

ITEM 4

Time commenced 6.00pm
Time finished 8.30pm

PLANNING AND TRANSPORTATION COMMISSION 21 SEPTEMBER 2009

Present: Councillor Poulter, in the Chair
Councillors Batey, Harwood, Ingall, Lowe and Rawson

36/09 Apologies for Absence

Apologies were received from Councillor Repton.

37/09 Late Items Introduced by the Chair

There were no late items.

38/09 Declarations of Interest

There were no declarations of interest.

39/09 Minutes

The minutes of the meetings held on 22 and 27 July 2009 were agreed as a correct record and signed by the Chair.

40/09 Call-in

There were no items for call-in.

41/09 Councillor Call for Action

There were no items.

Work Programme

42/09 Connecting Derby

The Chair informed the Commission that himself, the Vice Chair, Councillor Harwood and Councillor Rawson had visited Connecting Derby and they were pleased with the progress that has been made. He stated that officers of the Council were working well with the Connecting Derby team. He said the purpose of the visit was to see if they could pre-empt any problems that could arise but they were satisfied with the work so far.

Councillor Harwood commended the work at Connecting Derby and said he was amazed with the progress made.

Resolved to note the report.

43/09 Street Lighting PFI roll out – six month update

The Commission received a six month update from John Edgar, DCC Maintenance Manager, and Nick Perry of Balfour Beatty on the progress of the Street Lighting PFI roll out.

The company's representative informed the Commission that BVPI 215A (Street lighting repairs where Balfour Beatty are responsible) was now on target. The company is now taking on average five days to repair street lights in the city. The Chair noted that there were no major peaks and troughs in the in the last six months. Nick Perry stated that they are expecting a rise in workload in November which is characteristic of this time of year as the nights draw in and street lighting is a more important matter for residents.

Nick Perry stated that BVPI 215B (Street lighting repairs that E-on are responsible to repair) was also on target and each repair is now taking on average eight days to repair. This is well below the contractual target of 25 days. Balfour Beatty and the Council set a target of 15 days and this has also been met. The company representative stated that they now strictly follow up all repair requests. E-on have also gone through a company restructure which has meant that Balfour Beatty representatives now have greater access to the contact points they need than they did before. The Chair praised the excellent work of Balfour Beatty to reduce their repair times.

Councillor Ingall asked if the 25 day target could be lowered as there is no incentive to improve their performance. Nick Perry stated that the 25 day target had been agreed in the 25 year PFI contract and could not be altered. However, additional targets had been agreed locally between the company and the Council and they would be attempting to stick to these.

The Chair stated that the organisational changes both in Balfour Beatty and E-on seemed to have improved the process. Nick Perry stated that the company did have some problems at the start and were not as organised as they could have been. They have since taken on two planners which has improved the situation. Now when work starts a team will be in and out within a week rather than three or four weeks. They are also now targeting areas where they are experiencing the most faults which should further bring down the BVPIs.

Resolved to note the update and that the Highways and Transport Division and Balfour Beatty representatives be no longer required to provide six month updates to the Commission.

44/09 City Gate and related planning applications

The Commission received a presentation on the outcome of the Ombudsman's investigation into the handling of the City Gate planning applications and the action taken by officers to remedy the situation and ensure that this does not happen again.

It was reported that this report had been considered by the Planning Control Committee on 30 July 2009 and they had accepted the recommendations in the report. The Ombudsman had been in the audience at the meeting and was satisfied that all parties had been engaged in the process and that the consideration of the City Gate affair had been properly dealt with in this instance. The case on City Gate was now closed. The Chair stated that the Commission had requested this report so that Members could be satisfied that the appropriate action had been taken to firstly resolve the issue and secondly that this would not happen again. He said that it was an unfortunate set of circumstances and was now satisfied that sufficient action had been taken to ensure that there was not a repeat of this case in future.

Councillor Rawson asked what training is given to officers each year. The Head of Development Control Paul Clarke stated that all of his officers have a degree in planning or a relate geography degree and are members of the Royal Town Planning Institute. There are nine planners in the team and there is a training budget available to keep officers' knowledge up to date. He said that this situation had come about because officers had not been advertising major applications in the local press. The actual handling of processing of the applications had been done correctly and according to the law.

Resolved to note the report.

45/09 Car parking issues *Pursuant to Minute 25/09*

The Commission considered a report providing Members with an overview of the Council's car parking policies and problems with car parking at Derby County Football Club home games and at and in the vicinity of Royal Derby Hospital.

The Head of Traffic David Gartside referred to two pieces of legislation, namely: The Highways Act, which outlines a citizen's ability to use the public highway to travel from A to B and access property, and The Road Traffic Regulations Act, which restricts people's rights to use the public highway. Councils use the former Act to create bus lanes, residents only parking and designate parking areas in a city.

Derby City Council has three policies relevant to parking, namely: The Local Transport Plan, The Parking Strategy and The Residents Parking Policy. Officers are attempting to bring all the relevant policies into a single comprehensive strategy.

Councillor Ingall asked how long disabled drivers are able to be parked in the city when they display a blue badge. He also said that a resident, who is partially sighted, had parked and improperly displayed their blue badge and got a parking ticket. He said that the incident had occurred in another authority's boundary but asked if this would also happen in Derby. The Head of Traffic stated that disabled drivers throughout Europe are allowed three hours free parking. There are also disabled parking spaces provided throughout the city which allow disabled road users to park for free. He added that if a blue badge is incorrectly displayed then officers would issue a ticket. However, if a disabled badge holder explained the circumstances then action would not be pursued.

Councillor Ingall asked if something more could be done to ease congestion around the city's schools as it appears that more and more parents opt to take their children

to school by car. He stated that this causes problems for residents living in the area at pick up times. The Head of Traffic stated that this is a problem across the whole city. Measures are taken such as no stopping road markings at areas close to the school but even that does not dissuade some parents. He said that the issue is very difficult to resolve.

The Chair asked if enforcement officers patrol specific routes. The Head of Traffic stated that his officers do have route plans and focus on problem areas. He said that if councillors or neighbourhood forums had suggestions of how they can improve their performance, then to contact the department.

The Head of Traffic said that the parking problems in the areas surrounding Royal Derby Hospital dated back to when planning permission was originally granted. Officers consulted with the trust and residents to identify how much traffic this site would generate and allocated parking to accommodate the expected levels. Officers are still engaged with the Derby Hospitals NHS Foundation Trust and the neighbourhood forums. Acting on advice officers introduced some parking controls in the surrounding area and more are planned. There is funding available to pay for parking improvements in the surrounding community which was agreed by way of a section 106 agreement as part of the planning permission.

The Head of Traffic informed the Commission that the parking problems associated with Derby County Football Club could not be solved by section 106 money as this had not been allocated in the site's planning permission. The current owners are a lot more responsive to working with the Council to solve the problem of match day parking. However, this is not an easy task and a strategic approach needs to be taken rather than shifting the problem elsewhere.

The Chair asked if only specific neighbourhood forums and boards were consulted regarding the hospital and football ground. The Head of Traffic stated that the net of forums and boards consulted would be expanded or contracted based on where the problems arise.

Resolved:

- A. To note the presentation and request that the Strategy Parking Report be brought back to the Commission at an appropriate point; and**
- B. To support the consultative work undertaken with the neighbourhood forums and boards to solve the parking issues at the two sites.**

**46/09 Highways and Footways Maintenance Review – *Draft*
Cabinet response**

Members considered a draft response from the Council Cabinet to the Commission's Highways and Footways Maintenance Review. The Assistant Director for Highways and Transportation Christine Durrant informed Members that at the Cabinet meeting on 2nd September 2008 the three recommendations proposed by the Commission were adopted. However, two new major contracts commenced in mid 2007; the Street Lighting PFI contract and the Highways Term Maintenance Contract. In the

period following September 2008 staff in the Highways Section have had little opportunity to pursue the recommendations, from the Commission review, due to the need to deal with more urgent issues arising out of implementing these new contracts. The Assistant Director for Highways and Transportation also stated that events had overtaken the need to collect BVPI data and these had now been replaced by a national set of indicators. This negates recommendation one of the review. The focus is now to collect residents' views in a national public satisfaction survey. The analysis of any results of this survey has not yet been determined. Officers will be attending a partnership of local authorities to determine the best practice for the collection and analysis of this data.

The Chair stated that it is disappointing that none of the recommendations have been implemented but if one or more no longer apply then the Commission will revisit this issue further down the line. It was preferable to agree a pragmatic response in the circumstances.

Resolved:

- A. To Note the draft response and the subsequent superseding of the recommendations by developments in performance monitoring;**
- B. That the Commission be informed of the outcome of the performance benchmarking event;**
- C. To request a report on the results of the Asset Management review on its completion;**
- D. To recommend incorporation of recommendation three of the Commission's original review into the budget setting round for 2010-2011**
- E. To endorse a re-working of the draft response by the Assitant Director in light of the dialogue at this meeting.**

47/09 Discretionary Home to School Transport – Outcome of Call-in

The Commission considered the Council Cabinet's response to the Discretionary Home to School Transport – Outcome of call-in report

Resolved to note the response.

48/09 Matters referred to the Commission by Council Cabinet

There were no items referred to the Commission by the Council Cabinet.

49/09 Retrospective Scrutiny

There were no items were identified.

50/09 Council Cabinet Forward Plan

The Commission received an oral report on the progress of Derby's Third Local Transport Plan. The Assistant Director for Highways and Transport suggested that Members could consider this at their next meeting on 21 October 2009.

Resolved to receive a presentation on Derby's Third Local Transport Plan at the 21 October 2009 meeting of the Planning and Transportation Commission.

MINUTES END