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COMMUNITY AND ENVIRONMENT COMMITTEE

Minutes of the Community & Environment Committee meeting held at 6.00 pm on Wednesday 22nd September 2021 in the Council Chamber, Town Hall, Matlock DE4 3NN.

PRESENT Councillor Chris Furness - In the Chair

Councillors: Matthew Buckler, Sue Bull, Martin Burfoot, Sue Burfoot, Neil Buttle, Helen Froggatt, David Hughes, Tony Morley, Dermot Murphy, Peter O'Brien, Garry Purdy, Mike Ratcliffe, Andrew Statham, Alasdair Sutton and Mark Wakeman.

Rob Cogings (Director of Housing), Ashley Watts (Director of Community and Environmental Services), Vikki Hatfield (Neighbourhoods Manager), Ros Hession (Neighbourhoods Liaison Officer) and Simon Johnson (Democratic Services Officer).

APOLOGIES

An apology for absence was received from Councillor Steve Wain. Councillor Sue Burfoot attended as substitute.

121/21 – MINUTES

It was moved by Councillor Sue Burfoot seconded by Councillor Alasdair Sutton and

RESOLVED That the minutes of the meeting of the Community & Environment Committee held on 07th July 2021 be approved as a correct record.
(unanimously)

122/21 – PUBLIC PARTICIPATION

Note:

“Opinions expressed or statements made by individual persons during the public participation part of a Council or committee meeting are not the opinions or statements of Derbyshire Dales District Council. These comments are made by individuals who have exercised the provisions of the Council’s Constitution to address a specific meeting. The Council therefore accepts no liability for any defamatory remarks that are made during a meeting that are replicated on this document.”

The following statements and questions were submitted in writing:

QUESTIONS and STATEMENT from Ms Claire Cadogan, a resident of Edensor, with regards to the suspension of food waste collection and to the climate emergency.

“I would like to ask the questions below of the Community & Environment Committee for the meeting of September 22nd. They relate to the current suspension of separate food waste collections and to the climate emergency. In particular, my questions are about any impact assessments carried out prior to the changes to the waste collection arrangements that were brought in in July.

Q1. *From the impact assessment that was presumably carried out ahead of the suspension, what was the anticipated impact on global warming of abandoning food waste collections? In particular, what was the expected increase in methane release, as tonnes CO2 equivalent, for the period of the suspension, due to food waste going to landfill?*

Q2. *If the expected net increase was not calculated before the decision was made to suspend separate food waste collections, what is the current estimate in tonnes CO2 equivalent for the 4 month suspension period?*

Q3. *How does this figure compare with the projections for CO2 saving as a result of the climate change initiatives undertaken by DDDC to date?”*

RESPONSE to Question

Unfortunately the decision to suspend food waste collections was due to service needs and not a policy change or a decision which involved other options therefore a quality impact assessment was not completed. Though the collection of food waste separately to domestic waste is an important service for the Council it's not a mandatory service or is it one the majority of Councils both locally and nationally offer, the government does plan to make this mandatory from 2023. Due to the national driver shortage Serco were not in a position to continue collections of food waste caddies at this time, a suspension of service was required and there would have been an impact on the environment regardless of which service was suspended.

QUESTIONS and STATEMENT from Mr Peter Dobbs, a resident of Ashbourne, with regards to the progress of the Air Quality Action Plan for Ashbourne.

“It is disappointing to note that there is no progress report from the AQAP Steering Group for this meeting. This does seem to be at odds with the comments made by Mr Braund at the C&E Meeting on 5th July and minuted, that quarterly updates would be provided. The next scheduled meeting of this Committee is 17th November.

At the meeting on the 5th July Mr Braund gave broad details of the first meeting of the Steering Group (with representatives of DDDC, DCC, Ashbourne Town Council and Ashbourne Town Team). This was on 18th June 2021.

Q1. *How many times has the Steering Group met since then?*

Q2. *What evidence can be provided to indicate that this Council is prioritising the need to take action to reduce the dangerously high levels of NOx on Buxton Road in Ashbourne?*

Every day of delay means more exposure for residents to the harmful effects of air pollution.”

RESPONSE to Questions

Thank you for the questions.

Following the meeting of the Steering Group on 18 June 2021 a number of further suggestions for action points were made by a public representative and these were forwarded to the Derbyshire County Council representatives. Derbyshire County Council requested a period of time for their internal working group to consider all the suggestions that now made up the long list of potential actions. An interagency meeting was then held on 16 September 2021 between representatives of Derbyshire County Council and Derbyshire Dales District Council and a meeting of the full Steering Group is being planned for late October/early November, with the date yet to be confirmed.

In terms of evidence, officers are keeping an action log, which will be published in an update to the November meeting of this Committee.

QUESTIONS and STATEMENT from Mr Nicholas Bishop, a resident of Ashbourne, with regards to the Air Quality Action Plan for Ashbourne.

“The Council and public health authorities now acknowledge that poor air quality is hazardous and persistent in Ashbourne. I am a Buxton Road resident. I have asthma. Clearly, I have an interest in efforts to improve air quality in Buxton Road and locally.

My neighbours and I have contacted Council officers (Karen Carpenter July 2021) urging the Council to involve Buxton Road residents in discussions over the content and implementation of the AQAP.

Q1. *Does the Committee agree that local residents have good cause to contribute to the work of the AQAP Steering Group?*

Q2. *Does the Committee agree that the Steering Group should make every effort to consult Buxton Road Residents with regards to the scope, content and timely implementation of the AQAP?”*

RESPONSE to Questions

Thank you for the question.

We agree that the views of those affected are very important. Mr Bishop has submitted a number of suggestions for the action plan and all of these have been forwarded to Derbyshire County Council for consideration by their internal working group. Once these considerations have been completed and both the long list and proposed short list are available we will be back in touch with Mr Bishop and other interested parties for their comments.

QUESTIONS from Mr Dave Smith, a resident of Wardlow, with regards to waste collection and weed control.

“Q1. In the light of the continuing disruption to the delivery of the household refuse collection service, can you confirm whether any of the penalties under Key Performance Indicators In the Councils contract with Serco have been waived since the Extraordinary Meeting of the Council on 27 July 2021 (and if so which), and the total value to date in the current financial year of any financial penalties that have been waived?”

Q2. *Can you confirm whether Serco have requested further assistance from the Council, by way of deviations from the current performance standards in the refuse collection contract, if so what do these entail, and how is it intended that the Council respond?*

Q3. *As agreed at the meeting of this Committee on 14 October 2020, can you confirm whether site based trials of non-glyphosate weed control have taken place in at least one town or village, whether discussions have taken place with Derbyshire County Council, other UK and European local authorities, and when the results of the trials and discussions will be reported to this Committee - the date having previously been agreed to be before 31 July 2021?"*

RESPONSE to Questions

Q1. No KPIs have been waived this financial year or since the 26 July meeting. All KPIs however, are subject to challenge, in accordance with the terms and conditions of the contract, and it is possible that Serco will challenge this year's KPIs.

Q2. Serco have not formally requested any further assistance from the Council. They are, however, reviewing the current performance of the contract with aim of developing a plan to return the normal standard of service, and it is not possible to say at this stage whether that will include such requests.

Q3. As agreed by committee, we have purchased a Weed Ripper and this has been used across the district in place of glyphosate, specifically; St Oswald's Churchyard, Ashbourne recreational grounds, Bakewell recreational grounds; the footpaths at Beeley, and the footpaths along Derwent Gardens. Additionally, there has been a demonstration from Foam Stream at Darley Dale Cemetery.

The UK Government has recently renewed the use of glyphosate for another year whilst they work on their own chemical regulatory framework post –Brexit. The Director of Community and Environmental Services will join the Clean and Green Manager at a meeting with Derbyshire County Council at the end of September to discuss further options. An update will be provided for committee at the end of season as previously agreed.

123/21 – INTERESTS

Item 7 – PUBLIC SPACE PROTECTION ORDERS 2021 – CONSULTATION

Cllr Sue Burfoot declared a personal interest in this item as a Member of the Derbyshire Fire and Rescue Service Authority.

124/21- COUNCIL HOUSING UPDATE REPORT

The Director of Housing introduced a report setting out details of progress concerning the Council's housing programme; having selected Nottingham Community HA as the Council's Development and Management Agent, work has been progressing to bring forward proposals that will see the first homes delivered in 2021/22.

At full Council on the 14th December 2020 Members approved the selection of Nottingham Community Housing Association (NCHA) to act as the Council's Development and Management Agent. Members also approved the recommendation that regular update reports should be brought to the Community & Environment Committee, concerning the progress of the business plan and performance of the chosen contractor. The Committee received a report on the 08th

April 2021 and this subsequent report represents the second update report since the programme started.

It was moved by Councillor Tony Morley, seconded by Councillor Mike Ratcliffe and

RESOLVED That Members note the progress of the Council Housing programme.
(unanimously)

125/21 – PUBLIC SPACE PROTECTION ORDERS 2021 - CONSULTATION

The Director of Community and Environmental Services introduced a report setting out sets out evidence to support, or otherwise, the PSPO, progress so far, options for consultation for the 2021 / 2022 PSPOs and seeks approval to commence the formal consultation. The Council's Public Space Protection Order (PSPO) is due to expire 31st October 2021. Before introducing, extending, varying or discharging a PSPO, there are requirements under the Act with regards to consultation, publicity and notification.

The initial PSPO was introduced in 2015 and replaced the Council's former Dog Control Orders. The current PSPOs were adopted 01st November 2018 and run until 31st October 2021 and cover dog control, alcohol consumption, fires & BBQs and driving & parking. The current PSPO cover 107 sites, 60% of these sites are under DDDC ownership, the others sites are Town/Parish's responsibility.

In the Anti-Social Behaviour, Crime & Policing Act 2014 (S 59 – 75), Public Space Protection Orders (PSPOs) were introduced nationally for the first time. The Act introduced simpler, more effective powers to tackle anti-social behaviour and provide better protection for victims and communities. The Order lasts a maximum of three years so with the current ones expiring on the 31st October, the Council needs to review the existing Order and carry out a consultation exercise with affected parties on proposals for the new PSPO. A report was submitted to the 05th July Community & Environment Committee where Members sought further clarification on fire authority statistics and the Police's position before confirming the scope of the consultation content. This has delayed the consultation process therefore, this will result in no PSPO being in place from 1st November 2021.

It was moved by Councillor Peter O'Brien, seconded by Councillor Neil Buttle that

Prior to the resolution of Recommendations 1 to 7, to amend Recommendation 5 to the following:

5. The Draft PSPO include for camp, BBQ's and open fires to be prohibited in all areas of the district to which the public have access.

Voting:

For	7
Against	9
Abstention	0

The Chairman declared the motion **LOST**.

It was then moved by Councillor Garry Purdy, seconded by Councillor Dermot Murphy and

RESOLVED

1. That a six week period of public consultation on the Draft Public Space Protection Orders be undertaken from 4th October to 22nd November 2021.
2. That the proposals for Dog Control Orders outlined at paragraph 5.2 be approved for inclusion in the Draft Public Space Protection Orders.
3. That the proposals for Alcohol restrictions outlined at paragraph 5.3 be approved for inclusion in the Draft Public Space Protection Orders.
4. That the proposals for No Parking restrictions outlined at paragraph 5.4 be approved for exclusion in the Draft Public Space Protection Orders.
5. That the proposals for BBQ's / Fires outlined at paragraph 5.6 be approved for inclusion in the Draft Public Space Protection Orders.
6. That a further report be presented to a future meeting of the Community & Environment Committee with the results of the consultation exercise, which will include options on how to proceed with a view to commence the new Public Space Protection Order at the soonest possible date.
7. That Members note, due to delayed timescales, there will be no PSPO in place from 1st November 2021, until the consultation has been concluded and a decision is made at a future date of this Committee to approve the details of the new PSPO.

Voting:

For	14
Against	0
Abstention	2

The Chairman declared the motion **CARRIED**.

Meeting Closed 7:30PM

Chairman