Director of Policy giving an update on the action plan which was drawn up in response to the 26 recommendations contained in the former Environment and Sustainability Overview and Scrutiny Commissions report on Home Energy Conservation – How's Derby Doing?

**Resolved to note the report**

## **09/05 Developing the Use of Performance Eye by the Overview and Scrutiny Commissions**

The Commission considered a report from the Director of Corporate Services asking members to consider the action it wished to take in monitoring the performance within its area of responsibility.

David Romaine, Scrutiny and Complaints Manager, advised the Commission that during the past year, the Commission had made some use of Performance Eye to monitor services. However, there had been suggestions that the Commission's use of Performance Eye had to some extent duplicated the performance work of the Council Cabinet and also that the performance indicators might not be representative of some of the service areas.

At this meeting on 30 July 2004 the Scrutiny Management Commission resolved that the Overview and Scrutiny Commissions should:

- Monitor the performance of the Council, giving attention to key indicators relevant to the Council's priorities and objectives included in the performance plan that fell within the responsibility of each commission
- Comment on the draft priorities that form the basis of the Council's corporate and performance plans and budget planning process, taking account of performance monitoring information to identify key issues.

It was also suggested that the Commission might wish to designate a member as a 'Performance Eye Champion' who would develop expertise in the field and would take a lead on performance management issues. The coordination team would provide support to the Performance Eye Champion.

The Scrutiny Management Commission at its meeting on 7 June 2005 agreed that Performance Eye would be a standing item on each Commission agenda. They also agreed to request reports from Chief Officers on all red indicators as a matter of course and to invite Chief Officers and Cabinet members to provide explanations to Commissions where there were particular areas of concern and to allow time for any remedial action by service departments to take effect.

**Resolved to note the report and adopt the recommendations of the Scrutiny Management Commission**

**10/05      Overview and Scrutiny Objectives and Work Planning  
for 2005/2006**

The Commission considered a report from the Director of Corporate Services asking them to consider objectives and work planning for 2005/2006. David Romaine advised the Commission that the 2004/2005 Annual Report of the Council's Overview and Scrutiny Commissions set out the following objectives for 2005/2006:

- 1 To improve the engagement between Cabinet and the Scrutiny Commissions
- 2 For the Commissions to increase their involvement in scrutiny
- 3 For the Commissions to review their work processes with a view to improving outcomes and the linkages to council priorities
- 4 For the Commissions to identify the skills needed by Chairs and Members to deliver effective scrutiny and prepare training programmes designed to address any skills shortages they identified

David Romaine, distributed a list of topic suggestions received from members of the Commission and asked if they wished to add any to the list. The following topics had been submitted:

- 1 Section 106 agreement, assessment and monitoring
- 2 Enforcement of planning conditions
- 3 School Car Parking
- 4 Travel Plan Coordination
- 5 Council Hot Lines
- 6 Maintenance of Strategic Structures
- 7 Re-think Rubbish
- 8 Clearance of Land at Kings Street

It was suggested that members chose one of these topics for retrospective scrutiny. David Romaine advised that he would scope out a report and they could look at this issue over two meetings in September. Members agreed that their first retrospective scrutiny would be the Maintenance of Strategic Structures. Members also agreed to revisit the work programme at the next meeting.

**Resolved:**

- 1 To conduct retrospective scrutiny on the maintenance of Strategic Structures as a retrospective scrutiny**
- 2 To revisit the work programme at the next meeting**

**11/05 First Draft of the Commissions Review of Derby City Council's Enforcement of the Dog Fouling and Dog Control Legislation**

Members considered the draft Planning and Environment Commission review of Derby City Council's enforcement of the dog fouling and dog control legislation topic review report. David Romaine asked members to comment on the content of the report, the scope and format of the review and indicate the recommendations they wished to make.

Members were in agreement that prosecutions needed to be carried out and that it would be helpful to provide the public with educational material on dog fouling. Councillor Bolton added that the Council should not stand for this behaviour in any part of the city and suggested that a pilot scheme should be tried out in areas where there were particular problems.

Councillor Troup advised that he would be happy to build the recommendations around the powers contained in the Clean Neighbourhoods and Environment Act 2005 and expressed the view that the Council needed to use these powers locally as best they could.

Members discussed changes they wished to make to the report and David Romaine agreed to bring an updated draft to the next meeting.

**12/05 Council Cabinet Forward Plan**

There were no items.

**13/05 Response of the Council Cabinet to any Reports for the Commission**

**Tree Management Policy**

The Commission considered the response from Council Cabinet at their meeting on 14 June 2005, to the Overview and Scrutiny Report on the Tree Management Policy.

## **Resolved to note the Cabinet response**

### **14/05      Matters Referred to the Commission by Council Cabinet**

#### **Waste Strategy**

The Commission considered a report from the Director of Development and Cultural Services about the Waste Strategy. The report had been referred to the Commission for comment by Council Cabinet at its meeting on 14 June 2005. John Hansed, Head of Street Care and Waste Management, gave a presentation about the Waste Strategy. The Commission were advised that the Land Fill Directive required substantial reduction in Land Fill by 2010 and further reductions thereafter. To achieve this, the procurement of a residual waste plant needed to be investigated to reduce waste sent to land fill. The cost of this would be between £20M and £40M. The recommendations of the consultants were:

- That it be a staged project to avoid early LATS penalties.
- That the first phase should be the construction of a simple treatment facility.
- The plant should be located in or close to Derby, serving city and southern county.
- The plant should not be procured by PFI as this would take too long.
- Long term, there could be further plant(s) in central/northern county.
- The further plants could possibly be procured by PFI.
- There should be joint procurement by city and county of at least the first plant.

Councillor Leeming asked if the Council had any idea which direction they wanted to go in. John Hansed advised that there was no preferred option and the strategy was likely to suggest three preferred alternatives which would reach the statutory targets and avoid LATS penalties. The Government were now more open minded on incineration as this was a proven technology. Councillor Leeming commented that the public's concern on incineration was the lack of proof that toxins could be removed from the gases.

John Hansed advised that if there were to be an incinerator there would be a front end processor to take out recyclables and to pre-treat items before incineration. Councillor Troup asked what could be done to get the public on side and pointed out that how this was done would be very important. Councillor Care responded that the public needed to be informed of the alternatives, including doing nothing, and the likely effects of all the alternatives.

Councillor Leeming agreed that the city had to go down this road of treatment but suggested that the residual waste plants used in other countries around the world be investigated first.

**Resolved to recommend to Council Cabinet that consideration be given to the ways in which the public might be informed of the need for a residual waste disposal plant in the City.**

**Minutes End**