



This information is available free of charge in electronic, audio, Braille and large print versions on request.

For assistance in understanding or reading this document or specific information about this Agenda or on the "Public Participation" initiative please call the Committee Team on 01629 761133 or

e-mail: committee@derbyshiredales.gov.uk

9 November 2021

To: All Councillors

As a Member or Substitute of the **Community & Environment Committee**, please treat this as your summons to attend a meeting on **Wednesday, 17 November 2021 at 6.00pm** in the **Council Chamber, Town Hall, Matlock DE4 3NN**.

Yours sincerely,

A handwritten signature in blue ink, appearing to read "James McLaughlin".

James McLaughlin
Director of Corporate and Customer Services

AGENDA

1. APOLOGIES/SUBSTITUTES

Please advise the Committee Team on 01629 761133 or email committee@derbyshiredales.gov.uk of any apologies for absence and substitute arrangements.

2. APPROVAL OF MINUTES OF PREVIOUS MEETING

22 September 2021

3. PUBLIC PARTICIPATION

To enable members of the public to ask questions, express views or present petitions, **IF NOTICE HAS BEEN GIVEN**, (by telephone, in writing or by email) **BY NO LATER THAN 12 NOON OF THE WORKING DAY PRECEDING THE MEETING**. As per Procedural Rule 14.4 at any one meeting no person may submit more than 3 questions and no more than 1 such question may be asked on behalf of one organisation.

4. INTERESTS

Members are required to declare the existence and nature of any interests they may have in subsequent agenda items in accordance with the District Council's Code of Conduct. Those interests are matters that relate to money or that which can be valued in money, affecting the Member, her/his partner, extended family and close friends. Interests that become apparent at a later stage in the proceedings may be declared at that time.

5. QUESTIONS PURSUANT TO RULE OF PROCEDURE NUMBER 15

To answer questions from Members who have given the appropriate notice.

Page No.

- | | | |
|----|--|---------|
| 6. | INDEPENDENT REVIEW OF THE WASTE AND RECYCLING SERVICES CONTRACT WITH SERCO – PROPOSED TERMS OF REFERENCE AND APPOINTMENT OF INDEPENDENT REVIEW OFFICER | 04 - 09 |
| | To submit for Members' consideration, proposed terms of reference for the independent review of the Waste and Recycling Services contract with Serco, in accordance with the resolution of the Council at its meeting held on 14 October 2021 (minute 157/21 refers) and to consider the appointment of an Independent Review Officer. | |
| 7. | PEAK DISTRICT NATIONAL PARK LOCAL PLAN REVIEW: TOPIC PAPERS | 10 - 39 |
| | This report presents Members with the details of the topic papers published for comment by the Peak District National Park Authority as part of their Local Plan review process. The reports sets out suggested responses to the questions posed in each the topic papers. | |
| 8. | PUBLIC HEALTH ACT 1936 – SCHEME OF DELEGATION | 40 - 42 |
| | This report informs Members of an oversight in the Council's scheme of delegation in relation to section 83 of the Public Health Act 1936 (As Amended) and recommends a scheme of delegation to correct that oversight. | |
| 9. | AIR QUALITY MANAGEMENT AREA, ASHBOURNE – UPDATING REPORT | 43 - 47 |
| | This report updates Members on the actions taken following the declaration of an Air Quality Management Area in Ashbourne at the meeting of this Committee on 7 April 2021. | |

10. **PROCEDURE ON THE ENFORCEMENT OF ENERGY PERFORMANCE OF BUILDINGS (ENGLAND AND WALES) REGULATIONS 2012 AND THE ENERGY EFFICIENCY (PRIVATE RENTED PROPERTY) (ENGLAND AND WALES) REGULATIONS 2015 (AS AMENDED).** 48 - 58
- This report proposes the adoption of a procedure that sets out the District Council's approach to the operation of the Energy Performance of Buildings (England and Wales) Regulations 2012 and the Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015 (as amended). The procedure explains how the Council will work in relation to the requirements of the Regulations and links with the Corporate Enforcement Policy to explain the circumstances in which formal action will be taken to ensure compliance with the Regulations.
11. **HURST FARM REGENERATION PROJECT** 59 - 76
- This report sets out the process to date and the progress made on delivering the Hurst Farm Regeneration Vision since it was launched in November 2019. The report also asks the committee to approve and adopt the Hurst Farm Woodland Management Plan, which has been created as part of the development work undertaken since September 2017.
12. **BIODIVERSITY REPORT – UPDATE** 77 - 86
- Update and inform Members on the progress of the biodiversity of road verges and public open spaces project and outline the next phase for 2021/22.
13. **CLEAN & GREEN SERVICE REVIEW UPDATE** 87 - 93
- To update Members on the progress of the strategic review of the Clean & Green service.

Members of the Committee - Councillors: Sue Bull, Matthew Buckler, Martin Burfoot, Neil Buttle, Helen Froggatt (Vice Chair), Chris Furness (Chair), David Hughes, Tony Morley, Dermot Murphy, Peter O'Brien, Garry Purdy, Mike Ratcliffe, Lewis Rose, Andrew Statham, Alasdair Sutton, Steve Wain and Mark Wakeman.

Substitutes – Councillors: Robert Archer, Jason Atkin, Sue Burfoot, Tom Donnelly, Richard Fitzherbert, Clare Gamble, Susan Hobson and Peter Slack

Community and Environment Committee

17 November 2021

Joint Report of the Chief Executive and the Director of Community and Environmental Services

INDEPENDENT REVIEW OF THE WASTE AND RECYCLING SERVICES CONTRACT WITH SERCO – PROPOSED TERMS OF REFERENCE AND APPOINTMENT OF INDEPENDENT REVIEW OFFICER

PURPOSE OF REPORT

To submit for Members' consideration, proposed terms of reference for the independent review of the Waste and Recycling Services contract with Serco, in accordance with the resolution of the Council at its meeting held on 14 October 2021 (minute 157/21 refers) and to consider the appointment of an Independent Review Officer.

RECOMMENDATION

1. That approval be given to the Terms of Reference for the independent review of the Waste and Recycling Services contract outlined at paragraph 2.2 of the report.
2. That each political group be invited to nominate a Member to contribute information to the review on behalf of their group.
3. That Allen Graham (Circling Squares Ltd) be appointed as the Independent Review Officer with a remit in accordance with the approved Terms of Reference.
4. That the Independent Review Officer be required to present their report and recommendations to the Community and Environment Committee at an extraordinary meeting to be arranged in January 2022.
5. That Council be requested to approve a further supplementary revenue budget for 2021/22 of £5,000 to cover the increased consultancy and miscellaneous costs for this review.

WARDS AFFECTED

District-wide

STRATEGIC LINK

Whilst the issues affecting the delivery of waste and recycling services are recognised as being operational in impact, the purpose of the independent review will be to provide a

strategic review of the delivery of the provisions of the contract by Serco. As such, the review will provide an opportunity to understand what lessons can be learned and improvements made both in the delivery of the service, as well as ensuring that residents in the Derbyshire Dales receive excellent service from the Council and its contractors.

1 BACKGROUND

1.1 At its meeting on 14 October 2021, the Council received a petition from nearly 600 residents which requested the authority “to commission an independent enquiry into Serco’s delivery of its 2020 waste contract and impose penalties for non-compliance where they are found to be applicable. We believe this is necessary so that the Council can meet its environmental and climate commitments in the future while representing value for money for tax payers and residents.”

1.2 At the same meeting, having debated a Motion seeking to establish an independent review of the contract with Serco for the provision of waste and recycling services, the Council resolved to:

- Initiate an independent review of the Waste and Recycling Collection Contract to establish Serco’s performance against the requirements of the contract using qualitative and quantitative methods.
- Require an evaluation of current contractual and operational issues including current market conditions, environmental impacts and financial impacts arising as a result of service disruptions encountered.
- Require an assessment of the decisions taken, the likelihood of rectification within current contract parameters and identify possible alternative solutions.
- In the interests of expediency, delegate authority to the Community and Environment Committee to agree appropriate Terms of Reference and to commission ‘Recircle Consulting’ to undertake the review given their knowledge of the Derbyshire Dales, the contractual requirements with Serco and their relevant market intelligence.
- Require the completion of the review by 31st December 2021 and for it to be reported to an extraordinary meeting of Community and Environment Committee in January 2022.
- Approve a supplementary revenue estimate of £20,000 for 2021/22 for the appointment of ‘Recircle Consulting’ to undertake the review.

1.3 Having delegated authority to the Community and Environment Committee to determine the terms of reference and process for the review to follow, this report is submitted to enable the Committee to consider these matters and provide Member level direction for the review.

2 REPORT

2.1 The debate at the Council meeting on 14 October 2021 resulted in a unanimous vote in favour of conducting an independent review. Having delegated authority to this Committee to determine the terms of reference, there are a number of other matters in respect of this work for Members to

determine to ensure that the expectations of the Council are met in providing a high level review of the contractual arrangements and performance of Serco, as well as ensuring the necessary level of independence and transparency in conducting the review.

2.2 The proposed terms of reference for the review have been prepared as a framework for Members to consider. They are not intended to be exhaustive as the Independent Review Officer and Member Working Group will need to have sufficient flexibility to respond to issues and explore relevant lines of enquiry, during the course of the review itself. However, they are considered to provide sufficient focus and clarity of purpose. The terms of reference for the review are:-

- a) To evaluate the provisions of the contract with Serco for the delivery of waste and recycling services that took effect in August 2020; specifically whether the contract specification, mobilisation and implementation met the requirements approved by Elected Members in December 2019 and whether the contract was adequate in the context of the competitive waste services market at that point in time and presently.
- b) To evaluate the Council's management of that contract, including:
 - i. Whether the response to the recent service disruption and decisions taken by Officers/Members was necessary, effective and proportionate
 - ii. Areas of good practice
 - iii. Areas of improvement
 - iv. Operational / market constraints and future mitigating measures to address any identified contract failings
- c) To evaluate Serco's performance in the delivery of the contract
 - i. Review of contract documents and requirements
 - ii. Contract mobilisation and August 2020 implementation.
 - iii. Quantitative analysis of data in relation to KPIs and other key performance measures
 - iv. Review of financial impact associated with diversion of waste streams
 - v. Qualitative review of other contract performance/compliance
 - vi. Review feedback from the Waste & Recycling team in their dealing with residents and Elected Members, and Serco's response to those requests.
- d) To establish and summarise the root causes of recent service disruption and identify the actions required to be considered in order to mitigate future wide scale service disruption to residents.

- 2.3 During the debate on 14 October 2021, Members broadly indicated that an independent person should undertake the review and write the report for consideration by the Community and Environment Committee in January 2022. Having commissioned 'Recircle Consulting' to provide expertise in respect of the current contract and the market position, officers have approached the Local Government Association (LGA), SOLACE (Society of Local Authority Chief Executives) and the Institute of Waste Management to seek an Independent Review Officer to lead the review.
- 2.4 A number of potential candidates have been identified and evaluated based upon their knowledge, experience, availability and cost. Allen Graham – founder and Managing Director of Circling Squares Ltd, (no association or connection with Recircle consulting Ltd) has been identified by the LGA as having the necessary knowledge and experience to act as an independent person. Allen is an experienced public sector leader, having served in a range of leadership roles in all types of local authorities throughout a 30 year career. As a former Chief Executive of Rushcliffe Borough Council and LGA Peer Review Chief Executive Lead, he has a wealth of experience and has built a reputation for leading change and transforming services, communicating and developing effective strategies to bring success. Specialising in stakeholder management and customer services, Allen has built and led a dynamic team recognised as the National Senior Management Team of the Year in 2015. He also led the development of the business-like strategy and culture that delivered major asset transformation to Rushcliffe Borough Council, which led to the Entrepreneurial and Commercial Council of the Year Award in 2018.

2.5 Allen's recent experience with Circling Squares includes the provision of support for an independent investigation at North West Leicestershire District Council. The testimonial from the Chief Executive at North West Leicestershire District Council reads:

'The investigation was conducted efficiently and comprehensively with a quality report being provided which provided us with confidence to inform decisions. I would have no hesitation in recommending Allen to any colleagues in the public sector, his experience, skills and strategic leadership can be applied across a wide variety of areas from change management, governance, sector improvement and transformation—an excellent addition to any team and Circling Squares were exemplary in providing independent external challenge and support.'

2.6 In order to expedite the review at pace, it is recommended that a representative from each of the five political groups of the Council be appointed to work with the Independent Reviewer. The purpose of this group will be two fold. Firstly, Members will have the opportunity to feed in the experiences of councillors from each group in dealing with casework arising from the disruption to waste and recycling services. Secondly, the group will act as a resource for the Independent Review Officer (IRO) to consult for clarification on any matter within the terms of reference. It is anticipated that this approach will maintain the independence of the IRO and will minimise the disruption to officers of the Council who are continuing to work with Serco to manage the delivery of the service on a day-to-day basis. The review is not intended to increase pressure on an already stretched service, but to support improvement and provide assurances.

2.7 The review has been commissioned with the intention of providing assurance to Members and residents, as well as identifying means for improvement to ensure that services are delivered according to their expectations and the provisions of the contract with Serco. In undertaking such a review with a commercial contractor, it will be necessary to review a number of commercially sensitive provisions in the contract and in respect of Serco's approach to service delivery. In considering the public interest, Members should bear in mind that it will be necessary for any such information to be treated as exempt and confidential on the basis of commercial sensitivity. If such information were to enter the public domain it would introduce the risk of legal challenge to the Council from Serco which would likely result in additional monies being spent on legal action rather than being used to deliver services. Whilst the content of the final report and recommendations will be a matter for the IRO, Members should be mindful of this from the outset. Officers anticipate that the Council will publish the papers in accordance with the Access to Information Rules and any exemptions from publication will be made in accordance with paragraph 3 of Schedule 12A of the Local Government Act 1972

3 RISK ASSESSMENT

Legal

3.1 This report is for the approval of the terms of reference for an independent review. Full Council has already passed a motion to undertake this review and the budget has been set, therefore there is no legal risk attached to this

report.

Financial

3.2 In resolving to establish an independent review of the waste and recycling services contract the Council approved a supplementary budget estimate of £20,000 for Recircle Consulting to undertake work. It was indicated in the debate that followed, and as set out above, that the appointment of a further Independent Review Officer may require additional monies to be made available to support this work. The consultancy costs for this review are now estimated as £12,500 for Recircle Consulting and £11,900 for Circling Squares Ltd; this exceeds the current budgetary provision of £20,000 by £4,400 excl. miscellaneous costs. It will be necessary to refer this item to the next Council meeting to seek approval for a further supplementary revenue budget for £5,000 (to include the miscellaneous costs). The financial risk is assessed as low.

4 OTHER CONSIDERATIONS

4.1 In preparing this report, the relevance of the following factors has also been considered: prevention of crime and disorder, equalities, environmental, climate change, health, human rights, personnel and property.

4.2 No Climate Change Assessment required at this stage. A CCIA will be carried out on any resulting recommendations from the review.

5 CONTACT INFORMATION

Paul Wilson, Chief Executive
01629 761125 or paul.wilson@derbyshiredales.gov.uk

Ashley Watts, Director of Community and Environmental Services
01629 761367 or ashley.watts@derbyshiredales.gov.uk

6 BACKGROUND PAPERS

6.1 Petition to Derbyshire Dales District Council – Independent Inquiry into Serco's delivery of the Waste Contract

6.2 Minute of the Council meeting held on 14 October 2021

COMMUNITY AND ENVIRONMENT COMMITTEE
17 NOVEMBER 2021

Report of the Director of Regeneration and Policy

PEAK DISTRICT NATIONAL PARK LOCAL PLAN REVIEW: TOPIC PAPERS

SUMMARY

This report presents Members with the details of the topic papers published for comment by the Peak District National Park Authority as part of their Local Plan review process. The reports sets out suggested responses to the questions posed in each the topic papers.

RECOMMENDATION

1. That the suggested responses to the Topic Paper questions in Appendix One are approved and forwarded to the Peak District National Park Authority for their consideration as part of the review of the Peak District National Park Local Plan.

WARDS AFFECTED

All wards inside the Peak District National Park

STRATEGIC LINK

The Peak District National Park Local Plan will have a significant influence upon the delivery of the Council's Corporate Plan, particularly business growth and job creation and the delivery of affordable housing.

1. BACKGROUND

- 1.1 The Peak District National Park Authority is currently undertaking a review of their Local Plan. As part of the process they are currently gathering evidence with the intention of holding a formal consultation on their preferred issues and options towards the end of 2022. Consultation on the Draft Local Plan is anticipated to be undertaken at the end of 2023. As part of the early stage of this review process the National Park Authority have produced ten Topic Papers and held stakeholder workshops linked to each paper. The responses to the Topic Papers and discussions at the workshops will inform the review and subsequent consultation on the revised Local Plan.
- 1.2 The purpose of each Topic Paper is to:
 - assess the performance of existing policy

- examine the latest research, guidance and evidence that will impact on new policy
 - highlight gaps in knowledge and generate areas of further research.
- 1.3 The Topic Papers, which can be viewed on the [Peak District National Park Authority website](#) cover the following areas:
1. Spatial Strategy
 2. Climate Change and Sustainable Buildings
 3. Health and Well-being
 4. Heritage and Built Conservation
 5. Housing
 6. Landscape, biodiversity and nature recovery.
 7. Recreation and Tourism
 8. Shops, Services and Community Facilities
 9. Supporting Economic Development
 10. Sustainable Transport and Infrastructure
 11. Utilities
- 1.4 Each topic paper contains a number of consultation questions. Suggested responses to the questions are set out in Appendix One.

2 Key Issues

- 2.1 Each topic paper is structured in the same way;
- national and local planning policy context,
 - a consideration of the latest research, guidance and evidence that will impact on new policy
 - highlight of any gaps in knowledge and generate areas of further research the priorities / principles for the National Park
 - a review of relevant national policy update, existing Planning policy and supporting documents,
 - any issues arising from monitoring.
- 2.2 The key issues and implications for Derbyshire Dales are set out by Topic Paper below:

1. [Spatial Strategy](#)

The topic paper sets out the potential change to the organisation of the National Park from the current Local Plan approach of using three landscape character areas to Local Authority constituent boundaries. In addition it questions; should areas of biodiversity enhancement and protection be identified on a revised policy map, should visitor hot spots be identified, and should the distribution of development be identified villages or ad hoc?

Officer Comments

The suggested change from three plan areas reflecting landscape and character to one that reflects neighbouring authority boundaries will potentially help alignment with the Derbyshire Dales Local Plan, it could improve monitoring and

implementation of cross boundary issues therefore this approach should be supported.

The identification of biodiversity enhancement and protection areas is in advance of the Environment Act and not considered to have significant cross boundary implications for DDDC.

The identification of visitor hot spots and the development of supporting policy should be cautiously welcomed. Support for such approach would be dependent upon what the policy is intended to achieve and if there is any benefit to the Derbyshire Dales local economy. It is considered that further discussion as to how the hot spots are identified and whether the policies applied are to be of constraint or managed growth would be welcomed

The continued identification of villages where development is considered acceptable as this policy position enables a managed approach to development and a more considered approach to its impacts on existing communities including an assessment of any potential benefits. Ad hoc development provides less certainty for the public and the development industry.

However, it is considered imperative that the first stage of Local Plan review should entail the identification of the scale of housing needed for the future of the National Park, then consideration of what is the best policy approach to delivering the future housing requirements. Whatever approach is taken the Local Plan must be able to show that it has identified the requirement and set out clearly how it is going to deliver the requirement. Either, for example, by identifying sites or having wider boundaries which would in essence provides additional capacity. This needs to be documented as to how the requirement will be met.

Perhaps the approach being suggested in the topic paper should go further and allow for increased development to meet local needs and the wider needs of the community

2. Climate Change and Sustainable Buildings

The key questions posed in the topic paper are: do policies strike the right balance between the statutory purposes of the National Park and enabling low carbon/renewable installations? What new technologies will emerge?

Officer Comments

The focus of the topic paper is on the technological response to climate change impacts. It is considered that the new Local Plan presents an opportunity for the National Park to integrate climate change mitigation and adaptation measures into all policies. The National Park have existing relevant SPDs and Design guides that can be drawn on to inform this more integrated approach, although it is recognised that is not an easy task to achieve. The District Council's Climate Change Officer will liaise with the relevant Officer at the National Park to agree an integrated approach.

Overall the District Council should be supportive of policies that seek to mitigate the impact of development on climate change and also policies that encourage adaptation to the impacts of climate change, for example through retrofitting energy efficiency measures into existing built environment

3. Health and Well-being

The National Park Authority works in partnership with constituent authorities and healthcare professionals to ensure that residents' health and well-being is considered in all aspects of the Authority's work. There are currently no specific health and well-being planning policies contained within the National Parks planning policies. It is recognised that health and well-being is a cross-cutting theme in the new local plan and as such a Health Impact Assessment (HIA) should be undertaken. No specific questions are in the topic paper.

Officer Comments

The cross cutting theme approach to health and well-being is supported, however it should be recognised that health and well-being only forms part of the infrastructure required to sustain vibrant communities. The role of broader infrastructure should be recognised.

4. Heritage and Built Conservation

The Peak District National Park's (PDNP) cultural heritage is hugely significant in its scale and quality, however only 5% of PDNP's cultural heritage assets are designated. A new Supplementary Planning Document 'Conversion of Historic Buildings' will provide further guidance to ensure heritage assets are converted sensitively and that the 'significance' of any historic asset is considered 'up-front' in the planning process through a heritage statement. It is recognised that new planning policy needs to take into account; a building's carbon life-cycle; the retrofitting of heritage assets sensitively and sustainably in response to climate change and the UK's 2050 zero net carbon target, the process for determining the curtilage of a heritage asset, and a more sustainable approach to modern farming whilst protecting heritage assets. No specific questions are in the topic paper.

Officer Comments

Further explanation in a revised Conversion of Historic Buildings SPD is welcomed however, it should be noted that new policy cannot be introduced via a SPD. The District Council's Conservation Officer has no comments at this point in time but will welcome the further opportunity to comment on policy as it evolves.

5. Housing

The topic paper states that the strategic evidence of housing need for the National Park as a whole needs refreshing. Current policy permits new houses in the National Park for very specific reasons related to local need, and open-market dwellings where it is a good way to enhance a brownfield site or conserve a valued building, ancillary and essential worker dwellings are permitted. The topic paper states *"the delivery of affordable housing at the level seen in this plan period is entirely due to Derbyshire Dales District Council part funding schemes"*

when other grants have reduced. This situation is not sustainable in the medium to long term but there is currently no sustainable alternative.” There are twelve questions raised concerning the introduction of more flexibility into housing policy, how to achieve a balance with the needs of communities and the character and purposes of the National Park both being met.

Officer Comments

The acknowledgement that the strategic evidence base is in need of review is welcomed. The current review of the Derbyshire Dales Local Plan has entailed renewed studies to update the evidence base. The outcomes of these studies have been shared with the Peak District National Park Authority. The revised policy approach in the National Park Local Plan must flow from the evidence in order to be found “sound” by the Planning Inspectorate.

The principle of permitting a wider range of house types including smaller housing for an ageing and increasingly dependent population, as well as permitting housing for younger generations and those who want or need to work from home seems reasonable, but this should not be at the expense of less affordable housing. Nor must the possibility of greater latitude in market housing be allowed to inflate house values so as to inadvertently reduce the scope for the development of affordable housing. The Peak District National Park Authority will need to address the overall level of requirements of the PDNP, including other forms of housing, which may be identified by the evidence base.

A relaxation of the 10 year local connection policy would be welcomed: 10 years is unduly restrictive and is a disincentive to the provision of additional affordable housing. A maximum of 5 years is considered fairer, and should help to improve supply without undermining the intent of the policy. It is also considered that the policy requiring a connection of 10 years in the past 20 years for those returning to the National Park is unduly restrictive, and has an impact upon the delivery of affordable homes. It is suggested that this requirements should also be relaxed to require a connection of 5 years in the past 10 years.

With regard to the conversion of properties to holiday accommodation, consideration of the existing density of holiday homes within the locality should be undertaken. Where these are relatively scarce, it would be unnecessary to have a blanket refusal. Consequently, a threshold beyond which no new holiday accommodation is allowed may be appropriate.

Whilst accepting statutory purposes the District Council considers that one of the key requirements for the National Park is to ensure that its housing needs are met.

The allocation of sites needs to be done after an updated SHELAA is carried out. This should include an assessment of the size and capacity of villages to accommodate additional development.

Small developments even on green field sites may not necessarily have an adverse impact upon the character and appearance of the National Park. Housing developments can be accommodated within the park context and can enhance beauty not reduce it. This has been demonstrated over 20 years or

more in locations such as Winster and Taddington, where the new affordable housing units are exceptional and complement the village rather than detract from it.

The cost of providing new affordable homes has been increasing for many years. There is a danger that slavishly following the design guide, whilst also meeting environmental standards, will mean we reach a point where it is no longer financially viable to provide new affordable homes within the Peak District National Park. Grant funding from Homes England, supplemented by grant from local councils and financing from housing associations, cannot keep pace with the relentless increase in build costs.

Finally there is concern that the floor space standards currently adopted by the National Park Authority do not reflect current National Prescribed Standards. As such it is considered that the National Park Authority should be encouraged to adopt these as the basis for new residential development, and in particular bungalows should as a minimum meet Building Control Standard M4(2).

In summary, greater flexibility within the housing policies is to be welcomed as this would enable the housing needs of communities to be fully met within the National Park and future thriving sustainable settlements achieved.

6. [Landscape, Biodiversity and Nature Recovery](#)

The topic paper sets out how the planning policies to conserve landscape have been effective to date. Overall, planning policies have had a neutral to negative effect on biodiversity, development itself is not leading to the loss of important sites and where necessary policies support land management for landscape-scale projects. In terms of nature recovery the topic paper notes the development of the National Planning Policy Framework and The Environment Bill which both describe an enhanced role for the planning system in nature recovery, via nature recovery strategies, spatially mapped nature recovery areas and biodiversity net gain.

Officer Comments

Whereas most of the issues in this topic paper are specific to the National Park there are potentially cross boundary implications should the new Local Plan identify a nature recovery strategy which in turn identifies networks. There is the possibility that by increasing scope and range of protection of the landscape this in turn may impede development opportunities in the future.

7. [Recreation and Tourism](#)

The topic paper notes that planning permission has been granted and work commenced on a hotel in Bakewell. Outside Bakewell, hotel development has been restricted. The development of static caravans and lodges has also been restricted, except in relation to the enhancement of a static caravan site by replacement of caravans by lodges. Day and overnight visits continue to increase.

The Covid-19 pandemic has highlighted the vital role of the National Park to its visitors. There was a decline in the number of permissions granted for recreation,

environmental education and interpretation over the life of the Core Strategy. The availability of alternative means of access to many popular recreational sites has declined, particularly in relation to access by public transport. Problems such as dangerous or obstructive parking, dangerous or antisocial driving, fly camping, littering and other anti-social behaviours were reported during the easing of the Covid-19 lockdown.

The questions in the topic paper relate to the linkages between development at recreation sites and more sustainable or environmentally-friendly means of access, the use of car parks for camper van over-night stays, the role and identification of “Gateway” sites on the fringes of the National Park, possible hotel development, development of new static caravans/lodges/chalets sites, the location of camping pods and shepherd huts and questions surrounding the policies on occupancy conditions for self catered accommodation.

Officer Comments

The evidence base does not take into account the impacts of COVID and Brexit, this is recognised but is critical to developing the most appropriate policy going forward. The identification of ‘Gateway’ sites may have an impact on the communities of Derbyshire Dales, in terms of impact on transport, infrastructure and services. The concept of “Gateway” and the specific locations needs to be fully explained. Further dialogue will be needed with the National Park Authority as this concept is developed in order to assess the impact of this policy approach and ensure that it doesn’t have an overall negative impact on the Dales communities.

The National Park is lagging behind other destinations in the provision of hotels, whether they be chain, boutique or gastropub/hotel. Additional hotels would further diversify the visitor offer to the benefit of the local economy. Without such increased offer visitors may choose to spend their holidays elsewhere

8. Shops, Services and Community Facilities

The aim of Peak District National Park policies has been to improve access to services and retain and provide community services and facilities. The topic paper considered shops and services including access and use of online shopping, the spread and demand for school places, a shortfall of allotment spaces and the need for additional information regarding recreations space. It is acknowledged that the impact of COVID is as yet unknown and that the changes to the Use Class Order that facilitate the conversion of shops to residential accommodation will need to be understood.

Officer Comments

The evidence base does not consider the impact of COVID or Brexit. This is recognised as a gap in evidence but is crucial to making informed comment. How the PDNPA responds to changes to the Use Class order (Cat E) and the impact this has on town centres is also going to be key, in addition to understanding the impact of COVID on the office market and shopping habits.

9. Supporting Economic Development

The landscape is seen as a National Park core asset and vital for agriculture and tourism. Almost two-thirds (65%) of Peak District businesses surveyed stated that they depend on the quality of the landscape and environment (State of Business and the Rural Economy Report, 2020). Current planning policy supports new businesses in or on the edge of Bakewell and other 'named settlements' and safeguards existing business land or buildings. In the open countryside farm diversification is supported when it is sensitive to the park's special qualities. The topic paper raises questions about supporting non agriculture and tourism business, farm diversification, access to broadband and climate change mitigation and adaptation measures.

Officer Comments

The evidence base does not consider the impact of COVID or Brexit. This is recognised as a gap in evidence but is crucial to making informed comment. How the PDNPA responds to changes to the Use Class order (Cat E) is also going to be key to avoid the loss of B1c (light industrial) space, as well as understanding the impact of COVID on the office market and shopping habits.

Some of the evidence is out of date e.g. latest AMR data is 2016/17. There is brief reference to District Council plans but not the identified priorities of the DDDC Economic Plan or the Covid Recovery Plan that were published in 2020. The Derbyshire Economic Partnership has also published a Recovery Plan which has been informed by the districts and should be taken into account along with the D2N2 Recovery and Growth Strategy. The PDNPA evidence base is weak in this regard. The evidence base is also weak in mistaking agriculture and tourism as the 'main' industries in the National Park, when in terms of employment they are relatively minor.

The review of the National Park planning policies is an opportunity to include policies that are more flexible and therefore supportive of DDDC economic ambitions.

In terms of climate change adaptation and mitigation measures, there is a danger of over-emphasis on the environment thereby stifling economic recovery. Clearly contributing to the low carbon agenda is important and should be encouraged through plan making but the extent to which new development is required to contribute to mitigating climate change needs to be balanced with the stated objectives of a sustainable rural economy / rural communities and considered on a case by case basis. The National Park needs to be a living and working environment. Whole Local Plan viability needs to be taken into consideration and if policy requirements have a negative effect on viability their inclusion needs to be carefully assessed.

10. Sustainable Transport and Infrastructure

The topic paper states that the Peak District is home to 38,000 residents and receives up to 26 million visits every year, meaning that there is a high demand for travel to, from and within the National Park. Between 2012-2017 there was an increase of car transport by 13% and even though leisure cycling has increased the majority of visitors arrive by car. Residents are concerned about parking provision in settlements and wider traffic and visitor management issues. The topic paper sets out existing policy approach and questions in detail if this is

the correct approach to take forward into the next Local Plan. The topic paper also notes the potential policy conflict between existing Core Strategy Policy T5A safeguards land tunnels and bridges for the potential reinstatement of the former Woodhead and Matlock to Buxton Railways, and Policy T5B which seeks to ensure the continuation of the Monsal and Trans Pennine Trails in the event of reinstatement.

Officer Comments

The dominance of car travel for National Park visitors means that many journeys are taken through the Derbyshire Dales and terminate at car parks in Bakewell and villages. In addition traffic management or changes to parking regimes in settlements within the Derbyshire Dales will have direct implications for residents. Consideration will need to be given to the climate change implications of continued support for road transport and encouragement of sustainable transport infrastructure should be supported. The Local Plan will include policies that are used in the determination of a planning application; not all traffic management schemes are subject to these policies as they will be largely operational in nature.

The reinstatement of the train line between Matlock and Buxton was debated on the 18th March 2021 Council [Agenda item 17](#) the proposals by the Peaks and Dales Railway – Manchester and East Midlands Rail Action Partnership. It is recorded in the [minutes](#) 1803021 that the views of Derbyshire County Council and the Peak District National Park Authority be noted and endorsed.

The Peak District National Park Authority does not support the current Peak and Dales Railway proposals. Whilst it is totally committed to a low-carbon and sustainable future for the National Park, it does not accept that the reinstatement of the railway on the route of the Monsal Trail is part of the solution. Other than Bakewell, the former line does not directly serve any communities in the National Park. The National Park Authority is unconvinced that it is possible to retain the Monsal Trail or an equally convenient alternative route if the railway reinstatement takes place. It does not consider that “re-provisioning” would provide an acceptable alternative.

Similar concerns are set out by Derbyshire County Council. It emphasises the importance of the Monsal Trail and the prominence, within its forward plans, of extending this and completing the White Peak Loop (of which the Monsal Trail is a vital component). Given the nature of the line, the County Council can see no way in which a Trail, open to all users, can co-exist with any form of rail operation along the whole of this route, particularly through its tunnels or over its viaducts and bridges. It does not believe that there is any alternative to the use of these tunnels and bridges, given the geography and terrain. Derbyshire County Council is strongly opposed to the current Peak and Dales Railway proposals.

11. [Utilities Topic Paper](#)

There are a range of networks offering utility provision to residents of and visitors to the National Park, including water and waste, gas, electricity and digital connectivity. The National Park also acts as a catchment area for water, supplying neighbouring urban communities. The topic paper sets out questions

regarding; the provision of new reservoirs, greywater systems, the current control of the location of communication masts and whether the park should focus on design and mast sharing, the location of larger scale renewable energy schemes and infrastructure for electric vehicles.

Officer Comments

Whereas a new reservoir may be considered necessary in the future to meet demand and act in advance of future extreme weather events, the location and scale of any new reservoir needs to be considered in a regional context and should not necessarily be resisted if it has a wider benefit. Measures to support mitigation and adaptation to climate change should be supported.

The inclusion of policies that enable better communication infrastructure in the National Park should be supported as it will facilitate increased economic and social benefit for communities in the Derbyshire Dales.

The District Council would welcome discussion regarding the location of larger scale renewable energy schemes, in particular with regard to landscape impact.

NEXT STEPS

- 3.1 Responses to the Topic Papers are required by the National Park Authority by the end of November 2021.
- 3.2 Should Members approve the responses given in Appendix One will be forwarded to the National Park Authority for their consideration.

4 RISK ASSESSMENT

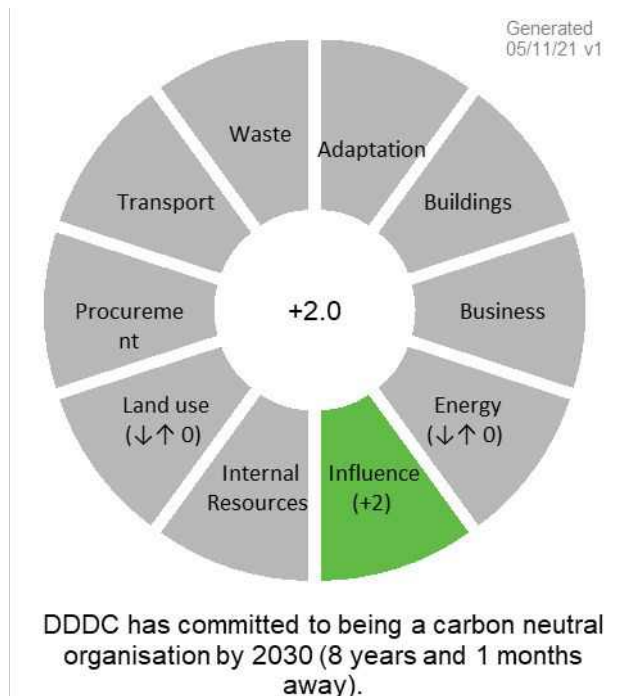
4.1 Legal

The Peak District National Park Authority are required to prepare a Local Plan. The District Council sole role is to act as consultees. The legal risk at this time has been categorised as low.

4.2 Financial

Input into the National Park Authority review of the Local Plan involves officer time. Financial risk is, therefore, assessed as low.

4.3 Climate Change



The CCIA has been undertaken, not on the potential impacts of the outcomes of the Local Plan review, but instead on the suggested responses given by the Council to the topic papers presented. It is clear that there are varying potential climate change impacts of many of the decisions that will be taken but the Council responses to the Topic Papers are part of the first stage of the process and the final decisions about what is or is not included in the revised plan will be taken following further consultation. It is at this point that impacts on climate change should be assessed by the appropriate authority.

The responses given by the Council align with and support the declaration of a climate emergency, the climate change strategy and action plan and the subsequent recommendations approved by Council on the 14th October. Responses show clear engagement with the salient issues and an understanding of potential impacts/opportunities for emissions reductions and mitigation.

The responses make it clear that the Council welcomes partnership working on climate change issues where there are cross boundary implications and that the Council is happy to work with the PDNP to develop appropriate policy where it directly affects the settlements that are in the DDDC authority area. The responses however do state that 'the extent to which new development is required to contribute to mitigating climate change needs to be balanced with the stated objectives of a sustainable rural economy / rural communities and considered on a case by case basis' – this aligns with the Corporate Plan objective to 'Support businesses to encourage productivity, growth, and higher wage jobs in rural and urban locations'

5 OTHER CONSIDERATIONS

In preparing this report, the relevance of the following factors has also been considered: prevention of crime and disorder, equalities, environmental, climate change, health, human rights, personnel and property.

6 CONTACT INFORMATION

Mike Hase, Policy Manager

Tel: 01629 761251 E-Mail mike.hase@derbyshiredales.gov.uk

7 BACKGROUND PAPERS

Description	Date	File
Peak District Local Plan Review		https://www.peakdistrict.gov.uk/planning/policies-and-guides/the-local-plan

8 ATTACHMENTS

Appendix One: Response to Topic Papers

Appendix One: Detailed Response to Topic Papers

1. [Spatial Strategy Topic Paper](#)

4.2.1. *For plan-making purposes we split the National Park into three broad areas: White Peak and Derwent Valley; Dark Peak and Moorland Fringe, and South West Peak. The three areas reflect not just broad differences in the character of the landscape, but also differences in the number of villages and hamlets in an area and therefore the levels of development that might be expected.*

Is this 'spatial split' of the Park into three broad areas based on landscape character fit for purpose? If not – what other 'spatial splits' might work better?

For example:

- *groups of villages such as Hope Valley*
- *National Park constituent authority boundaries*

DDDC Response

The PDNP Local Plan is a document that is primarily used in the determination of planning applications. The impact of new development on the character and appearance of the landscape and villages within its boundary is an important consideration.

The existing landscape character areas used within the National Park Core Strategy are useful in identifying areas with similar landscape characteristics. The key issue that the new Local Plan needs to address is the level of new development that is required to ensure its continued sustainability. In achieving this the landscape character areas can be used as a means of assessing the potential impact of the scale of new development required. This should, however, not be seen to be the overriding consideration.

Most statistical evidence is based upon local authority areas with very little disaggregated down to National Park level because of the nature of the way in which the National Park boundaries are drawn. Notwithstanding this, the presentation of data where feasible, by local authority area, would appear to be the most logical way to do so. This would allow for the differences in scale and development requirements to be seen across the National Park.

This would also improve clarity for the public and development industry. It would also improve the open and transparent nature of data collected and used for monitoring the implementation of the plan and the policy impacts on constituent Local Authority areas. The adherence to Local Authority boundaries would also enable the public and development industry to see how the adjacent Local Plans dovetail together.

4.2.2. *Should we identify areas of opportunity for nature recovery and biodiversity net gain on a map so that any planning gain can be targeted at enhancing biodiversity, and development steered away from areas where it would be harmful?*

DDDC Response

DDDC considers that as this is in advance of the Environment Act and therefore the National Park Authority should wait for further details and guidance as to the approach deemed necessary. The inclusion of such data provided in accordance with the Environment Act should be welcomed but must be based upon a substantive evidence base. This will need to identify where there are any cross boundary opportunities. If the National Park identify areas that have cross boundary implications as a consequence of the new evidence base we would welcome the opportunity to comment and influence.

4.2.3. Should we identify visitor hotspots on a map and link policy to them in the Local Plan?

DDDC Response

DDDC supports this approach as far as it will identify the hot spots and linked policy could consider visitor management and impacts on nearby communities without and adjacent to the National Park. The management of hot spots needs further consideration once identified, are proposals to be encouraged to relieve pressures on other parts of the National Park or managed to encourage a more even distribution of visitors to all of the National Park? However if this is about the strategic management of tourists to hot spot locations this would be more relevant to inclusion in the National Park Management Plan. DDDC would welcome the opportunity to be involved in this dialogue as this policy approach is further developed.

4.2.4. Is it sustainable to continue to identify a spread of villages where development could happen in principle? Or, alternatively, should we respond to community need for development wherever that arises and permit development in any size village or hamlet, subject to it conserving and enhancing any valued built environment or landscape character?

DDDC Response

The first stage of Local Plan review should entail identification of the scale of housing need for the future of the National Park, then consideration of what is the best policy approach to delivering the future housing requirements. Whatever approach is taken the Local Plan must be able to show that it has identified the requirement and set out clearly how it is going to deliver the requirement. Either by identifying sites or having wider boundaries which in essence provides capacity. This needs to be documented as to how the requirement will be met.

The continued identification of villages where development is considered acceptable would enable a managed approach to development and a more considered approach to its impacts on existing communities and an assessment of any potential benefits. Ad hoc development provides less certainty for the public and the development industry.

4.2.5. Should we pre-empt possible changes to the local plan making system and zone the whole National Park for protection (in line with National Park purposes) and then outline the circumstances under which we would permit development as an exception?

DDDC Response

Given the recent change in Secretary of State and the “pause” in planning reform this may not be necessary. However, this approach would mean that each application would need to meet exception criteria. This is a negative approach to planning and may not provide any flexibility for example to providing housing for local needs or biodiversity enhancement of a site adjacent to a development that falls in the DDDC boundary. This lack of policy flexibility may also restrict the Local Plan to adapt to changing circumstances during the lifetime of the plan without triggering a review. In addition it is considered that this approach will lead to more planning applications rather than less which in turn would require the National Park Authority to be adequately resourced.

2. Climate Change and Sustainable Buildings Topic Paper

DDDC is committed to addressing the Climate Crisis and is happy to work with the PDNP to develop appropriate policy where it directly affects the settlements that are in the DDDC authority area.

4.2.1 Do our planning policies still strike the right balance between purposes and enabling low carbon/renewable installations?

DDDC Response

The topic paper states that *“We need to be pioneers of innovation and change, conserving and enhancing special qualities but with climate change ‘central to [national park] objectives’”*

The planning policies in the Core Strategy, supported by the Climate Change and Sustainable Building Supplementary Planning Document (2013) and the Design Guide (2007) need to be considered together and where possible new policies that integrate the three documents taken forward into the new Local Plan. The Local Plan provides an opportunity to address the Climate Change crisis and be a *pioneer of innovation and change* as stated.

The new Climate Change policies in the Local Plan could be broader than low carbon/ renewable installations. The topic paper states that *“Climate change actions were transposed into the PDNPA management plan delivery plan and included sustainable travel; peatland restoration; regenerative agriculture, carbon storage in grasslands and integrating more trees into the landscape.”* These are measures that could also be incorporated into policy, for example tree planting to complement new development.

DDDC would be supportive of climate change policies that seek to mitigate the impact of development on climate change and also policies that encourage adaptation to the impacts of climate change, for example through retrofitting energy efficiency measures into existing built environment.

4.2.2 What new technologies exist and would they be appropriate in a national park?

DDDC Response

New technologies will emerge during the lifetime of the plan, or existing technologies will become less obtrusive, better priced, more accessible etc.

therefore it is important to have criteria planning policy in place that will allow a degree of flexibility and is not prescriptive in approach.

DDDC have declared a Climate Change Emergency which needs to be taken into account in the development of policies that have an impact on communities that live in the Derbyshire Dales.

3. [Health and Well-being Topic Paper](#)

No specific questions are included in this topic paper.

The cross cutting approach to health and well-being is supported, It should, however, be recognised that health and well-being only forms part of the infrastructure required to sustain vibrant communities. The role of broader infrastructure should be recognised.

4. [Heritage and Built Conservation Topic Paper](#)

No specific questions are included in this topic paper.

Further explanation in a revised Conversion of Historic Buildings SPD is welcomed however it should be noted that new policy cannot be introduced via a SPD. The DDDC Conservation Officer has no comments at this point in time but will welcome the further opportunity to comment on policy as it evolves.

5. [Housing Topic Paper](#)

4.2.1 *Should we shift focus away from social affordable housing and permit a wider range of house types including smaller housing for an ageing and increasingly dependent population, as well as permitting housing for younger generations and those who want or need to work from home?*

DDDC Response

The principle of permitting a wider range of house types including smaller housing for an ageing and increasingly dependent population, as well as permitting housing for younger generations and those who want or need to work from home seems reasonable, but this should not be at the expense of less affordable housing. Nor must the possibility of greater latitude in market housing be allowed to inflate house values so as to inadvertently reduce the scope for the development of affordable housing.

The Peak District National Park Authority will need to address the overall level of requirements of the PDNP, including other forms of housing, which will need to be identified by the evidence base.

4.2.2 *Should we change the local connection requirement attached to social housing to make it easier for those with less than 10 years connection to stay here? What do you think is fair?*

DDDC Response

Yes. 10 years is unduly restrictive and is a disincentive to the provision of additional affordable housing. A maximum of, say, 5 years is fairer, and should help to improve supply without undermining the intent of the policy.

A reduction to 5 years should apply to all aspects of the occupancy cascade, not just DMH2 '1st occupation'. This is because the other elements of the occupancy cascade (DMH3) are also unduly restrictive and act as a disincentive to affordable housing development.

For example, the time period for the various stages following which the search for an occupant can be widened are too long. Currently, 3 months must elapse before the search is widened. 13 weeks is too long for a property to be allowed to remain empty – this is not making best use of scarce housing stock. Financially, a 13 week void period for, say, a 3 bed house @ £125 p.w would cost the RP, usually a registered charity, £1,625 in lost rent. This could increase as it will no doubt take a period of time before a tenant is found as the cascade progresses.

We suggest therefore that the 13 week period should be 8 weeks maximum. Similarly, DMH3 iv) should specify an additional 1 month rather than 2.

The shared ownership units at Bakewell which could not be sold because no financial institution would provide a mortgage is another example of how restrictive S106 agreements can stifle development and tenure choice. It is considered that although the fundamental principles of the Peak Park should of course be upheld, progress must be made to improve flexibility in this area.

For example, consideration could also be giving to allowing work location to be a factor in qualifying criteria. If someone has worked in a certain parish in the Park for, say, 10 years but does not live in it or an adjacent Parish it, there is still a case for saying they should be eligible to live within it. As this is a significant change it could be introduced with strict conditions applied, but the principle should at least be considered.

4.2.3 Should we refuse applications to convert buildings where the intention is that it would have sole use as holiday accommodation, and then put a primary occupancy clause on any new housing we permit so that it is lived in for most of the year?

DDDC Response

Such a change would probably not have much impact on what is the key problem – affordability.

Nevertheless, this may well be a sensible policy tool for other reasons, but consideration of the existing density of holiday homes within the locality should be undertaken. Where these are relatively scarce, it would be unnecessary to have a blanket refusal. Consequently, a threshold beyond which no new holiday accommodation is allowed may be appropriate.

In any event, property owners may well find some way to circumvent the intention of the policy.

The National Park delivers very low new housing supply and it is considered that all feasible methods should be utilised to ensure that all new housing remains available for residents, of all ages.

4.2.4 Should we give more certainty to developers by allocating sites for housing, or should we continue our approach of identifying a community's housing need and then working with communities and housing associations to identify suitable sites?

DDDC Response

The allocation of sites based on sound evidence would be welcomed as it would provide for greater opportunity and flexibility for the provision of housing within the National Park. This combined with community and housing association provision will to ensure that local needs are met.

4.2.5 Should we change the way we assess housing need to address the community needs rather than individuals' housing needs (accepting that these two things could be the same or different)?

DDDC Response

Housing authorities assess housing need. We have a tried and tested model for assessing community housing needs that is then used to support the case for providing more affordable homes. The parish needs survey provides an unbiased view on local housing needs which seeks to address community need rather than individual needs.

4.2.6 Can the National Park accommodate more housing on green-field sites or is it already spoiling the beauty of the villages?

DDDC Response

Whilst accepting statutory purposes the District Council considers that one of the key requirements for the National Park is to ensure that its housing needs are met.

The allocation of sites needs to be done after an updated SHELAA is carried out, the policy flowing from the evidence base. This should include an assessment of the size and capacity of villages to accommodate additional development.

Small developments even on green field sites do not necessarily have an adverse impact upon the character and appearance of the Peak District National Park. Housing developments can be accommodated within the park context and can enhance beauty not reduce it. This has been demonstrated over 20 years or more in locations such as Winster and Taddington, where the new affordable housing units are exceptional and complement the village rather than detract from it.

4.2.7 Where should new housing go without it harming the beauty of the villages or the character of the wider landscape?

DDDC Response

The allocation of sites needs to be done after an updated SHELAA has been undertaken. In assessing the suitability of sites it should include a landscape assessment, and therefore be based on objective assessment of evidence.

4.2.8 Are the bigger villages that have the most services better places for new housing than small places with few shops and services?

DDDC Response

Yes – these by their nature are more sustainable locations. However, development in smaller villages can also play an important role in maintaining the viability of any local shops and services.

Proximity to services and amenities is of course a benefit for new affordable housing. But it should not be an absolute pre-requisite and we should consider any locations that come forward, judging each on its own merits.

4.2.9 Should every village be allowed to have new housing so that the bigger villages don't need to grow to meet wider community needs?

DDDC Response

The SHELAA process will enable the National Park to analyse the most appropriate location for development. There should be scope, in principle, for every village to consider whether additional housing is needed, but not a blanket expectation that all could or should. Locating new houses closer to amenities is often that right choice and this implies that 'bigger villages' are more likely to be suitable for additional housing than smaller ones, though not exclusively.

4.2.10 Should housing policy in a protected landscape respond to community aspirations or respond to objectively assessed need?

DDDC Response

The level of housing development should be decided by the National Park Authority as part of the spatial strategy, identifying the National Park's objectively assessed need, including for affordable housing, is a key tool for informing the approach taken and the level of development that is both acceptable and achievable.

4.2.11 Should councils that share part of their area with the National Park accommodate more housing to take the pressure off the National Park and help us protect it?

DDDC Response

The level of supply of housing in the Derbyshire Dales is carefully evidenced and debated through the Local Plan process. With approximately one third of the

district lying in the National Park it is considered that more housing in the National Park would be welcomed, rather than the other way round.

At present the National Park contribute on average approx. 24 completions each year against an annual target of 284 new homes in Derbyshire Dales.

This is only 8% of the overall annual requirement and it is considered that this is disproportionate to the area of land and number of villages and communities that lie within the National Park, including the thriving market town of Bakewell. Notwithstanding statutory purposes it is considered that the National Park should be advised that the proportion of new development accommodated should be increased accordingly. To do so will require additional allocations of land and additional flexibility in policy. This should then lead to a consequential increase in the level of completions.

4.2.12 Would visitors' enjoyment of the National Park and its villages be affected by more housing in and around the edge of some villages?

DDDC Response

This would depend on the scale, design and location of new housing but there is no reason why it should affect the visitor experience. Other National Parks have more progressive housing policies that have not resulted in harmful development.

Measured, limited, sympathetically designed new housing can enhance areas, as noted in 4.2.6. Sufficient provision of affordable housing is necessary to accommodate the local labour force, without whom local economies would suffer and potentially therefore, visitor enjoyment.

Notwithstanding this the cost of providing new affordable homes has been increasing for many years. There is a danger that slavishly following the design guide, whilst also meeting environmental standards, will mean we reach a point where it is no longer financially viable to provide new affordable homes within the Peak District National Park. Grant funding from Homes England, supplemented by grant from local councils and financing from housing associations, cannot keep pace with the relentless increase in build costs. The realism of providing affordable homes in the National Park should be taken into account in the policies in the Local Plan.

6. [Landscape, Biodiversity and Nature Recovery Topic Paper](#)

4.2.1 Evidence overwhelmingly points to a crucial role for national parks in landscape-scale nature recovery and land-based solutions for net zero.

Q1. Should the local plan focus more on outcomes related to biodiversity and net zero as well as landscape character?

DDDC Response

The forthcoming requirements of the Environment Bill will need to be taken into account.

Q2. Should the spatially mapped nature recovery network that results from the nature recovery strategy (or strategies if not undertaken by the NPA)

be incorporated into the local plan in accordance with para 174 of the NPPF.

DDDC Response

Whereas most of the issues in the topic paper are specific to the National Park there are potentially cross boundary implications should the new Local Plan identify a nature recovery strategy, identifying networks that fall into the DDDC Local Plan Area. DDDC would welcome dialogue with the National Park should this approach be taken.

Q3. Should planning policies specify what types of development are allowed in accordance with the spatial plan for nature recovery (as well as other policies), and link this to the requirement for net gain?

DDDC Response

If this approach is in accordance with the Environment Act then it will be supported however if this is a Peak District National Park policy then inclusion in the Local Plan needs to be grounded on the basis of the evidence base.

4.2.2 The link between DS1 C which lists ‘agriculture, forestry and other rural enterprises’ as development that is acceptable in principle in the countryside, and L1 that requires this development to ‘conserve and enhance valued landscape character’ could be re-examined.

Q4. Are policies DS1C and L1 of the Core Strategy and DMC11 of the Development Management Policies sufficient to prevent development that harms landscape character and deliver biodiversity net gain?

DDDC Response

The Authority Monitoring Report undertaken by the Peak District National Park Authority will highlight the success or failure of the implementation of policy. Policies in the Local Plan should be land use policies, implemented through the application of policy to planning applications. There needs to be a clear definition between the Local Plan and the management plan in terms of the role of policy.

4.2.3 DMC2 (i) permits within the natural zone ‘development that is essential for the management of the natural zone’.

Q5: Should policy specify ‘management for the purposes of landscape scale nature recovery’ to prevent management associated with maintenance of a heather monoculture and grouse shooting?

DDDC Response

There should only be inclusion of policy in the Local Plan to address this landscape management issue where there is a type of development that would benefit from planning permission and therefore the policy could be applied. If this is not the case then such policy should be in the National Park Management Plan.

7. Recreation and Tourism Topic Paper

4.2.1 Public transport accessibility to recreation sites. *The majority of recreation sites are easily accessible by car, but less so by public transport. Should future development be restricted to those sites that can also be accessed by non-car means?*

Where sites are currently dependent on car-borne access, should any future development include a commitment to invest in alternative means of transport?

DDDC Response

Development at recreation sites should be linked to more sustainable means of access e.g. with new cyclepaths/ footpaths and be accessible by public transport. However, realistically visitors will always want to use their cars to visit the area, so further consideration of park and ride schemes, electric bikes, partnerships with bus/train companies is needed. Sites should be allocated where necessary as part of emerging schemes or policies put in place to encourage such uses subject to criteria.

4.2.2 Campervans

Should campervan use of car parks for overnight stays be encouraged / accommodated?

Is there scope for official sites where overnight parking of campervans is permitted, provided that there is appropriate space and facilities?

If official sites were to be provided, should stricter controls be introduced elsewhere?

DDDC Response

Regarding potentially privately owned car parks: Many pubs across the country now allow motorhomes/campervans to park in their car parks, they gain valuable income from food/drink purchased and the visitor has access to parking and other facilities e.g. toilets. There are a number of mobile phone apps (e.g. park4night) that people use to locate places. The motorhome market is growing, it was healthy before Covid but is now seen as the perfect way to holiday without unnecessary contact with others. However, the use of public sector owned car parks e.g. those in DDDC ownership is a different matter and overnight camping is prohibited.

Should official sites be identified they will need to be shown in the Local Plan proposals map or a criteria based policy introduced. If such sites do not require the benefit of planning permission then they will not need to be addressed in the Local Plan.

4.2.3 Visitor management areas

The Peak District has previously worked with partner organizations to successfully manage popular areas such as the Goyt Valley, the Upper Derwent Valley, the Roaches and Stanage. Such schemes provide visitor facilities, including car parks, and seek to limit any adverse impact. Should a similar approach be used again, and if so where?

DDDC Response

Such schemes are only relevant to the National Park Local Plan where they have a land use impact.

4.2.4 Gateway sites

Should 'gateway' sites on the edge of the National Park that provide easy access from surrounding urban areas be more of a priority for recreational development?

DDDC Response

The identification of "Gateway" sites will need careful consideration and cooperation with relevant Local Authorities. It needs to be ensured that such identification does not result in a negative impact for the community.

If the "gateway" site can provide the same quality and breadth of visitor experience without adverse impact then the concept should be cautiously developed. There will need to be consideration of the impact on these communities in terms of; parking, increased visitor numbers, infrastructure and economic benefit. Once the 'gateway' locations have been determined and the perceived role that these locations will play defined then the District Council would welcome the opportunity to comment further.

4.2.5 Recreation Hubs

*Should villages be included in any definition of a 'recreation hub'?
Should the local plan identify recreation hub sites where facilities for visitors will be permitted?*

DDDC Response:

If this involves the identification of sites then this needs to be included as an allocation or criteria based policies to assess the suitability of sites as they come forward will be necessary.

4.2.6 Hotel development

Is the restriction on new build hotels still the correct approach?

DDDC Response

No, the National Park is lagging behind other destinations in the provision of hotels, whether they be chain, boutique or gastropub/hotel. Additional hotels would further diversify the visitor offer to the benefit of the local economy. Without such increased offer visitors may choose to spend their holidays elsewhere. The D2N2 LEP Visitor Economy Review and Investment Study in 1994 identified in the executive summary a provision gap in Derbyshire stating "A lack of hotel stock within the National Park, particularly branded", this remains the case in 2021.

4.2.7 Static caravans, chalets and lodges

Should we continue to prevent new static caravans, chalets and lodges, but give some scope for camping pods and shepherd huts?

DDDC Response

In the right setting static caravan, chalets and lodges should be considered. Camping pods and glamping are more seasonal so do not have the same degree of adverse impact upon the landscape during the months of November to February.

4.2.8 Removal of **occupancy conditions** for self-catering accommodation.

Should occupancy conditions of some self-catering accommodation continue to be relaxed to meet local housing need?

Is the policy flexible enough to enable some local housing need to be met in this way?

DDDC Response

Agree to relaxation but subject to either provision as affordable housing controlled by Registered Providers or subsequent occupiers has to make as primary residence because this maintains property in the locality.

8. [Shops and Community Facilities Topic Paper](#)

4.2.1 *The following questions have arisen through this topic paper:*

- *What do we mean when we say we want ‘improved access to services’? Is this still a reasonable aim?*

DDDC Response

‘Improving Access to Services’ should remain a policy aim but COVID has accelerated the shift to on-line. A twin track approach is needed which seeks to retain local services wherever possible but the policy has to recognise the continuing urgent need to enhance broadband capability in rural areas and proactively facilitate this.

- *To what extent can policy facilitate ‘dual use’ of community facilities?*
- *To what extent can we encourage recording assets of community value?*
- *Can we promote more community involvement in our planning process. Community led Conservation Area Appraisals could include an element of recording land used by the community?*
- *Can we promote community run shops and use examples at Grindleford and Litton?*
- *Are there any community projects that have been prevented by policy?*
- *Whether there is scope for developer contributions to be invested in community facilities?*

DDDC Response

Social Enterprise / Community owned models definitely have an important role to play in retaining shops, pubs and other key rural services, the planning process should help facilitate this, including more dual use facilities, but a the network of support infrastructure and funding needs to be improved too with support from the LEPs (recent PDP Think Tank held on this precise issue following the Town Centres focus in 2020). Need to ensure that any inclusion of policy to support such initiatives is related to land use matters and implementation measures are explicit.

9. [Supporting Economic Development Topic Paper](#)

4.2.1 *Should new economic development also contribute to other plan aims, for example, adapting to and mitigating climate change?*

4.2.2 Should new economic development conserve traditional character and foster net gains in wildlife in order to conserve and enhance the National Park landscape?

DDDC Response

4.2.1 & 4.2.2 – there is a danger in placing an over-emphasis on the environment that could stifle economic recovery. Clearly contributing to the low carbon agenda is important and should be encouraged through plan making but the extent to which new development is required to contribute to mitigating climate change needs to be balanced with the stated objectives of a sustainable rural economy / rural communities and considered on a case by case basis. The National Park needs to be a living and working environment. Whole Local Plan viability needs to be taken into consideration and if policy requirements have a negative effect on viability their inclusion needs to be carefully assessed.

4.2.3 Should we support non-agriculture and tourism businesses if they conserve and enhance the special qualities of the National Park and provide more varied job opportunities?

DDDC Response

Yes. Existing policies (both PDNPA, Districts and LEP) recognise the importance of providing the conditions to enable high quality / sustainable employment opportunities within the National Park. Neither tourism nor agriculture provide these in any number. The importance and contribution of manufacturing, the largest employer in both Dales and High Peak also need to be recognised and facilitated by the plan.

4.2.4 Should non-agriculture and tourism businesses be directed to existing business sites, converted traditional farm buildings, and to space above existing commercial buildings, and be supported through home working, rather than developing new business parks?

DDDC Response

Wherever possible. Protecting the special character of the countryside which is a key economic driver is important but a rigid policy restricting any new development is counter-productive e.g. a new building on a farm to support the growth of an established advanced manufacturing or engineering business

4.2.5 Should we require all new business development to facilitate high speed broadband connections for their users?

DDDC Response

Wherever possible. Again, a mandatory requirement could make some good schemes unviable, especially in remoter areas, due to costs but a positive requirement within the policy unless clearly evidenced to be unviable should be included (facilitating is probably the right word). The PDNPA needs to give further thought to what pro-active policies it can consider to positively support improvements to high speed broadband infrastructure, land based and satellite, which is a priority locally and for Government.

The DDDC [Developer Contributions SPD](#) adopted in February 2020 may provide additional information regarding broadband provision and the extent that it can be applied to planning applications.

10. [Sustainable Transport and Infrastructure Topic Paper](#)

- 4.2.1 Road building** – Core Strategy Policy T2C sets out a strategic approach to road building in the National Park, which limits new roads to those which provide access to new development, or where there are exceptional circumstances. These exceptional circumstances are that there is no alternative to the scheme and that it fulfils a national need; is in the public interest; and that it delivers long term transport, environmental and economic benefit to the National Park. A similar approach is adopted for road schemes that fall outside of the Authority's planning control. The policy states that such schemes "will be strongly resisted except in exceptional circumstances". Policies DMT1 and DMT2 support this strategic approach, with DMT1 setting out the criteria for exceptional circumstances.
- Is this the correct approach?*

DDDC Comment

This continues to be an approach supported by DDDC.

- 4.2.2 Travel Plans** – Core Strategy Policy T2F seeks the use of travel plans to ensure sustainable access to new developments. This approach ensures that developers consider access to their sites by means other than the private car and provide appropriate facilities.
- Should this approach be carried forward into the new plan?*

DDDC comment.

In terms of climate change mitigation this continues to be a supported approach.

- 4.2.3 Design of transport Infrastructure** – Core Strategy Policy T3 and Development Management Policy DMT3 seek to influence the design of transport infrastructure in the National Park. The Peak District National Park Transport Design Guide Supplementary Planning Document (2019) supports this approach. Should the approach where all transport development in the National Park has regard to both setting and the special qualities of the National Park be continued within the new Local Plan?

DDDC Response

DDDC support this approach.

- 4.2.4 Freight Transport** – Core Strategy Policy T4 seeks to ensure that freight facilities within the National Park serve businesses within the National Park and that they are located on the A and B road network. The policy also supports development to enable the transfer of road freight to rail. We believe that this approach strikes a balance between the requirement for

*freight facilities and the movement of freight, and the impact of such facilities on the National Park.
Is this approach is still appropriate?*

DDDC Response

DDDC support this approach.

4.2.5 Rail – *Core Strategy Policy T5A safeguards land tunnels and bridges for the potential reinstatement of the former Woodhead and Matlock to Buxton Railways, whilst Policy T5B seeks to ensure the continuation of the Monsal and Trans Pennine Trails in the event of reinstatement.*

Is this still the right approach, given the proven importance of the use of these former railways as recreational multi-user trails and some of the most popular cyclist destinations in the Park?

DDDC Response:

The reinstatement of the train line between Matlock and Buxton was debated on the 18th March 2021 Council [Agenda item 17](#) the proposals by the Peaks and Dales Railway – Manchester and East Midlands Rail Action Partnership. It is recorded in the [minutes](#) 1803021 that the views of Derbyshire County Council and the Peak District National Park Authority be noted and endorsed.

At Council on the 18th March it was noted that:

The Peak District National Park Authority does not support the current Peak and Dales Railway proposals. Whilst it is totally committed to a low-carbon and sustainable future for the National Park, it does not accept that the reinstatement of the railway on the route of the Monsal Trail is part of the solution. Other than Bakewell, the former line does not directly serve any communities in the National Park. The National Park Authority is unconvinced that it is possible to retain the Monsal Trail or an equally convenient alternative route if the railway reinstatement takes place. It does not consider that the “re-provisioning” would provide an acceptable alternative.

Similar concerns are set out by Derbyshire County Council. It emphasises the importance of the Monsal Trail and the prominence, within its forward plans, of extending this and completing the White Peak Loop (of which the Monsal Trail is a vital component). Given the nature of the line, the County Council can see no way in which a Trail, open to all users, can co-exist with any form of rail operation along the whole of this route, particularly through its tunnels or over its viaducts and bridges. It does not believe that there is any alternative to the use of these tunnels and bridges, given the geography and terrain. Derbyshire County Council is strongly opposed to the current Peak and Dales Railway proposals.

4.2.6 Parking – *Core Strategy Policies T7B and T7C take a restrictive approach to the provision of additional parking, based on maximum standards aimed at promoting sustainable transport over the private car. Policies DMT6, DMT7 and DMT8 of the Development Management Policies Document (DMPD), combined with the Peak District National Park Parking Standards take a less restrictive approach in line with the NPPF. We believe that the*

*approach set out in the DMPD is more pragmatic and offers greater flexibility than the Core Strategy.
Is the more flexible approach to parking as contained within the Development Management Policies correct?*

DDDC Response

The greater flexibility in line with the NPPF will allow new developments to accommodate the necessary parking and therefore possibly reducing the impact on existing settlements.

4.2.7 Air Transport – *Policy DMT8 sets out our approach to air transport and in particular take-off and landing sites. This includes the control of sites from which drones may be flown. Drones may offer better options for parcel delivery and vegetation monitoring in the near future. Do we need to revise our approach to drones? If so, should this include the designation of no-fly zones or scientific research zones?*

DDDC Response

Prior to including policies regarding no-fly zones it would be necessary to establish what the impact of drones on wildlife and communities is. If this evidence suggests that there are land use implications then planning policy will flow from the evidence. There needs to be certainty that this can be included as a land use policy and may be governed by alternative legislation.

4.2.8 Air Quality – *The current transport policies encourage sustainable transport, but do not specifically refer to air quality or transport related airborne pollution. Is this an area that should be considered for inclusion within the new Local Plan?*

DDDC Response

DDDC would be supportive of any inclusion of air quality policies as a means to respond to the climate change crisis. Such policies would need to ensure that new development does not have an adverse impact on air quality, in terms of its location, construction and operation.

12. [Utilities Topic Paper](#)

Water Supply

4.2.1 *The Peak District National Park Local Plan (2001) made it clear in Policy LU2A that “New Reservoirs will not be permitted”. The equivalent policy DMU2 within the Development Management Policies does not specifically refer to reservoirs. The predicted growth in population in the National Park’s surrounding urban areas is likely to increase demand on water supplies. Similarly, the recent dry spell of spring 2018 through to winter 2018/19 demonstrated the susceptibility of the water supply to prolonged drought. Such extremes of weather are predicted to increase in frequency as a result of climate change, possibly leading to demand for new water collection and storage facilities within or on the edge of the National Park.*

4.2.2 Constituent Water Resources Management Plans indicate an overall resilience in water supply in the medium to long term.

- Should the policy position be updated in relation to reservoirs within the National Park?*
- If so, should the approach be to refuse them outright or to safeguard areas where reservoirs might be required in the future?*
- Should policies focus more on homes and businesses collecting rainwater, reusing water and reducing use?*

DDDC Response

The demand on water supplies in combination with more extreme weather events as a consequence of climate change mean that there may be the need for more reservoirs in the future. Reservoirs can take many forms and are not always open air bodies of water, for example they may be small scale and constructed to meet the needs of a specific farm or business. The policy response should be evidence based following discussion with relative utility providers to ensure that strategic approach is taken. The location of reservoirs should be considered in a more strategic manner across the region and therefore it may be short-sighted to set out that there will be no reservoirs in the National Park. DDDC would encourage a more flexible approach to policy in the National Park to allow for regional issues to be taken into account.

DDDC welcomes any approach to support households and businesses to retrofit or initially install greywater systems, however such policies are not always relevant to the Local Plan as they do not require the benefit of planning permission unless a heritage asset.

Telecommunications and broadband infrastructure

4.2.3 The Covid-19 pandemic has highlighted the increasing importance of telecommunications and broadband connectivity. Changes to the General Permitted Development Order have loosened planning control over telecommunications infrastructure. Further proposed changes in support of rollout of the 5G network are likely to remove some additional control.

- Is the current criteria-based approach to permitting the development of telecommunications infrastructure still needed?*
- Should the Authority focus on influencing design, mast sharing etc. rather than the specific locations chosen?*

DDDC response

The Local Plan policy response should be evidence based following discussion with relative utility providers to ensure that a strategic approach is taken. DDDC welcome the ongoing development of telecommunications and broadband infrastructure in that it supports the local economy and the sustainability, health and well-being of communities.

Renewable Energy

4.2.4 Renewable energy is currently limited to small-scale schemes.

- Should the Authority identify areas where larger scale schemes might be acceptable?*
- Should the policy be widened to include larger scale solar power?*

(These issues are examined more fully in the Topic Paper 'Climate Change and Sustainable Buildings'.)

DDDC Response

DDDC welcome discussion regarding the location of larger scale renewable energy schemes, in particular with regard to landscape impact. It is understood that the County Council is in the process of commissioning consultants to assess the potential capacity for renewable energy across the County, including the National Park. The results of this should be taken into account in determining the relevant policy approach in the National Park Local Plan.

Future Demand for Energy

4.2.5 The future demand for energy is changing.

- Does the Local Plan need utility policies to take account of the moves towards electric and hydrogen vehicles?*
- As we move towards net-zero, there will need to be a move away from gas and oil powered heating towards electricity. Does the current supply allow for this expansion in use?*
- Do our current utility policies offer sufficient scope in relation to widening the electrical grid?*
- Do our current utility policies offer sufficient scope in relation to renewable electricity generation for remote areas, off-grid or with reduced capacity?*

DDDC Response

DDDC supports infrastructure development that is necessary for the roll out of electric vehicles and small scale individual renewable electricity generation installations. The Local Plan policy response should be evidence based following discussion with relative utility providers to ensure that a strategic approach is taken.

Community and Environment Committee

17 November 2021

Report of the Director of Regulatory Services

PUBLIC HEALTH ACT 1936 – SCHEME OF DELEGATION

PURPOSE OF REPORT

This report informs Members of an oversight in the Council's scheme of delegation in relation to section 83 of the Public Health Act 1936 (As Amended) and recommends a scheme of delegation to correct that oversight.

RECOMMENDATION

1. That the scheme of delegation detailed at paragraph 2.1 of this report is approved.

WARDS AFFECTED

All

STRATEGIC LINK

Effectively dealing with issues caused by 'filthy and verminous' premises links directly to the District Council's priority to maintain a clean and safe district and to the Corporate Enforcement Policy. Assisting residents through that process links to the priority to support better homes.

1 BACKGROUND

- 1.1 Part 3 of the Council's Constitution sets out a very detailed description of the statutory functions that officers of the Council are authorised to undertake on its behalf. Whilst this list is amended and updated regularly, it is difficult to maintain and errors and omissions are occasionally found. In these circumstances officers have to seek urgent authority from the Chair of the relevant Committee in order to complete the task at hand.
- 1.2 Such a situation arose in relation to the 'filthy and verminous' provisions of the Public Health Act 1936, whereby although the Constitution contained delegations for officers to act under sections 84 and 85 of the Act, which deal with filthy and verminous articles and verminous persons, it did not delegate powers under section 83 of the Act, which deals with filthy and verminous premises. In addition the powers of entry contained in the Constitution under the 1936 Act referred only to matters of drainage and to Building Regulations, and not to the Act as a whole.
- 1.3 In the situation mentioned above, the Chair of this Committee agreed to the delegation of powers under section 83 and to the amendment of the powers of entry, such that a warrant could be sought and the premises cleaned. In the event the action was undertaken with the consent and co-operation of the occupier and formal enforcement action was not required. However, it is now appropriate to recommend an ongoing amendment to the Constitution through this report.

2 REPORT

- 2.1 In order that officers can undertake their duties under the Public Health Act 1936 (as amended) effectively and efficiently it is recommended that the Council's Scheme of Delegation is amended as follows:

Subject	Act	Functions Delegated	Officer
Public Health – Filthy and Verminous Premises	Public Health Act 1936 (as amended) – section 83	Authority to appoint a proper officer	Chief Executive/Director of Corporate and Customer Services/ Director of Regulatory Services
		To exercise the powers under section 83 of the Act (as amended)	Director of Regulatory Services/Environmental Health Manager/ all Environmental Health Officers and Environmental Health Technicians
		Power to enter premises	Director of Regulatory Services/Environmental Health Manager/ all Environmental Health Officers and Environmental Health Technicians

- 2.2 Enforcement action will only be taken in accordance with the Council's Corporate Enforcement Policy and this means that officers will take a phased approach in general. Officers working in the Environmental Health Public Health Team will take the lead role in investigating complaints and instigating any action under these provisions.

3 RISK ASSESSMENT

3.1 Legal

This report provides the required delegations needed by officers to undertake their role in addressing filthy and verminous premises. The legal risk is therefore low.

3.2 Financial

The costs of the officers to whom the delegations will be given are included within the existing revenue budget. Therefore, there are no financial risks arising from this report.

4 OTHER CONSIDERATIONS

- 4.1 In preparing this report, the relevance of the following factors has also been considered: prevention of crime and disorder, equalities, environmental, climate change, health, human rights, personnel and property.
- 4.2 The approved Climate Change Impact Assessment Tool has been completed for this report and is reproduced below. This identifies that this particular function of the Council is unlikely to have a significant positive or negative impact on climate change.

5 CONTACT INFORMATION

- 5.1 Tim Braund, Director of Regulatory Services, Tel: 01629 761118, Email: tim.braund@derbyshiredales.gov.uk

Amanda Goodwill, Environmental Health Manager, Tel: 01629 761316, Email: amanda.goodwill@derbyshiredales.gov.uk

6 BACKGROUND PAPER

- 6.1 None

7 ATTACHMENTS

- 7.1 None

Community and Environment Committee

17 November 2021

Report of the Director of Regulatory Services

AIR QUALITY MANAGEMENT AREA, ASHBOURNE – UPDATING REPORT

PURPOSE OF REPORT

This report updates Members on the actions taken following the declaration of an Air Quality Management Area in Ashbourne at the meeting of this Committee on 7 April 2021.

RECOMMENDATION

1. That members note the actions taken in progressing the action plan process

WARDS AFFECTED

Ashbourne North

STRATEGIC LINK

Protecting and improving air quality supports the District Council's priority of Place and directly addresses the Corporate Plan indicator CP20/PL14 to carry out a Detailed Assessment and progress to an Air Quality Management Area and Action Plan as necessary.

1 BACKGROUND

- 1.1 At the meeting of the Community and Environment Committee held on 7 April 2021 it was resolved to declare an Air Quality Management Area (AQMA) in respect of the following area:
 - Buxton Road from the junction with Windmill Lane and North Avenue, to the junction with St John's Street;
 - St John's Street from number 22 St John's Street to the junction with Cokayne Avenue and Park Road.
- 1.2 The AQMA was declared in relation to exceedances of the annual average air quality objective for nitrogen dioxide ($40\mu\text{g m}^{-3}$) and the area was defined to include all areas in which levels of nitrogen dioxide came within 10% of the air quality objective (ie that

were likely to exceed $36\mu\text{gm}^{-3}$). The AQMA is formally known as the Derbyshire Dales District Council Air Quality Management Area (No 2; NO_2) Order 2021 and came into effect on 5 May 2021.

- 1.3 At the 7 April 2021 meeting it was agreed that quarterly updating reports would be submitted to further meetings of this Committee. A first update was provided at the meeting of this Committee on 23 June 2021. This report is the second update.

2 REPORT

- 2.1 Following the meeting on 7 April 2021, Officers contacted Derbyshire County Council's Transport team and began the process of progressing an action plan. This conversation had been ongoing for some time, as liaison had been necessary to obtain the traffic figures necessary to undertake the Detailed Assessment. However, it was agreed that it would now be appropriate to hold an Action Plan inception meeting. This meeting was held on 13 May 2021 and it was agreed that the team would follow the model used for the creation of other AQMA Action Plans in Derbyshire, that is that a long list of all possible options would be devised and that this would then be evaluated to determine which of these options might be suitable for Ashbourne. It was also agreed that representatives from Ashbourne Town Council and Ashbourne Town Team would be involved in the Action Plan process. A series of meetings would be needed in order to produce the final approved Action Plan and to monitor the actions agreed as part of the Plan.
- 2.2 In order to manage the Action Plan process, officers have set up a simple action log to record progress. This action log is a live document and will become of more use as the Action Plan process develops. However, it is reproduced below in order to provide Committee with an update at this stage:

Number	Date	Action
001	05/05/21	AQMA formally declared
002	12/05/21	AQMA accepted by DEFRA
003	TBC	AQMA uploaded to DEFRA website – problems with DEFRA website have prevented immediate uploading
004	13/05/21	Inception meeting with DCC Highways – agreed to creation of long list for action plan, involvement of interested parties and allocated staff resources
005	19/05/21	Publication of DDDC webpage – https://www.derbyshiredales.gov.uk/environment-and-waste/pollution-noise/air-pollution/air-quality-management-areas/buxton-road-ashbourne
006	25/05/21	Contact made with Ashbourne Town Council and Ashbourne Town Team
007	25/05/21	Date agreed for creating long list.
008	18/06/21	Proposed date for action plan working group to discuss long list
009	18/06/21	Meeting with DCC, ATC and ATT. Discussion of general principles. Agreement of approach to be taken – long list to short list to implementation
010	06/07/21	Email from Buxton Road residents requesting involvement
011	26/07/21	Email from Buxton Road residents with suggestions for actions

012	27/07/21	Email to DCC requesting update and forwarding Buxton Road residents information for DCC to assess
013	27/07/21	Response from DCC – long list not yet ready, general ideas mooted. September suggested for working group meeting
014	29/07/21	Contact from ATT update on current status as requested
015	02/09/21	Email to DCC to look to set up a further stakeholder meeting
016	02/09/21	Reply from DCC suggesting an internal catch up meeting after 9 th September when they were having an internal workshop re: Ashbourne.
017	02/09/21	Reply sent offering dates.
018	02/09/21	Interagency meeting agreed for 16/09/21
019	16/09/21	Meeting undertaken with DCC and proposed wider meeting for end of October.
020	22/09/21	Email to DCC for dates for stakeholder meeting
021	22/09/21	Email to stakeholders with proposed dates for next meeting
022	20/10/21	Email to DCC to request the long and short lists to send out prior to the next Stakeholder meeting - reply back advising it is not yet available, due to not having sign off by senior managers
023	27/10/21	Chasing email to DCC officers for the lists. Still not available as it is going through the governance process at DCC. DCC to update us.
024	28/10/21	Further email to DCC as no update
025	01/11/21	Email DCC for an update. Response is that the lists can't yet be released as governance process not complete. Meeting to go ahead for update
026	02/11/21	Stakeholder meeting with DCC, Ashbourne Town Council representative and Ashbourne Town Team representative. Verbal update on lists expected before Committee meeting
027	17/11/21	Second update to C&E Committee

2.3 Whilst the timespan between meetings of the stakeholder group has been longer than originally hoped, it should be noted that Derbyshire County Council required this time to clarify proposals, plan for both the long list of measures and the proposed shortlist, and to progress these through their governance procedures.

2.4 A verbal update will be given on actions taken after the publication of this report.

3 RISK ASSESSMENT

3.1 Legal

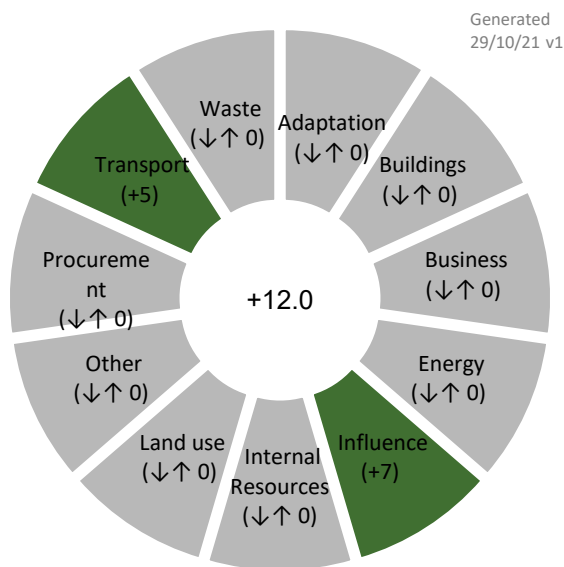
This report is updating members on the progress for officers on implementing the Air Quality Management Plan as per its statutory obligations, therefore the legal risk is low.

3.2 Financial

The costs of monitoring air quality can be accommodated from the existing budgets. The financial risk is, therefore, assessed as low.

4 OTHER CONSIDERATIONS

- 4.1 In preparing this report, the relevance of the following factors has also been considered: prevention of crime and disorder, equalities, environmental, climate change, health, human rights, personnel and property.
- 4.2 The approved Climate Change Impact Assessment Tool has been completed for this report and is reproduced below. This identifies that the AQMA action plan has the potential to decrease emissions from vehicles travelling through the area. However, since the action is aimed at reducing emissions in one particular area it may not result in an overall reduction in vehicle use, so much as a shift to other routes. However, it is suggested that progressing and publicising this work could result in raising awareness around the impacts of travel on emissions that impact on climate change.



DDDC has committed to being a carbon neutral organisation by 2030 (8 years and 2 months away).

5 CONTACT INFORMATION

5.1 Tim Braund, Director of Regulatory Services, Tel: 01629 761118, Email: tim.braund@derbyshiredales.gov.uk

Amanda Goodwill, Environmental Health Manager, Tel: 01629 761316, Email: amanda.goodwill@derbyshiredales.gov.uk

Karen Carpenter, Environmental Health Officer, Tel: 01629 761227, Email: karen.carpenter@derbyshiredales.gov.uk

6 BACKGROUND PAPER

6.1 None

7 ATTACHMENTS

7.1 None

Community and Environment Committee

17 November 2021

Report of the Director of Regulatory Services

PROCEDURE ON THE ENFORCEMENT OF ENERGY PERFORMANCE OF BUILDINGS (ENGLAND AND WALES) REGULATIONS 2012 AND THE ENERGY EFFICIENCY (PRIVATE RENTED PROPERTY) (ENGLAND AND WALES) REGULATIONS 2015 (AS AMENDED).

PURPOSE OF REPORT

This report proposes the adoption of a procedure that sets out the District Council's approach to the operation of the Energy Performance of Buildings (England and Wales) Regulations 2012 and the Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015 (as amended). The procedure explains how the Council will work in relation to the requirements of the Regulations and links with the Corporate Enforcement Policy to explain the circumstances in which formal action will be taken to ensure compliance with the Regulations.

RECOMMENDATION

1. That the procedure attached as Appendix 1 to this report be approved and adopted.

WARDS AFFECTED

All

STRATEGIC LINK

The purpose of the procedure is to achieve more effective and efficient enforcement of standards in the private rented sector, in particular the energy performance of buildings. This links directly with the District Council's priority to maintain a clean and safe district and the District Council's Corporate Enforcement Policy. This also links with the District Council's work on climate change and the pledge to reduce carbon emissions.

1 BACKGROUND

- 1.1 Across Derbyshire the private rented sector has grown, but consistently has some of the poorest quality housing with tenants having to live with cold and avoidably hard to heat homes. The Derbyshire districts and boroughs, as housing authorities, are all seeking to improve standards and consistently the ability to heat a home is the biggest source of complaint. The Energy Performance Certificate (EPC), introduced by the Energy Performance of Buildings (England and Wales) Regulations 2012, is a tool which should be

used by tenants to inform their decision about the cost of keeping the home warm. The EPC should be informing prospective tenants when looking at their housing options.

- 1.2** The cost of an EPC is less than £100 but failing to be able to produce an EPC or to let out a sub-standard property can have serious consequences for landlords as well as tenants.
- 1.3** The Government has since introduced regulations to increase the energy efficiency of homes; The Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015 as amended. The Regulations create a new minimum standard and makes it an offence to let out a property that does not reach the minimum EPC rating of E, thus making it an offence to rent out a property rated as F and or G for new tenancies from 1st April 2018 (subject to specified exemptions e.g. listed buildings). This falls within the enforcement remit of the housing authorities and officers have begun to contact the owners of the lowest rated properties.

2 REPORT

- 2.1** In August 2020 this Committee approved a scheme of delegation to enable officers to undertake their duties to help to improve energy efficiency standards in private rented domestic properties. Since then work has continued to progress action on this matter and in order to make the process as transparent as possible officers have developed a procedure that sets out the requirements and the actions that will be taken by the Council, so that landlords and tenants can be clear about their responsibilities.
- 2.2** The draft Procedure is attached as Appendix 1 to this report and is recommended for approval and adoption. If approved, the Procedure will be added to the Council's website and publicised to all landlords and tenants contacted as part of the ongoing programme of work to improve energy efficiency standards in the private rented housing sector.

3 RISK ASSESSMENT

3.1 Legal

The procedure as detailed at Appendix 1 gives clear guidance to Offices and landlords of the steps and penalties the Council will take in enforcing the regulations. The legal risk is therefore low.

3.2 Financial

Costs can be met from existing budgets. Any income will be credited to the revenue account. Therefore, the financial risk is assessed as low.

4 OTHER CONSIDERATIONS

- 4.1** In preparing this report, the relevance of the following factors has also been considered: prevention of crime and disorder, equalities, environmental, climate change, health, human rights, personnel and property.

4.2 The approved Climate Change Impact Assessment Tool has been completed for this report and is reproduced below. This identifies that the work undertaken to improve the energy efficiency of private rented housing is likely to have a positive impact on carbon emissions. Publicising this work is also likely to have a positive impact on the behaviour of others, leading to further reductions in carbon emissions.

5 CONTACT INFORMATION

5.1 Tim Braund, Director of Regulatory Services, Tel: 01629 761118, Email: tim.braund@derbyshiredales.gov.uk

Amanda Goodwill, Environmental Health Manager, Tel: 01629 761316, Email: amanda.goodwill@derbyshiredales.gov.uk

6 BACKGROUND PAPER

6.1 None

7 ATTACHMENTS

7.1 Appendix 1 – draft procedure



NOT CONFIDENTIAL – For Public Release

Agenda Item

COMMUNITY AND ENVIRONMENT COMMITTEE

21th April 2020

Author: Laura Salmon, Environmental Health Officer

Procedure on the Enforcement of Energy Performance of Buildings (England and Wales) Regulations 2012 and the Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015 (as amended).

Energy Performance of Buildings (England and Wales) Regulations 2012

With the introduction of minimum energy efficiency performance standards in the private rented sector the Council has collaborated with Derbyshire County Council to arrange for the delegation of enforcement powers.

Under Derbyshire County Council's revised Constitution, their duty (as a local weights and measures authority) to enforce the Energy Performance of Buildings (England and Wales) Regulations 2012 (as amended) has been delegated to Districts and Boroughs within Derbyshire; including Derbyshire Dales District Council. This delegation was confirmed by the County Council's Director of Community Services on 26 July 2019.

The scope of the delegation is limited to domestic private rented property (as defined by s42 of the Energy Act 2011). The aim of this is to mirror our obligations as a local authority under the Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015 (as amended).

Derbyshire Dales District Council has approved the delegated arrangements set out above. And have approved the financial penalties set out in the table below:

Regulation	Requirement	Penalty for breach
6(2) and 6(5)	The EPC is made available free of charge to any prospective tenant, and given to the eventual tenant.	£200 (dwelling)
7(2)	The relevant person must ensure that an EPC is commissioned before marketing the building for rent.	£200 (dwelling)
7(3)	A person acting on behalf of the relevant person must satisfy themselves that an EPC has been commissioned before marketing on their behalf.	£200 (dwelling)

7(4) and 7(5)	The relevant person and the person acting on their behalf must use all reasonable efforts to ensure that the EPC is obtained within 7 days of the start of marketing. The EPC must be obtained within the period of 21 days following the expiry of the 7 day period mentioned in 7(4).	£200 (dwelling)
---------------	---	-----------------

Defence

The Council will consider any defences that are allowed within regulation 37, which sets out the circumstances in which a person shall not be liable to a penalty charge for not making an EPC available to a prospective tenant. These include where a person is able to demonstrate that they have made all reasonable efforts to obtain an EPC since becoming subject to the duty, and where the prospective tenant required urgent relocation and an EPC was given as soon as reasonably practicable thereafter.

Reviews

Regulation 39 sets out an enforcement authority's obligations regarding the conduct of reviews of the issuing of penalty charge notices. These include considering any representations made by the recipient of the penalty charge notice and deciding whether to confirm or withdraw the penalty charge notice. It also sets out the circumstances in which the authority shall withdraw the penalty charge notice.

Appeals

If the recipient of the penalty charge notice is dissatisfied with the confirmation of the notice after the review, they may appeal to a county court on any of the grounds specified in regulation 40.

Minimum Energy Efficiency Requirements in the Private Rented Sector

The Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015 (as amended) are designed to tackle the least energy efficient properties in England and Wales – those rated F or G on their Energy Performance Certificate (EPC). The Regulations establish a minimum standard for both domestic and non-domestic privately rented property, effecting new tenancies from 1 April 2018 and existing tenancies from April 2020.

Officers are authorised to check for different forms of non-compliance with the Regulations including:

- From 1 April 2018 whether the property is sub-standard and let in breach of Regulation 27 (which may include continuing to let the property after 1 April 2020),
- Where the landlord has registered any false or misleading information on the government's "National PRS Exemptions Register", or has failed to comply with a compliance notice.

Government Guidance

The Department for Business Energy and Industrial Strategy have produced guidance published in 2017 and updated in June 2018;

[Guidance for landlords and Local Authorities on the minimum level of energy efficiency required to let domestic property under the Energy Efficiency \(Private Rented Property\) \(England and Wales\) Regulations 2015](#)

In accordance with Regulation 33 and 34 local authorities are responsible for enforcing the minimum level of energy efficiency within their area. The purpose of this procedure is to describe how officers of Derbyshire Dales District Council will enforce the Regulations.

Scope of the procedure

1. In the first instance The Council will inform landlords who rent properties with an EPC of F or G that they do not meet the minimum energy efficiency standard. The Council will offer help and advice on how the standards can be met and request landlords to register an exemption if appropriate.

Landlords will be given an appropriate time to make the necessary changes but will be warned that if they continue to be in breach after the time given, an investigation will follow and enforcement action will be considered

The Council may in circumstances where a landlord has a history of not complying with housing related regulatory requirements, decide to take formal action without giving an informal opportunity for the landlord to comply.

2. The Council has the discretion to serve compliance notices to request information from the landlord that will help them to decide whether there has been a breach. Authorised Officers will serve compliance notices where the additional information is required. The Council will consider serving penalty notices where a landlord fails to comply with the compliance notice.
3. The Council will check the National PRS Exemptions Register and if it believes a landlord has registered false or misleading information it will consider serving a financial and publication penalty.
4. If offences under these regulations are committed the Council will, where appropriate, serve a penalty notice. This procedure provides guidance for Officers on how to determine the appropriate penalty.
5. Under regulation 39 the local authority may publish some details of the landlord's breach on a publicly accessible part of the PRS Exemptions Register. Derbyshire Dales District Council will place the information on the register at the appropriate time, for a minimum of 12 months.

6. The landlord has the right to ask for a penalty notice to be reviewed under Regulation 42. Any request for review must be submitted to the Council within one calendar month of the penalty notice being served. Requests for review after the prescribed time will be considered at the Council's discretion.

Under the above legislation each enforcement authority must set its financial penalty policy. As set out in the regulations the **maximum** penalties are as follows:

Regulation	Breach	Penalty for breach	Publication penalty notice period
40 (2)	Where the landlord has let a sub-standard property in breach of the Regulation 23 for a period of less than 3 months	£2000	none
40 (3)	Where the landlord has let a sub-standard property in breach of the Regulation 23 for 3 months or more	£4000	2 years
40 (4)	Where the landlord has registered false or misleading information on the PRS exemptions register under regulation 36(2)	£1000	1 year
40 (5)	Where the landlord has failed to comply with a compliance notice in breach of regulation 37(4)(a)	£2000	1 year

Derbyshire Dales District Council has adopted the maximum penalties shown in the table above, with the provision to offer a 50% discount if the total amount of fine is paid within 14 days.

Notes to accompany the procedure

Landlords should refer to Government guidance designed for landlords on compliance with these regulations: <https://www.gov.uk/guidance/domestic-private-rented-property-minimum-energy-efficiency-standard-landlord-guidance>

A local authority may not impose a financial penalty under both regulation 40 (2) and 40 (3) above in relation to the same breach of the regulations, but they may impose a financial penalty under either regulation 40 (2) or 40 (3), together with financial penalties under regulation 40(4) and 40 (5), in relation to the same breach. Where penalties are imposed under more than one of these regulations, the total amount of the financial penalty may not be more than £5,000.

It is important to note that this maximum amount of £5,000 applies per property, and per breach of the regulations. This means that the local enforcement authority may levy financial penalties up to £5,000 every time a landlord unlawfully lets the same substandard property on a new tenancy.

Publication Penalty

A publication penalty means that the enforcement authority will publish some details of the landlord's breach on a publicly accessible part of the PRS Exemptions Register. The enforcement authority can decide how long to leave the information on the register, but it will be available for the public to view for at least twelve months.

The information that the enforcement authority may publish is:

- The landlord's name (except where the landlord is an individual)
- Details of the breach
- The address of the property in relation to which the breach occurred, and
- The amount of any financial penalty imposed.

The enforcement authority may decide how much of this information to publish. Information must not be published on the PRS Exemptions Register while the penalty notice could be or is being reviewed by the local authority, or is subject to an appeal to the First-tier Tribunal.

Circumstances in which a penalty notice may be served

From 1 April 2018, the enforcement authority may serve a penalty notice (relating to a financial penalty, a publication penalty or both) on the landlord where they are satisfied that the landlord is, or has been in the last eighteen months:

- In breach of the prohibition on letting sub-standard property (which may include continuing to let the property after 1 April 2020) or
- In breach of the requirement to comply with a compliance notice or
- Guilty of uploading false or misleading information to the Exemptions Register.

An enforcement authority may serve a penalty notice on a landlord up to eighteen months after the suspected breach. A person may be served with a penalty notice after they have ceased to be the landlord of a property.

Requirements for a penalty notice

The penalty notice may include a financial penalty, a publication penalty or both. The penalty notice must:

- Explain which of the provisions of the regulations the enforcement authority believes the landlord has breached,
- Give details of the breach,
- Tell the landlord whether they must take any action to remedy the breach and, if so, the date within which this action must be taken (the date must be at least a month after the penalty notice is issued),
- Explain whether a financial penalty is imposed and if so, how much and, where applicable, how it has been calculated,
- Explain whether a publication penalty has been imposed,
- Where a financial penalty is imposed, tell the landlord the date by which payment must be made, the name and address of the person to whom it must be paid and the method of payment (the date must be at least a month after the penalty notice is issued),
- Explain the review and appeals processes, including the name and address of the person to whom a review request must be sent, and the date by which the request must be sent and,
- Explain that if the landlord does not pay any financial penalty within the specified period, the enforcement authority may bring court proceedings to recover the money from the landlord.

A further penalty notice may be issued if the action required in the penalty notice is not taken in the time specified.

When an enforcement authority issues a penalty notice which carries a right of appeal, they must tell the landlord about that right of appeal. A landlord has 28 calendar days to submit an appeal from the date of the local authority's decision. The suggested wording is:

'You have a right of appeal against this decision to the General Regulatory Chamber (GRC) of the First-tier Tribunal. If you wish to appeal you should do so within 28 days of the date of this letter by writing to PO Box 9300 Leicester LE1 8DJ, grc@justice.gov.uk, 0300 1234504.'

Circumstances in which a penalty notice may be reviewed or withdrawn

An enforcement authority may decide to review its decision to serve a penalty notice, for example, when new information comes to light.

A landlord also has the right to ask the enforcement authority to review its decision to serve a penalty notice. This request must be made in writing. The penalty notice

must tell the landlord how long they have to make this request, and to whom it must be sent. When the enforcement authority receives the request, they must consider everything the landlord has said in the request and decide whether or not to withdraw the penalty notice.

The enforcement authority must withdraw the penalty notice if:

- They are satisfied that the landlord has not committed the breach set out in the penalty notice,
- Although they still believe the landlord committed the breach, they are satisfied that the landlord took all reasonable steps and exercised all due diligence to avoid committing the breach, or,
- They decide that because of the circumstances of the landlord's case, it was not appropriate for the penalty notice to be served.

If the enforcement authority does not decide to withdraw the penalty notice, it might decide to waive or reduce the penalty, allow the landlord additional time to pay, or modify the publication penalty, and must explain the appeals process and how financial penalties can be recovered.

Whatever they decide, the enforcement authority must inform the landlord of their decision in writing and should do so at the earliest opportunity.

Recovery of Financial Penalties

If a landlord does not pay a financial penalty imposed on them, the enforcement authority may take the landlord to court to recover the money. In proceedings for the recovery of a financial penalty, a certificate signed by or on behalf of the person with responsibility for the financial affairs of the enforcement authority, stating that payment of the financial penalty was or was not received by a given date will be accepted as evidence of the landlord's non-compliance with the penalty notice.

Note however that the enforcement authority may not take the landlord to court to recover the money:

- a. During the period in which the landlord could ask the enforcement authority to review their decision to serve the penalty notice, or while they are reviewing their decision to serve the penalty notice, or
- b. During the period in which the landlord could appeal to the First-tier Tribunal, or while there is an ongoing appeal to the First-tier Tribunal.

Appeals to the First-tier Tribunal (General Regulatory Chamber)

Where a landlord asks the enforcement authority to review a decision to serve a penalty notice, and on review, they decide to uphold the penalty notice, the landlord may then appeal to the First-tier Tribunal against that decision if they think that:

- The penalty notice was based on an error of fact or an error of law,

- The penalty notice does not comply with a requirement imposed by the regulations, or,
- It was inappropriate to serve a penalty notice on them in the particular circumstances.

If a landlord does appeal, the penalty notice will not have effect while the appeal is ongoing.

The First-tier Tribunal may decide to quash, confirm or modify the penalty notice. If the penalty notice is quashed, the enforcement authority must reimburse the landlord for any financial penalty already paid under the notice.

COMMUNITY AND ENVIRONMENT COMMITTEE
17th NOVEMBER 2021

Report of the Director of Housing

HURST FARM REGENERATION PROJECT

PURPOSE OF REPORT

This report sets out the process to date and the progress made on delivering the Hurst Farm Regeneration Vision since it was launched in November 2019. The report also asks the committee to approve and adopt the Hurst Farm Woodland Management Plan, which has been created as part of the development work undertaken since September 2017.

This report will provide an update on the Hurst Farm Vision, which is part of the Hurst Farm Regeneration Project, and outline progress made on its key anchor projects:

1. Hurst Farm Vision;
2. Social Club Improvements;
3. Community Pantry – Social Farm Shop;
4. Spider Park Improvements;
5. Community Business Development Manager Post;
6. Heritage Trail Project;
7. Approval of Woodland Management Plan.

RECOMMENDATION

1. Members to note the progress of the Regeneration project.
2. Members to approve and adopt the Hurst Farm Woodland Management Plan.
3. That Council be requested to approve the sum of £251,000 for Improvements at Hurst Farm Social Club (to be financed by grant) for inclusion in the capital programme for 2021/22.

WARDS AFFECTED

Matlock St Giles

STRATEGIC LINK

Estate regeneration can be an effective way of improving the wider environment of the estate, tackling poor housing conditions and supporting vulnerable people in their housing choices, as well as, supporting aspirations by developing skills and opportunities for the community through economic development fostering long term self-sufficiency, sustainability and resilience. The Hurst Farm vision and partnership also provides the opportunity to bring in additional grant funding, encourages different council departments to work together to add value and develop an inspirational project.

1 SUMMARY

- 1.1 Committee previously received two reports concerning the Government's Estate Regeneration programme. On 16th March 2017 members were asked to note the District Council's submission of a Capacity Building Fund bid to the Department for Communities and Local Government (DCLG). Following this report the District Council was successful, with funding awarded for the Hurst Farm Estate.
- 1.2 Committee received a second report concerning the progress of the Government's Estate Regeneration programme on the 11th January 2018 asking Members to note the work undertaken since the Estate Regeneration Manager started in post on the 4th September 2017.
- 1.3 This report provides a further update for Members describing the progress made since the last report in developing a regeneration vision. This report will describe key projects, the grant funding being sought and how we are supporting the community through development of social enterprises.
- 1.4 This report focuses on the three anchor projects, the Hurst Farm Social Club, Spider Park Pocket Park and Heritage Project. This includes detail of a woodland management plan for the woodland surrounding Hurst Farm that we ask the committee to approve and adopt. As well as, details of the £251,000 government Regeneration Funding received from the Department for Levelling Up, Housing and Communities (DLUHC), which we ask committee to approve and include in the capital work programme.

2 PROJECT HISTORY

- 2.1 In 2016 the then Department for Communities and Local Government (DCLG), now Department Levelling Up, Housing and Communities (DLUHC), launched an ambitious estates regeneration programme selecting 100 estates from around the country. An Expression of Interest was submitted by Derbyshire Dales District Council with a focus on the Hurst Farm Estate, Matlock. The Committee agreed a £21,525 contribution and Platform Housing offered in kind support linked to the development.
- 2.2 On 31st January 2017 representatives from DDDC, Derbyshire Dales Council for Voluntary Services (DDCVS), Friends of Hurst Farm (FOHF) and Platform Housing Group submitted a joint bid. The bid was successful and DDDC received £100,000 to fund the Regeneration Project officer post. Platform Housing also received £80,000 in order to meet the cost of feasibility studies and spot purchasing of specialist consultancy services.
- 2.3 The Estate Regeneration Officer started in September 2017. The first two years were spent understanding the estate, the existing resources and assets of the community. Detailed consultation with the community, partners and other stakeholders was undertaken in 2018 and 2019. The findings helped shape the Hurst Farm Regeneration Strategic Vision and funding strategy.
- 2.4 In 2017 a partnership project board was set up to support residents in developing their aspirations and build up their capacity to lead the project. This project board

now includes senior representatives from nine stakeholder organisations committed to supporting Hurst Farm and to work together in partnership to realise the vision:

1. Friends of Hurst Farm;
2. DDCVS;
3. DCC;
4. Platform Housing;
5. Lumsdale Arkwright Society;
6. Arkwright Society;
7. Castle View Primary School;
8. Highfields Secondary School;
9. DDDC.

Partnerships have also been built with the Police and other organisations, such as University of Derby and the Chatsworth Educational Trust.

- 2.5 In November 2019 a 15 year strategic masterplan vision and website was launched focusing on 8 key projects. The vision included the creation of new branding for the community and its projects (see www.hurstfarm.co.uk). This vision was accompanied by a funding strategy to enable the delivery of environmental improvements, to develop community projects and to build social enterprises in partnership with the community.
- 2.6 The particular focus of the last two years has been on establishing the first three key anchor projects and on setting up an overarching community organisation called the 'Hurst Farm Green Estate'. Together these will create the supportive structure for the community, embedding more capacity development for the community and supporting the long term maintenance of the established projects and social enterprises. This will support the community's financial independence, create long term sustainability and increase community resilience.
- 2.7 Key Anchor Projects:
- Improvements to Hurst Farm Social Club;
 - Improvements of the Spider Park Pocket Park;
 - Heritage Trail through the woodland surrounding Hurst Farm;
 - Setting up the Hurst Farm Green Estate social enterprise.
- 2.8 Funding is being sourced to build the foundation for the delivery of the vision and the social transformation the project is aiming to achieve. To date the project has secured £1.25m+ of investment with another £1.8m+ of further funding identified. The funding strategy keeps developing as new opportunities become available.
- 2.9 To support the community with the development of their social enterprises, especially the Green Estate, the project recruited a Business Development Manager in July 2021, hosted by DDCVS. This officer has already managed to help the community set up a 'Community Pantry' Shop and is supporting the Social Club in managing their grant funding and in building up their business.
- 2.10 Other grant funded opportunities continue to be sought to support the wider estate regeneration. Recently the Council secured £768,000 through the Green Homes Grant Local Authority Delivery Phase 1A. Some of this funding was used to provide external wall insulation to 27 properties, adding to the 11 funded by the Council in 2020. A handful of unimproved non-traditional homes remain and officers plan to

follow up these with the offer of a final round of insulation works as part of future government funded programmes.

3 PROJECT UPDATE: HURST FARM SOCIAL CLUB

- 3.1 Hurst Farm Social Club: This building was constructed in the 1960's. The land and building are owned by DDDC, who rent it on a long term lease to the Hurst Farm Social Club. The building is the key community asset on the Hurst Farm Estate and very important to the community as a space to run events and activities. Over the years there has been no substantial investment and the building has deteriorated. Plans are now underway to refurbish the building into a modern community hub.
- 3.2 In 2017, as part of the Estate Regeneration funding received by Platform Housing, a detailed survey and condition report for the building was commissioned. A local architect and Quantity Surveyor then developed a fully costed design for the refurbishment of the building. The funding needed for the complete 4 phases of improvements was estimated to be £560k. Full planning permission was sought and granted for these plans in 2019.
- 3.3 Urgent repairs identified in the condition report were undertaken in 2019 and paid for by the Social Club and grant from the Co-Op Business fund.
- 3.4 In October 2021 work started on Phase 1 of the improvements using £165k. This included a £100k Sport England grant, a social loan by Sport England taken out by the Club for £30k, £5k from Chevin Homes, Co-Op Funding £30k. To support the Club DDDC approved an interest free loan of up to £110,000 to enable the Club to manage the required VAT payments and cash flow of the grant funding. This will see the back of the building updated. It will develop a multi-functional events hall with new toilet facilities, including disabled toilet and baby changing room. It will include the creation of a community café with a commercial kitchen and an outside terrace.
- 3.5 During Covid the Social Club directors invested Social Club funds to update the internal Front Bar area.
- 3.6 In October 2021 an additional £250k Regeneration funding from the Department for Leveling Up, Housing and Communities (DLUHC) was secured. This grant enable the Club to complete the main improvement works of Phases 2 and 3. The additional funding will include updating all windows, installation of a new flat roof, creation of small incubator business units in the basement, a new entrance, signage and façade to the building. The existing car park and access road will be re-surfaced. Further funding will be sought for phase 4 of improvements, to include upgrading the roof into a 'Green Roof', grey water harvesting, electric vehicle charging points and to add solar panels.
- 3.7 The Social Club building and car park are currently undergoing an asset transfer from DDDC to the Social Club CIC. It is estimated that this will be completed in December 2021.
- 3.8 Following the impact of Covid on the Hurst Farm community, the regeneration partnership raised funding to set up a food project to support families and children. It started with a subsidised food box scheme during the 1st Lockdown and then a weekly fruit and veg bag. This has now developed into a Community Pantry

'Farmers Larder' located in the basement of the Social Club, which opened in October 2021. This is the start of the social Farm Shop on Hurst Farm.

- 3.9 The Pantry is a membership based food club, which will serve Hurst Farm and the wider Matlock area by accessing surplus supermarket food and wholesale suppliers. This is not a food bank, but sits in partnership with the local Jigsaw foodbank and Feeding Derbyshire. Several times a week it will enable members to buy food for a small fee. It offers access to affordable food, but provides greater dignity through choice. It is run by FoHF and staffed by volunteers. Once the kitchen is available FoHF plan to expand its services further by patch cooking left over food and offering affordable frozen meals.

4 SPIDER PARK POCKET PARK IMPROVEMENTS

- 4.1 The Spider Park is a pocket park located on the estate, next to Castle View Primary School. It is the main route to school for many children, one of two playgrounds that children on the estate can access and is one of the community assets that were identified as important by the community during consultation.
- 4.2 In 2018 the Council secured £45k of Pocket Park Funding from MHCLG for the Park to undertake some improvements to the existing playground. The park and playground are currently maintained by the DDDC Clean and Green team.
- 4.3 The funding enabled the replacement of the old safety surfacing, repainting of the existing equipment, an additional piece of play equipment, creation of a woodland forest school play area and planting of wildflower bulbs. Matlock Town Council gifted 50 trees which were also planted. Funding was also secured to plant heritage fruit trees for a community orchard and to install a CCTV camera. All work was completed in 2019.
- 4.4 Currently, the partnership are working on a £300k Round 2 funding bid to the National Lottery Communities Fund. The aim is to submit an application in January 2022 and deliver the capital works in 2022. This funding will see the footpaths in the park improved, a community food growing and community garden established, the football goals replaced, a wildflower meadow created and the playground extended adding climbing and sand play.
- 4.5 The Revenue funding will also include costs towards setting up the Green Estate organisation and pay 0.5FTE towards the Green Estate Business Manager post, as well as a full time Garden worker post and two apprentice posts for 3 years. These posts will establish the community garden, set up a landscape maintenance team that will support DDDC in maintaining the meadow, orchard, community garden and play area. It will also deliver on the Green Estate Business plan and generate income by running multiple income generating activities, such as a care garden, tool hire and garden maintenance services. The income generated across its multiple strands should be able to secure the long term viability of the enterprise and services on the estate. A more detailed explanation on the Green Estate is giving further below.

5 HERITAGE TRAIL AND WOODLAND MANAGEMENT PLAN

- 5.1 The Hurst Farm Heritage Project: Hurst Farm is surrounded by a woodland and four Heritage Sites. In 2019 the project received a two year £79,000 Development grant from National Lottery Heritage Fund to develop a £1m Capital and Revenue Round 2 funding application for the creation of a Heritage Trail to be submitted at the end of February 2022. The intent of the Heritage Project is to create a trail that will improve the access to the woodland and the Heritage sites for local residents. It will also improve the condition of the woodland, the existing habitats and amenity and ensure better maintenance into the future. The project will improve the wellbeing of local residents and help connect them to their local heritage.
- 5.2 The woodland and the trail are also connected to the three neighboring communities of Asker Lane, Lumsdale and Tansley. The woodland is owned and maintained by DDDC. The existing footpaths in the woodland are unmade, muddy, steep and very slippery when wet making them difficult to access, especially for those with mobility issues. The four heritage sites the project is connecting are:
1. Baileys Tump – WWII Embattlement site (Matlock Town Council);
 2. Wishing Stone (DDDC);
 3. Lumsdale Industrial Heritage Site (Arkwright Society);
 4. John Bowne Memorial (Matlock Town Council).
- 5.3 Health data for the Hurst Farm community shows health inequality, with residents on Hurst Farm statistically being likely to die 10 years earlier than in the surrounding Matlock area. Levels of physical and mental ailments are higher and access to physical exercise and nature would be greatly beneficial. However the consultation feedback from 2017 to 2019 showed that the majority of residents do not access the woodland and most children have never played in the woodland. This is further impacted through reduced visibility in the woodland which can create a sense of unease for residents and reduce the likelihood of walking on their own. With only limited resources being available for DDDC to manage the woodland maintenance has been minimal. With the consequence that over many years the health of the woodland, the wildlife habitats and its amenity value have been affected.
- 5.4 Three of the four Heritage sites are well interpreted and maintained. However, the open space near the Wishing Stone, which is owned by DDDC, is in need of improvements to bring the heritage interpretation and the maintenance of the site up to the same level as the other three sites.
- 5.5 A further consideration leading to the Heritage Project are the issues faced by the Lumsdale Valley and its Heritage site that adjoins the woodland around Hurst Farm. For many years, due to its popularity on social media, the Lumsdale Industrial Heritage has been affected by issues caused by increased visitor numbers. With limited parking, no toilets, or refreshment facilities the site and local residents have been negatively affected. These issues have been further exacerbated during COVID leading to the temporary closure of the site.
- 5.6 By improving the Social Club and opening its car park, toilets and refreshment facilities visitors can be re-directed from Lumsdale Valley to start their walk on Hurst Farm. It is only a short walk from the car park to the Wishing Stone and from there to the Lumsdale Industrial Heritage site. In this way the Heritage project also intends to support the Lumsdale community and the Arkwright Society, who own and maintain the Industrial Heritage site.

- 5.7 As part of the development phase DDDC has been working with 10 consultants to develop the project. This included an Activity, Interpretation and Business planner, as well as a Woodland Manager, Ecologist, Lighting consultant and Accessibility consultant. Together they undertook consultations on the proposed Heritage Trail with the four communities surrounding the woodland in 2020. The outcomes of the consultation were overwhelmingly positive and the results can be accessed on the DDDC Hurst Farm webpage. The resulting survey feedback has informed the consultant's recommendations and in turn shaped the capital works detailed design developed by the DDDC landscape architect.
- 5.8 If the bid is successful, the £600k capital funding will pay for the improvements to the footpath, the woodland (including removal of dangerous trees, such as those affected by Ash Die back and some of the Sycamore that proliferate) and the opening up of the historic view from the Wishing Stone. It also includes the installation of 6 benches, 15no interpretation panels, 6no welcome archways to the trail and Waymarker signage. The funding application has included for a set of replacement signage, bench and bins in the budget to counter against future replacement costs. The plan showing the proposed Heritage Trail route is attached as Appendix 2.
- 5.9 If the bid is successful, the £400k revenue funding will pay for a 3 year Activity Plan to be delivered and pay towards the Green Estate Business Manager Post, pay for a full time Ranger and two apprentice posts. The Green Estate will manage the Activity Plan on behalf of DDDC via a Service Level Agreement. The Heritage funding will build and develop the Hurst Farm Green Estate social enterprise and enable it to thrive and create financial sustainability ensuring the future maintenance and management of the woodland. It will see the ranger run educational activities, set up, develop and train a volunteer network, which will undertake all maintenance in the woodland and footpath supported by DDDC Clean and Green Team, who maintain the woodland currently. Funding generated by the Green Estate Business Plan will finance the Green Estate Manager and Ranger post after the first three years of funding. In this way DDDC will not be burdened by additional maintenance costs, but will be able to maintain, or even reduce their current levels of maintenance. See further information on the Green Estate under Section 6.
- 5.10 As part of the Heritage Trail Development Grant the project requires a long term Management Plan for the woodland, with the aim to improve the quality and health of the woodland. This is the Woodland Management Plan and Member approval is sought to adopt this. A copy of the Management Plan Executive Summary is attached as Appendix 1. The full Management Plan is available separately on the Member's portal.
- 5.11 The woodland is owned and maintained by DDDC. The management plan was produced by a specialist consultant (Nature People) and is based on an Ecological Survey of the woodland. Advice was sought also from an Accessibility consultant (Accessible Derbyshire) and a lighting consultant with an expertise in bats.
- 5.12 The plan outlines the current condition of the woodland, including a full arboricultural survey of the woodland. It offers recommendation on how the proposed heritage trail can be developed in the least damaging way to the trees, and wildlife and offers suggestions for the improvements of habitats. It has been developed in close conjunction with a capital works design (see Appendix 2), an Interpretation Plan and Activity plan (outlining the events, activities and training delivered for three years).

- 5.13 The Woodland Management Plan describes the work intended to be undertaken during the three years of Heritage funding and outlines the maintenance of the Heritage Trail upkeep and continuation of woodland management for the 10 years following the completion of the capital works. The aim is to undertake better tree management, habitat upkeep, improvements and development, securing the future of the woodland and making it available as a resource for Hurst Farm, and the surrounding communities.
- 5.14 The plan proposes the management and upkeep through a ranger post, who will develop a volunteer network. The ranger will be employed and managed by the Hurst Farm Green Estate organisation. This will be a financially self-sustainable enterprise that will generate income through multiple funding streams reinvesting its profits into maintaining services on the estate for the benefit of the community, such as the Woodland, the Heritage Trail and Spider Park. This is an innovative way of working with and empowering local communities to undertake the maintenance of their local green spaces.
- 5.15 The Ecological report identified the rare Wall butterfly being present. The project will enhance the habitat for butterflies as well as bird and bat species. Three years of NLHF funding will see the following environmental improvement:
- Removing dead wood, opening views
 - Introducing heritage management techniques such as horse logging
 - Replanting trees with local provenance through a tree seedling nursery scheme to be run by ranger and the Spider Park Community garden involving the local schools.

6 HURST FARM GREEN ESTATE BUSINESS PLAN

- 6.1 Hurst Farm Green Estate (HFGE) is a regeneration company that will be set up by the Hurst Farm community as a Community Benefit Society (CBS) and Community Land Trust. This will be an independent community social enterprise that will be run by a Business Manager and overseen by a board of trustees made up of partners and the local community. It will oversee several income generating enterprises, such as the Forest School, Community Housing, the Community Social Farm Shop, Community Cafe and the Community Garden. The financial surplus generated by the enterprises will support the upkeep of services and community resources, such as the Spider Park Community Garden, the Heritage Trail and woodland.
- 6.2 A professional business plan has been developed for the Green Estate enterprise by a consultant as part of the Heritage funded Development Grant. This forms part of the Heritage Trail funding application.
- 6.3 Inspiration for the Green Estate is based on the successful Sheffield Green Estate (SGE), which was established 25 years ago on the Manor Estate and now runs multiple social enterprises employing 56 people, many from the estate. The regeneration project has forged strong links and agreed for the SGE to mentor the HFGE over the first three years of heritage funding.

6 RISK ASSESSMENT

6.1 Legal

The report is seeking confirmation of the Hurst Farm Woodland Management Plan. The implementation of this plan will be subject to any obtaining external funding and approval of the capital programme. The legal risk is medium.

6.2 Financial

The estimated costs of the various elements within this project and the funding that has been secured, or that it is hoped will be secured, are set out in the report above. The cost of officer time is included in the existing revenue budget.

It will be necessary to refer this item to the next Council meeting for approval and inclusion in the 2021/22 capital programme of £251,000 expenditure for the Hurst Farm Social Club Improvements (outlined in paragraph 3.6). The Council has already been awarded a grant to finance this, so the financial risk has been assessed as low.

6.3 Climate Impact Assessment

Recommendation One: No detailed climate change impact assessment required on reporting outcomes/progress

Recommendation Two: Hurst Farm Woodland Management Plan

The CCIA has been undertaken on the Woodland Conservation Management and Maintenance Plan. It is worth noting that the plan has been developed with expert external input and consultation.

The plan seeks to carry out essential woodland management while retaining the wild, natural character of the wood. While some trees will be removed for specific reasons, new trees will be planted, new habitats will be created and existing ones improved. In order to best enhance habitats a landscape scale approach is proposed which will prove particularly important as wildlife species move due to the impacts of climate change. The overall impacts on land use and biodiversity are therefore positive.

The plan puts the community at the heart of the woodland it intends to engage and train community volunteers – developing ‘green skills’ such as hedge laying.

It is noted in the assessment that the plan suggests use of petrol powered equipment e.g. brush cutters and leaf blowers in order to complete some of the woodland management tasks required, but there are plans to acquire electric equipment where possible and to introduce ‘old-fashioned’ non powered tools and skills where possible to improve long term resilience within the community.

Recommendation Three: Hurst Farm Social Club Refurbishment

The CCIA identifies a positive reuse of an existing building, including a programme of energy efficiency measures – new windows and insulation, reducing heat demand. It is noted that a new gas fired boiler will be installed, low carbon forms of heating have been discounted due to prohibitively high costs and restrictive time frames (set by external grant funding) at this stage. The new boiler, does however, provide a significant improvement in terms of efficiency and therefore emissions as the existing

boiler is life expired. Fabric first improvements such as the windows and insulation make future installation of low carbon heating more viable.

The project includes reinforcement of the flat roof in order to provide potential capacity for future solar PV installation when funding allows. Work will also take place to improve electrical capacity on site to allow for future EV charging points to be installed, including the required ducting below the car park surface. The community pantry in aspect of the project will reduce food waste – estimated at 2 tonnes a week. Future provision of land for ‘grow your own’ will be included in the scheme, providing opportunities for production of locally sourced food – reducing potential transport emissions through supply/distribution.

7 OTHER CONSIDERATIONS

In preparing this report, the relevance of the following factors has also been considered: prevention of crime and disorder, equalities, environmental, climate change, health, human rights, personnel and property.

8 CONTACT INFORMATION

Marie Schmidt, Estate Regeneration Manager Telephone: 01629 761393, email: Marie.Schmidt@derbyshiredales.gov.uk

9 BACKGROUND PAPERS

Date	Description	Location
2016	Community and Environment Committee 2 nd June 2016, Estate Regeneration Programme: Expression of Interest	Head of Housing
2016	DCLG regeneration programme bid documents	https://www.gov.uk/government/publications/estate-re
2017	Environment Committee 16 th March 2017, Hurst Farm Regeneration Bid	Head of Housing

2018	Community and Environment Committee 11nd January 2018, Estate Regeneration Programme: Hurst Farm Regeneration Project	Head of Housing
------	---	-----------------

10 ATTACHMENTS

Appendix 1: Hurst Farm Woodland Management Plan Executive Summary

Appendix 2: Hurst Farm Heritage Trail Layout Plan

Nature People

**Woodland Conservation Management
and Maintenance Plan
for the
Hurst Farm Heritage Trail
National Lottery Heritage Fund Project Round 2 Application**



Draft Version 4.0

Matt Croney BSc(hons), MRICS

www.naturepeople.org.uk

Oct 2021

Contents

<u>Chapter</u>	<u>Page No</u>
Executive Summary	No.s
1. Introduction: <ul style="list-style-type: none"> • who wrote the plan, when and why • who was consulted • scope of the plan • links to other planning work • area covered by the plan 	
2. Assessment of the current situation <ul style="list-style-type: none"> • the site, size and location • the woodland • understorey • grassland areas • wildlife • views • litter • site history • site designations and significance • legal and planning issues • site access and transportation • the views, ideas and aspirations of current and potential audiences • the organisation • the policy context • current management and maintenance • impact of COVID-19 	
3. Vision, approach and objectives: <ul style="list-style-type: none"> • Objectives for the management of the woodlands over the next 10 year period • How these contribute to NLHF's outcomes 	
4. Action plan <ul style="list-style-type: none"> • capital works plan for first 3 years • maintenance plan for years 4-10 	
5. Community management and resources <ul style="list-style-type: none"> • management structure and evolution to community management by Hurst Farm Green Estate • human resources required income sources for sustainable future management of the woods 	
6. Monitoring and evaluation	
Appendices <ol style="list-style-type: none"> 1. Woodland Survey 2. Other designated wildlife sites in the area 3. Bird species recorded within 1km of the site 	

Executive Summary

The community of Hurst Farm has grown and developed since it was built in the 1950s, on former farmland on the edge of Matlock. At the same time, a beautiful native broadleaved woodland has also grown and developed on the adjoining fields to now form Hurst Farm Woodlands. It is now time to join the two in close harmony.



The now mature woodland is a magical wild place for exploration, literally on the doorstep of Hurst Farm and enjoyed by other close residents from Lumsdale, Wishingstone Way, Asker Lane and Tansley, as well as further afield. It contains numerous mature oak, as well as significant numbers of birch, hazel (which has clearly been coppiced in the past), ash, hawthorn, holly, sycamore and beech. Most of the trees are around 50 to 80 years old but some are much older, up to around 160 years old. A good understorey of scrub and wild flowers is developing and there is a good degree of natural regeneration of native trees coming through.

Most of the site has been designated as a Local Wildlife Site; is within the Lumsdale Conservation Area and is an important component of the Derbyshire Peak Fringe and Lower Derwent National Character Area. Of particular note is the view from the Wishing Stone area. This was a key feature attracting people to Matlock since Victorian times, when the Town developed considerably as a spa resort.



Management of the woodland in recent years has been low-key, addressing only health and safety priorities. Whilst this has allowed a woodland to develop through natural processes, there are essential maintenance works now required and many opportunities for enhancement which could easily be taken forward with an impetus of grant funding.

If left alone, a number of Ash suffering from die-back are already presenting a danger to visitors on the paths through the woodland and would need to be felled; non-natives, such as laurel and rhododendron would spread further; important grassland areas highlighted in the Local Wildlife Site designation and their associated rare wildlife, such as the Wall Butterfly are likely to be lost; historically important views, such as that from the Wishing Stone will be further obscured; and as shown by the results to our consultation, many residents and visitors will continue to be excluded from visiting the woods, due to steep slopes, muddy paths, steps, lack of handrails and the fear of meeting people engaged in undesirable activities in dark, forbidding parts of the woodland.

The vision for the wood is to improve it for wildlife; link it to other nearby woodlands for a landscape scale approach; provide greater accessibility for peoples' enjoyment, health and wellbeing and celebrate its cultural heritage, restoring features and opening up views.

This woodland management plan seeks to address all of the above issues and carry out the essential woodland management requirements early, provide much greater accessibility for a wide range of people and build local capacity and ownership for a sustainable future. In doing so, we will retain the wild, natural character of the wood and improve habitats, so that its flora and wildlife can thrive. This will be done in a way which puts the community at the heart of the woodland and its management.

Over the first three years, we will undertake all the capital works necessary to put the wood in top condition for people and wildlife. This will include:

- put in a new, accessible Hurst Farm Heritage Trail
- fell dying and dangerous trees, such as those suffering from Ash die-back
- thin dark areas of the woodland to bring in more light
- open up iconic views, such as that from the Wishing Stone
- plant more native broadleaf trees
- plant more native wildflowers in the understorey
- restore hazel coppicing
- clear important grassland clearings of bracken and brambles
- clear invasive non-native laurel and rhododendron
- provide bird and bat boxes and reptile mats
- tidy up the urban/woodland boundary area
- restore dry stone walls and hedges

In carrying out this work, we will engage and train community volunteers and build their capacity, so that they are able to take the lead, through their Hurst Farm Green Estate social enterprise, to take on responsibility for the woods after the first three years of the project.

Once the initial capital works are complete, the woodland will require a much lower level of input to maintain it in great condition for all, so this should be manageable for such a community organisation. It will also provide a series of new income generation opportunities, which we will have provided and trained people to deliver, such as bushcraft, woodland management, hedge laying and dry stone walling activities. Although a fairly low level of input will be required to keep the wood in good condition after the initial 3 years of grant fusing, it is our hope and expectation that the resulting skilled and enthused Green Estate and wider community will be in a great position to generate more energy, initiative, income and grant funding to take the woodland to an even higher level in the future.

1. Introduction

1.1 Who wrote the plan, when and why

This Woodland Conservation Management & Maintenance Plan was written by Matt Croney of Nature People, between September 2020 and October 2021. Matt has over 25 years' experience of woodland and other protected landscape management and Lottery funded projects.

The plan was commissioned as part of a project to restore and improve the landscape around the Hurst Farm Estate in Matlock. It is a key document in support of a full application to the National Lottery Heritage Fund to carry out the proposals within the Hurst Farm Heritage Trail project. This heritage project is one of the key projects identified for delivery within the Hurst Farm Estate Regeneration Masterplan.

1.2 Who was consulted

During the period this plan was developed, there were two periods of public survey. This was advertised on posters throughout the woodland, through local networks and local press, targeting the Hurst Farm, Lumsdale, Asker Lane and Tansley areas in particular. These included many questions about the woodland and specific proposals from the phase 1 bid. These were modified and more specific questions were asked in the second survey. See the Activity Plan being developed for this project for further details.

In addition, as well as those developing the other plans forming part of this project (see below), the following were specifically consulted about certain aspects of the woodland plan:

- Derbyshire Bat Group: Pete Bush
- Derbyshire Wildlife Trust: (Kieron Huston) about the Local Wildlife Site designation (which covers a significant part of the woodland) and its management.
- Lumsdale Valley Project: Jan Wilson
- National Forest Company: David Bourque, Director of Development
- Paul Hicking Associates: Paul Hicking (Ecologist)
- Peak District National Park Authority: Ben Lambert, Countryside & Economy Adviser

1.3 Scope of the plan

The brief for this plan was to develop:

- A high-quality ten-year Woodland Conservation Management & Maintenance Plan
- An Action Plan which is costed and timetabled
- An Aboricultural Survey

It covers the ongoing management and maintenance of all areas of the project (beyond the initial 3 year capital programme), including:

- landscape maintenance including footpaths
- activity programme maintenance
- maintenance of the interpretation
- environmental management

1.4 Links to other planning work

This plan has been developed in close liaison with those developing the following other plans as part of this current phase of the project:

- Capital Works Proposals
- Interpretation Plan
- Activity Plan
- Business Plan
- Accessibility Audit

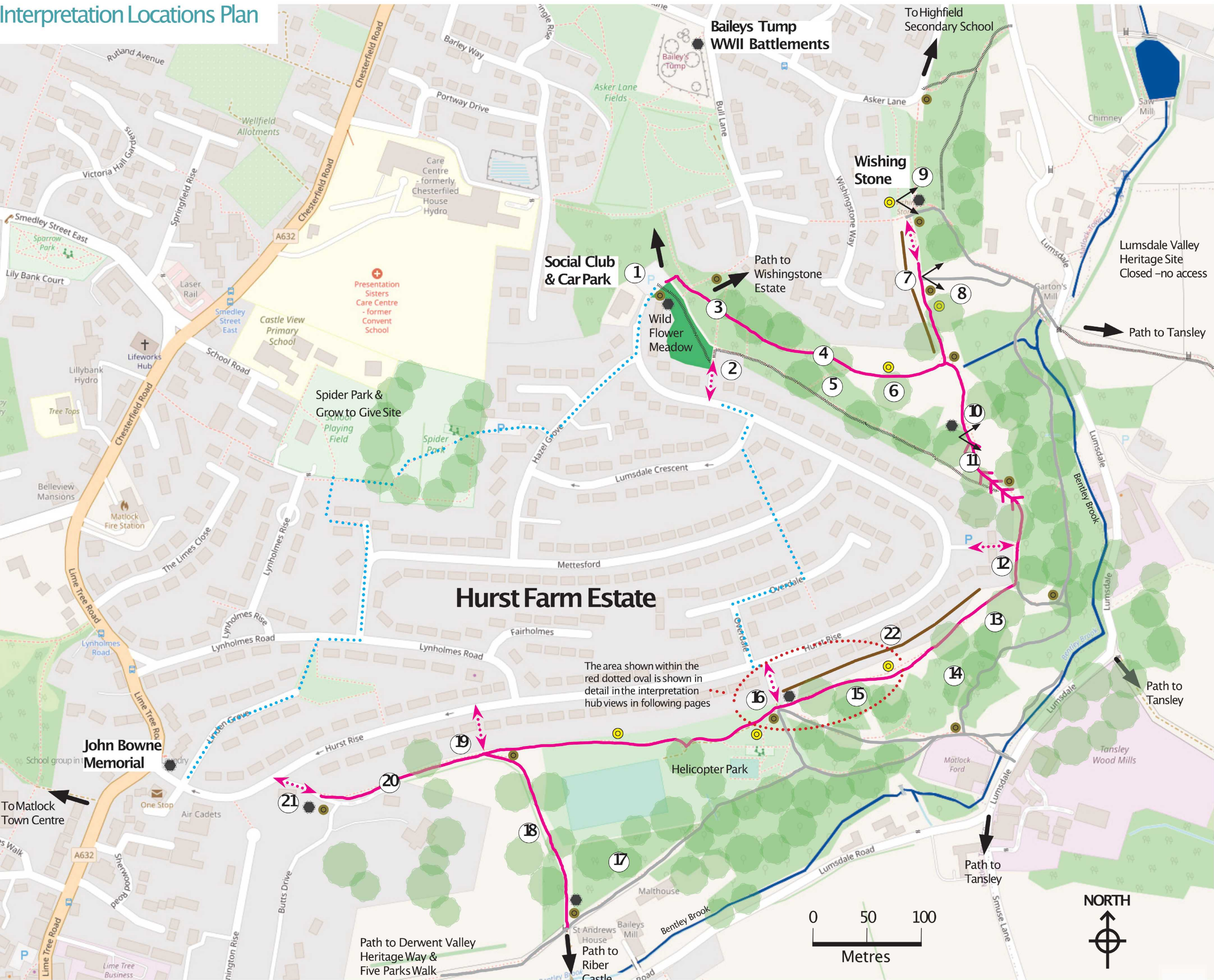
1.5 Area covered by the plan

The area covered by this plan is the woodland immediately adjoining Hurst Farm Estate in Matlock, Derbyshire, as shown on the map below (referred to as the study area).



The Woodland Study Area

Interpretation Locations Plan



- KEY:**
- Main Trail Route
 - Circular Estate Route
 - Secondary Paths
 - Metal Entrance Feature
 - Elevated Viewpoint
 - Interpretation Board
 - Steps Steep Incline
 - Waymarking
 - Seating/Applied Messaging
- HURST FARM SOCIAL CLUB**
 - New drystone wall entrance feature with applied messaging
 - New metal entrance feature**
 - MANAGEMENT OF EXISTING SURFACE RUN OFF**
 - New culvert under path
 - New smallattenuation pond to prevent flooding
 - New short section of boardwalk**
 - WOODLAND MANAGEMENT AREA**
 - Light thinning of smallsaplings to improve biodiversity
 - Wildflower planting
 - Management of invasive bramble to increase woodland biodiversity**
 - New sections of drystone wall with applied messaging**
 - Management of invasive bracken to increase woodland biodiversity**
 - THE WISHING STONE**
 - New metal entrance feature
 - Removal of overgrown scrub to expose the stone
 - Removal of a small number of trees to open up a view of the Lumsdale Valley
 - New stone steps the access the Wishing Stone
 - LUMSDALE VALLEY VIEW POINT**
 - New sections of drystone walling with seating
 - Management of invasive bramble to increase woodland biodiversity
 - New flight of wooden steps up the steep slope**
 - New metal entrance feature**
 - Management of invasive bramble to increase woodland biodiversity and replant with coppice tree species**
 - Light thinning of small saplings to improve biodiversity**
 - Management of invasive bramble to increase woodland biodiversity and replant with coppice tree species**
 - New metal entrance feature**
 - Light thinning of small saplings to improve biodiversity**
 - Repair of stolen section of the stone historical path**
 - New metal entrance feature**
 - Repair existing hardcore surfaced path**
 - New metal entrance feature**
 - New dry stone walling with applied messaging**

17th November 2021

BIODIVERSITY REPORT - UPDATE

PURPOSE OF REPORT

Update and inform Members on the progress of the biodiversity of road verges and public open spaces project and outline the next phase for 2021/22.

RECOMMENDATIONS

1. To note the progress of the project throughout year one of the pilot and approve the next steps
2. To facilitate the sharing of experience between the parish councils and community groups
3. To work with Derbyshire Wildlife Trusts to promote and to enable residents to increase the biodiversity in their gardens
4. To continue to work with DCC and contact other local authorities to exchange information and ideas.
5. To work with landowners of public open space to encourage them to manage land sympathetically for wildflowers.

WARDS AFFECTED

All

STRATEGIC LINK

Increasing biodiversity across the district through the creation of wildflower road verges and wildflower areas within our parks and open spaces supports the delivery of the District Councils priority 'Place'

1. BACKGROUND

1.1 The report on the biodiversity of road verges and public open spaces was presented to the Community & Environment committee on 14th October 2020,

where it was unanimously approved. Members recognised the need to do something to redress the dramatic loss of wildflower meadows in the last hundred years and the continued loss of plant species from our verges due to changes in management. This loss of wildflowers has resulted in significant decrease in insect populations.

2 REPORT

The report looks at the recommendations made in the original report and outlines the progress made on each one and also the next steps for year 2 of the project.

Pilot road verges

2.1 The Biodiversity group identified 12 pilot sites that were suggested by members or that were already known to the Council. However throughout discussions and requests from community groups this increased to 15:

- Hathersage – Jaggars Lane and Sheffield Road
- Bradwell – The Dale and Church Lane
- Wardlow – Main road
- Hartington – Parson Field car park and the churchyard
- Beeley – Brookside
- Matlock – Morledge, station car park and the Arc
- Cromford – Adjacent to Steeple Arch Cemetery
- Wirksworth – Oathill and Summer Lane/Derby Road
- Doveridge – Park Crescent

All the verges above were cut at the end of February/early March and the cuttings raked up and removed. Some of the verges had less wildflowers than others so these were scarified to create bare patches, to allow the seeds already in the soil the room and light to germinate or to enable community groups to plant or sow wildflower seeds themselves. The verges were then left uncut until the end of August/middle of September. Once cut the arising's were then raked up and removed to be composted.

All the verges were surveyed between June and July and over 55 different flowering plants were identified. These ranged from the common dandelions and buttercups to four species of orchids. Images from the pilot verge can be seen in appendix 1.

Biodiversity working group

2.2 The working group was set up to oversee the project and is made up of both Elected Members and Officers who each brought their knowledge and experience to the group.

2.3 The working group consists of the following:

- Emma Mortimer, Community Development Officer (Project Coordinator)
- Becky Bryan, Community Development Manager

- David Martin, Clean & Green Supervisor
- Samantha Grisman, Clean & Green Manager
- Ashley Watts, Director of Community & Environmental Services (Project Lead)
- Cllr Buckler
- Cllr Burfoot
- Cllr Lees
- Cllr Slack

The ward members: Cllr Buckler, Cllr M Burfoot, Cllr Lees and Cllr Slack have each provided a few words on the first year of the project and hopes for the future.

- *"It is great to see how people are enthused by the work done in this pilot year. By working with community groups and parish councils it will embed the initiative across the District as DDDC can't do it alone. There have been more positive comments than negative ones and people from different communities have asked about how to become a biodiverse parish, similar to Britain in Bloom. The Biodiversity working group should meet more often to generate more ideas and develop an Action Plan for Nature, similar to the Climate Change Working Group."*

In the future, management of our open spaces should have biodiversity in mind and this should form part of the Clean & green review so that where spaces not used by the public they are managed less intensively. The council should be collaborating with other authorities, to identify and map natural capital and with PDNPA who are currently reviewing its local plan, which includes strengthening its biodiversity work".

- *"The Biodiversity working group is an excellent initiative to promote a proactive response to the climate change crisis. Increasing biodiversity of our roadside verges should be a priority by working in conjunction parish and town councils and community groups. We need to agree with the County Council on a mowing strategy where the verges are not cut until late summer and all the cuttings collected. The present initiative must incorporate hedgerow and roadside trees management which increase the biodiversity for birds and insects."*

In the future we need to include verges and open spaces on our new housing estates. Some of these are managed by private management companies and we should be encouraging them to develop them into wildflower areas".

- *"In its first year the biodiversity working group has achieved a lot, particularly as it started late in the year. The Biodiversity group need to encourage and work with the parish and town councils to find suitable sites and work with community groups so the public can see the rewards of biodiversity".*
- *"We have lost so much of our wildflower and 55% of bird numbers. It is essential that the Council does everything we can to protect and encourage wildlife. The*

grass verges and open spaces can be managed in a way to do this or recreated wildflower meadows to create the habitats for wildlife to not only live but to expand”.

Discussions with Derbyshire County Council and other local authorities

2.3 Council officers met with DCC Highways Officers and they recognise the lead we are taking in Derbyshire and support the work we have done this year. DCC are working with ecologists on changes to the cutting schedule of some of the rural road verges, and are keen to work collaboratively with the District Council and other local authorities on the management of rural verges.

DDDC are awaiting the report before any changes can be discussed with our contractor.

Officers are to contact South Derbyshire District Council to find out more about their wildflower verge project as this is also of interest to the working group.

Parish & Town Councils

2.4 The Parish and Town Councils were consulted on potential wildflower road verges in their area and 14 responded with suggestions. These were assessed by one of our Clean & Green Supervisors, for traffic safety and from an operational point of view. This was then taken to the biodiversity working group for approval. Further discussions will take place over the winter period to identify further opportunities, should the report be approved.

Publicity

2.5 A sign was erected at each of the verges (Appendix 2) to inform the public why it has been left uncut for wildlife. Information has been posted on social media and in the press. The community groups have also been publicising the project through village news publications, social media, displays and informative talks.

Rewilding Hathersage, part of Hope Valley Climate Action held a virtual meeting to share projects with other groups and villages in the Hope Valley. Other groups also involved the local schools and Hartington worked with local artists who painted individual signs for each of the sites. Bradwell Primary School children have displayed wildflower pictures at the post office.

The pilot sites have been uploaded to Bugs Life website as part of their B-lines campaign to create insect pathways to link up wildlife areas across the country.

Community involvement

2.6 This year the Council have supported five community groups in the development and management of their wildflower verges: Hathersage, Bradwell, Hartington, Wirksworth and Doveridge (Appendix 3). Some of the groups worked

with the wider community, in sowing and planting wildflowers and involving schools.

Each of the communities reported that overall local residents were very positive about the wildflower verges. The community group in Hartington said there is a strong empathy and support for the wildflower project and some have confirmed they want to do more in their gardens.

The community groups have also expressed their gratitude for the support they have received from DDDC Clean & Green and Community Development Teams.

3. Next steps

Additional verges

3.1 The management of these wildflower verges will carry on into next year with the additional verges put forward by Parish and Town Councils and community groups. These include Taddington, Hackney, Artist Corner and Doveridge. Some of the suggestions are rural verges and come under Derbyshire County Council, so agreement will be required to include them on the Road Verge Reserves (RVRs).

Parks and open spaces

3.2 In the second year of the project the work on increasing biodiversity on larger areas of land on our parks and open spaces include:

- Bakewell Recreation ground
- Northwood Recreation Ground, South Darley
- Morledge/Old Hackney Lane, Darley Dale
- Hall Leys Park
- Spider Park, Hurst Farm
- St Giles Church, Starkholmes
- Steeple Arch Cemetery, Cromford
- Ashbourne cemetery
- St Oswald's Churchyard, Ashbourne
- Fish pond meadow, Ashbourne

The grassland area around the top car park at Arc Leisure Centre Matlock will be part of the national campaign '*No Mow May*'. This will allow earlier flowering plants to flower at a time when bees are emerging but will be cut in June for when the public use this area to picnic and play.

Other sites

3.3 This year, the Clean and Green team in Ashbourne sowed a wildflower seed mix on one of the roundabouts on the A52 (Appendix 4). This was a successful

initiative, so the team are proposing to do something similar on three other roundabouts in Matlock, Hassop and one other in Ashbourne.

Officers have given advice to a number of Parish Councils to create wildflower areas on their verges and open spaces, and would also like to approach Platform Housing on doing something similar on their land in the Dales.

Long term

3.4 Behind the scenes, year two of the biodiversity project will be focused on research into the potential for composting collected clippings, broadening our understanding of equipment and techniques as well as building on growing alliances.

4. RISK ASSESSMENT

4.1 Legal

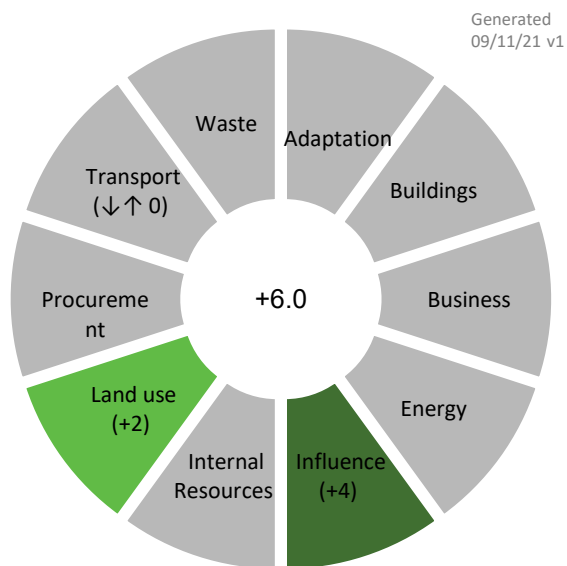
There are not legal implications from this report, therefore the risk is low

4.2 Financial

It is expected that costs can be contained within existing budgets so the financial risk is assessed as low.

5 OTHER CONSIDERATIONS

In preparing this report, the relevance of the following factors has also been considered: prevention of crime and disorder, equalities, environmental, climate change, health, human rights, personnel and property.



DDDC has committed to being a carbon neutral organisation by 2030 (8 years and 1 months away).

The climate change impact assessment has identified a number of ways that the biodiversity project has a positive impact. The project has increased the biodiversity on a number of road verges this year. Next year the number of verges will increase and we will be creating or improving habitats within our parks and open spaces.

The project has a much wider influence through work with parish & town councils and community groups by providing advice and support. There is also the aim to encourage residents to help wildlife in their own gardens. The Council is working with DCC, HPBC, DWT, PDNPA and it is anticipated that this project will extend beyond what we are doing on the ground.

An initial site visit and monitoring is required for each new verge which takes up staff time and fuel. This is mitigated by the reduction in the mowing, as no cuts take place between April and end of August.

6 CONTACT INFORMATION

Ashley Watts - Director of Community & Environmental Services
 Email: ashley.watts@derbyshiredales.gov.uk
 Tel: 01629 761367

7 BACKGROUND PAPERS

None

8 ATTACHMENTS

Appendix 1-4

Appendix 1



Wildflower verges in Cromford, Matlock and Doveridge

Appendix 2



The sign was erected at each of the wildflower verges & open space

Appendix 3



Wilder Wirksworth sowing seeds and planting out wildflower plants in the verge on Summer Lane



Hartington community group at DDDC Parson's field car park with the artist's sign



Pupils from Bradwell school studying wildflowers



Rewilding Hathersage raking up the cuttings on Sheffield Road and Jaggers Lane

Appendix 4



Wildflower annual sown on roundabout Ashbourne

Community and Environment Committee

17 November 2021

Report of the Director of Community and Environmental Services

CLEAN & GREEN SERVICE REVIEW UPDATE

PURPOSE OF REPORT

To update Members on the progress of the strategic review of the Clean & Green service.

RECOMMENDATION

1. That Members note the progress made on the review

WARDS AFFECTED

District-wide

STRATEGIC LINK

The Clean & Green Service supports the District Council's Corporate Aim of improving 'place', as well as meeting its dedication to keeping the district clean, green and safe

1 BACKGROUND

- 1.1 In 2012, the District Council approved a report outlining changes to the Grounds Maintenance & Street Scene service, now known as the Clean & Green team, with the aim of 'becoming more efficient, economic and effective' and providing 'a more customer focused holistic public realm service'.
- 1.2 The overriding principal aim of the review, as outlined in the 13 September 2012 report, was to 'enable the Council to reduce the costs whilst at the same time improve the current level of performance of service provided'.
- 1.3 At the time, there was a belief that these adjustments would 'lead to greater employee satisfaction and ownership and improve customer care'. Since taking on the responsibility for the service in 2016/17, the Director of Community & Environmental Services has had numerous discussions with individual staff, teams, residents and Parish and Town Councils. Whilst the 2012 review did bring some success, there are many areas where it did not have the desired effect.
- 1.4 Concerns have regularly been expressed by several sections of the workforce that the loss of expertise has resulted in lower standards of service and ultimately a loss of pride and motivation in the work. These concerns raised have been consistent in meetings with the Director of Community & Environmental Services, as well as meetings and discussions with the Clean & Green Manager, the Chief Executive and the Human Resources Manager and supporting team.
- 1.5 The approved changes have now been in place for approximately eight years and whilst the previous review achieved its objective of cost savings (£120,000 p.a.), the resulting standards of work have also been cause for concern from several sections of our communities. For example, the frequency and approved standards of works on grass verges has, and still is, the main cause of frustration from many of the district's Parish and Town Councils, as well as the current management team.
- 1.6 Whilst still adhering to the approved policy, incremental changes have been made over the last three years, with the aim of improving the management and delivery of the service. These improvements include:
 - Developing a more positive and inclusive culture
 - Fundamental review and improvement of Risk Assessments
 - Improved communications
 - Improved document and information management
 - Improved staff training and development
 - Introduction of a Community Payback Scheme
 - Introduction of detailed vehicle inspections
 - Introduction of Hand and Arm Vibration (HAVs) assessments
 - Introduction of robust procurement practices
 - Introduction of safer working practices and systems of work
 - Introduction of structured team meetings and 1:1's
 - Restructure of the management team
- 1.7 Whilst the above has contributed to improvements in the service, it is recommended that a fundamental review of the service is necessary to both

modernise to meet the current demands and aspirations of the Council and its communities.

1.8 Although the 2012 policy achieved its objective of reducing costs (£120,000 p.a. as stated above), Officers believe the policy, which is still current, needs to be reviewed. It is proposed that a new policy should not only focus on enhancing the aesthetics and level of biodiversity across the district but should, where possible, also reflect the requirements of our communities.

1.9 In order to achieve this, it was recommended that a review of the service should be undertaken with the support of both an external consultant and project group which includes Member representatives. It was also suggested that consultation and engagement with local Parish and Town Councils takes place, along with other external agencies, such as the Wildlife Trust.

1.10 To help complete the project on time and achieve the scope outlined in the 26 November 2020 report (noted below), a project team was formed with representatives with a variety of expertise from across the Council, supported by external consultants, who are able to bring wider industry knowledge.

1.11 The project team is made up of the following:

- Ashley Watts, Director of Community & Environmental Services (Project Lead)
- Samantha Grisman, Clean & Green Manager
- Helen Bowmer, Senior Accountant
- Richard Joskowski, Clean and Green Supervisor (Reactive)
- David Martin, Clean and Green Supervisor (North)
- Chrissie Symons, Human Resources Officer
- Dave Turvey, as a member of the Council's Senior Management Team (via expression of interest)
- Dave Henrys and Ian Jones from the Association for Public Service Excellence (APSE)

1.12 In addition to the project team, a sub-group of Elected Members was formed to support the review. The purpose of this group is to support the core group and provide feedback on its proposals and recommendations, whilst constructively inputting their own suggestions.

1.13 The cross party sub-group consists of:

- Cllr Buckler
- Cllr Flitter
- Cllr Lees
- Cllr Slack

1.14 The scope of the review includes the following:

- Analysis of current performance (and against peers)
- Analysis of resource and utilisation
- Assess the service's costs and value for money
- Expansion of biodiversity and use of clean energy
- Explore current strengths and weaknesses

- Explore customer base and engagement opportunities
- Explore staff training and development opportunities
- Identify best practice and benchmarking opportunities
- Identify opportunities for developing commercial services
- Identify potential for service development
- Improved communication and promotion
- Introduction of improved performance management systems
- Review key processes, working patterns, structure, roles and deployment of teams
- Review the frequency and standards of work
- Review working practices, equipment and vehicles (greater environmental consideration)
- Transformation of the service (greater level of technology)

2. REPORT

- 2.1 To date the project team have met on at least a monthly basis, and have regularly updated and gained input from the Members sub-group. The meetings with the sub-group have taken place on Wednesday 26th May, Wednesday 7th July.
- 2.2 In addition, the project team held a series of staff briefings prior to the commencement of the review, to ensure that all staff were aware of the review, its scope and how they can help shape the outcome of the review. These briefings were split into three sessions, to allow the team to spread out in a COVID safe environment.
- 2.3 The sessions took place on Thursday 1st April and was attended by the Director of Community & Environmental Services, the Clean & Green Manager, the Senior Management Team representative and the Council's HR Officer.

Chrissie Symons, the Council's HR Officer said "Very early on into the review we received feedback from some members of the team that they felt that the communication was much improved this time compared to a previous review of approximately 10 years ago. A few members of the team commented in an open briefing that they felt content that the reasons behind the review were about improvement and development rather than a cost cutting exercise, which was a strong motive of a previous review and at the forefront of the minds of many staff members.

The Project Team have been very conscious to engage with representatives of both Unison and GMB, understanding that it is very important to brief the Unions to ensure that they are able to work with us but also to support their members. To date the Unions have been relatively content to take a back seat. I have not received any feedback from trade union representatives that their members have any particular concerns regarding the review or even that staff have approached the union representative.

In addition to various briefings to update the team on plans and project progression, we have also employed a Question and Answer process to ensure

that as employees ask questions, responses can be shared with all staff members and Union Representatives. We have encouraged staff to approach the Clean & Green Review Project Team or Supervisors directly if they have any specific questions or concerns but we have also put in confidential boxes so that staff can put questions forward anonymously if they don't feel that they can approach a member of the panel or supervisors directly.

Furthermore we are also keen to engage the teams' thoughts and ideas on how things could be improved and developed. We have recently held a couple of briefings hosted by the consultants to capture ideas as well as inviting the Clean & Green Team to complete a staff survey to share their thoughts and ideas on our strengths and weaknesses.

To date I feel that these communication methods have been appropriate and in many instances, welcomed by the team.

Methods, forms and frequency of communications are monitored at each project review meeting to ensure that we remain on track and remain relevant”.

- 2.4 Following the briefing, a series of workshops were set up to help APSE gauge opinions on current service performance and conditions, future opportunities and threats. Separate workshops were held for the workforce and the management team. This feedback will help form the recommendations of the final report from APSE.
- 2.5 In order to ensure transparency and enable support, where necessary, the project team invited both unions to attend the workshops and the briefing. Whilst they were unable to attend the initial briefing sessions, GMB's Mick Coppin attended the staff workshops.
- 2.6 Mick Coppin reported the following:

I attended the staff consultation at the Bakewell ABC Centre (Thursday 1st April) for the day with both cohorts of staff and have to say the positive engagement by all was most refreshing. The APSE gentlemen were very informative and took great efforts to understand and gather all the input from staff.

Collectively staff put forward constructive critique and proposals to support real change in costs and efficiency. Initially though staff felt “Here we go again, another cutting exercise”, but this quickly passed and productive engagement became the theme. The staff will naturally require consistent momentum now to realise effective feedback and engagement, otherwise this opportunity will have been wasted.

- 2.7 In addition to the staff and management team workshop, APSE have started to review the following:
- Staff structure, job descriptions and allocations
 - Staff rotas and leave reports
 - Training and development needs
 - Fleet allocation and usage
 - The Biodiversity project and opportunities

- The Community Payback Scheme
- Full budget expenditure
- Operational expectations
- Vehicle Renewals Programme
- Assets Register
- Commercial options
- Garage facilities
- Technology in use including the CRM portal
- Waste management
- Completed inspections of 40 different areas across the district.

- 2.8 As part of the ongoing commitment to service improvement, the Council has subscribed to APSE's National Performance Network in order to measure and benchmark performance and identify areas of improvement and good practice.
- 2.9 An internal customer survey has been completed, as the project team look to understand the additional demands placed on the service from other areas of work. This includes the Clean & Green team's response to adverse weather (inc. flooding), travelers, civil emergencies, events, tree surveys, road sign installations, community projects, election support and memorial bench installation and maintenance, etc.
- 2.10 The APSE consultants have recently met with the Climate Change Officer to discuss the role of the service in the Climate Change agenda. The discussion ranged from carbon offsetting, marketing initiatives, and meadow planting, to visiting other councils who have demonstrated more environmentally friendly working practices. The Climate Change Officer and the Clean and Green Manager will visit Nottingham City Council in November to gain an insight into their successful transition to a low emission fleet.
- 2.11 There are further workshops to take place, included a Members Workshop on Tuesday 7th December at 6pm and more work to take place over the coming months.
- 2.12 The final report from APSE is expected in January 2022. Following this, the consultants and the Director of Community & Environmental Services will present the outcomes of the review and a series of recommendations to Members with the aim of improving the service.

3 RISK ASSESSMENT

3.1 Legal

- 3.2 This report is an update on an internal review of the provision of Clean and Green services. As the report contains no firm proposals at this time there and is for noting only there are no decisions to be made and therefore no risk.

3.3 Financial

The cost of the review can be contained within existing budgets. Therefore the financial risk arising from this report is assessed as low.

4 OTHER CONSIDERATIONS

- 4.1 In preparing this report, the relevance of the following factors has also been considered: prevention of crime and disorder, equalities, environmental, climate change, health, human rights, personnel and property.
- 4.2 A Climate Change Impact Assessment is not required at this stage of the review. The CCIA will be carried out to evaluate the recommendations presented to Members following the outcomes of the review.

5 CONTACT INFORMATION

- 5.1 Ashley Watts, Director of Community and Environmental Services

01629 761367 or ashley.watts@derbyshiredales.gov.uk

- 5.2 Samantha Grisman, Clean & Green Manager

01629 761386 or samantha.grisman@derbyshiredales.gov.uk

6 BACKGROUND PAPERS

None