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Wednesday, 31 August 2022

To All Councillors:

As a Member or Substitute of the **Community & Environment Committee**, please treat this as your summons to attend a meeting on **Thursday, 8 September 2022 at 6.00 pm** in the **Council Chamber, Town Hall, Bank Road, Matlock, DE4 3NN**

Yours sincerely,

James McLaughlin
Director of Corporate and Customer Services

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 email committee@derbyshiredales.gov.uk

AGENDA

1. APOLOGIES FOR ABSENCE

Please advise the Democratic Services Team on 01629 761133 or email committee@derbyshiredales.gov.uk of any apologies for absence.

2. 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.

3. APPROVAL OF MINUTES OF PREVIOUS MEETING (Pages 3 - 8)

29 June 2022

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 the time.

5. ENVIRONMENTAL HEALTH COMMERCIAL TEAM SERVICE PLAN - FOOD HYGIENE AND HEALTH AND SAFETY AT WORK (Pages 9 - 29)

This report informs Committee of the official interventions for food hygiene and health and safety at work undertaken by the Council's Environmental Health service during 2021/22 and predicts service demands for 2022/23.

6. DERBYSHIRE DALES LOCAL DEVELOPMENT SCHEME 2022-2025 (Pages 30 - 54)

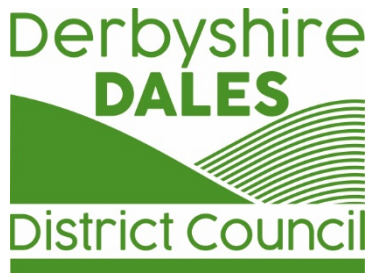
This report seeks Member's approval of a revised Local Development Scheme (LDS) for the period covering 2022-2025 to be published on the Council's website.

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

Substitutes – Councillors Robert Archer, Jason Atkin, Sue Burfoot, Tom Donnelly, Richard FitzHerbert, Peter Slack, Alyson Hill, Jacqueline Allison and Colin Swindell

NOTE

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Community & Environment

Minutes of a Community & Environment meeting held at 6.00 pm on Wednesday, 29th June, 2022 in the Council Chamber, Town Hall, Matlock, DE4 3NN.

PRESENT Councillor Helen Froggatt - In the Chair

Councillors: Jason Atkin, Sue Bull, Martin Burfoot, Neil Buttle, Tom Donnelly, Chris Furness, David Hughes, Tony Morley, Dermot Murphy, Peter O'Brien, Mike Ratcliffe, Janet Rose, Andrew Statham and Steve Wain

Tim Braund (Director of Regulatory Services), Steve Capes (Director of Regeneration & Policy), Rebecca Cummins (Community Development Manager), Giles Dann (Policy and Economic Development Manager), Angela Gratton (Democratic Services Officer), Karen Henriksen (Director of Resources), James McLaughlin (Director of Corporate and Customer Services (Monitoring Officer)) and Jason Spencer (Electoral and Democratic Services Manager)

Note:

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

APOLOGIES

Apologies for absence were received from Councillor(s): Matt Buckler, Susan Hobson, Garry Purdy and Alasdair Sutton

32/22 - APPROVAL OF MINUTES OF PREVIOUS MEETING

It was moved by Councillor Mike Ratcliffe, Seconded by Councillor Dermot Murphy and

RESOLVED (Unanimously)

That the minutes of the meeting of the Community and Environment Committee held on 6 April 2022 be approved as a correct record.

The Chairman declared the motion **CARRIED**.

33/22 - PUBLIC PARTICIPATION

In accordance with the procedure for public participation Mr Peter Dobbs Local Resident of Ashbourne spoke regarding the action plan for Ashbourne's Air Quality Management Area.

QUESTIONS from Peter Dobbs, Local Resident of Ashbourne, regarding the Ashbourne's AQMA Updating Report –

Although I am pleased that an updating report has been included as an agenda item for this meeting, I am disappointed to note that it seems to be little more than a diary of meetings with references to **reports that are not included in the pack** with some impenetrable acronyms.

Question 1; At what date will this committee and the wider public have sight of the proposed action plan?

I understand that the same 11 actions that were in the 'Marsden Report' for the County Council published over 4 months ago are included in the current draft of the action plan.

My interpretation of diffusion tube data for 2022 shows that NOx levels on Buxton Road remain above the action threshold indicated in the 2021 'Detailed Assessment', with one location (new in 2022) reaching an adjusted value of NOx of over 50ugm-3 (the legal limit is 40ugm-3).

So we currently have illegal levels of NOx that the apportionment exercise attributes largely to LGV and HGV.

Question 2; Which of the 11 actions in the draft plan does this council believe will have a significant effect over the next 4 years in reducing NOx levels at the top of Buxton Hill (the new test location outside the Bowling Green pub)?

Question 3; What evidence supports this prediction?

RESPONSE –

Question 1

Once the draft action plan has been fully considered by the working group it is expected that a final draft will be brought to a meeting of the Community and Environment Committee for approval before submission to Defra. At this stage it is not possible to state a precise date for this to happen as consultation with community stakeholders on the working group has not yet been concluded.

Question 2

Clearly the most effective action to reduce NO2 levels in this area would be to reduce/remove traffic from the roads that pass through it. However, at this time there is no immediate prospect of a bypass being delivered, which would enable this to happen. Therefore it is considered that the combination of measures set out in the draft action plan is necessary to reduce NO2 levels in the meantime.

Question 3

These measures are based on the best advice of Transport Officers at Derbyshire County Council. The success or otherwise of their implementation will be measured by ongoing NO2 measurements in the area.

34/22 - INTERESTS

There were no declarations of interest.

35/22 - LEVELLING UP FUND ROUND 2 BID SUBMISSION

The Director of Regeneration and Policy introduced the Levelling Up Fund Round 2 bid which sought approval for submission to Round 2 of the Government's Levelling Up Fund and informed Members that the new title of the bid was Ashbourne Reborn. The Director of Regeneration and Policy also thanked Members, colleagues and the Ashbourne community groups for their contributions.

It was explained to Members that this LUF bid was for Ashbourne but that work would continue on the Matlock project pipeline and in the long term when future funding opportunities arise, Member approval would be sort to include other areas in future iterations of the Capital Programme.

Members thanked the Director of Regeneration and Policy and his team, Consultants and the community team for the excellent bid.

It was moved by Councillor Dermot Murphy, seconded by Councillor Sue Bull and

RESOLVED (Unanimously)

1. That the Levelling Up Fund Round 2 bid be approved for submission.
2. That authority be delegated to the Director of Regeneration and Policy to make detailed changes prior to bid submission.
3. That authority be delegated to the Director of Corporate and Customer Services to agree Heads of Terms or a Memorandum of Understanding with Ashbourne Methodist Church prior to bid submission.
4. That the project pipeline be noted.

The Chairman declared the motion **CARRIED**.

36/22 - PARISH COUNCIL REIMBURSABLE EXPENDITURE SCHEME

The Director of Resources introduced a report which considered an application from Calver Parish Council for funding in respect of the cost of maintenance of a newly acquired village green. Members were also reminded of the 2008 review during which the Committee resolved that the District Council did not assume the maintenance costs for any new facilities, and that there was no budgetary provision for further commitments under the parish council reimbursable expenditure scheme.

During debate it was proposed by Councillor Peter O'Brien to support Calver Parish Council with a one off payment, this was seconded by Councillor David Hughes and

RESOLVED

That the application from Calver Parish Council for funding maintenance of the village green be granted.

Voting

6 For
9 Against
0 Abstentions

The Chairman declared the motion **FALLEN**.

It was then moved by Councillor Tony Morley, seconded by Councillor Jason Atkin and

RESOLVED

That the application from Calver Parish Council for funding maintenance of the village green be refused.

Voting

9 For
3 Against
3 Abstentions

The Chairman declared the motion **CARRIED**.

37/22 - AIR QUALITY MANAGEMENT AREA, ASHBOURNE - UPDATING REPORT

The Director of Regulatory Services introduced a report updating Members on the actions taken following the declaration of an Air Quality Management Area (AQMA) in Ashbourne at the meeting of this Committee on 7 April 2021. Following this meeting, Officers had contacted Derbyshire County Council's Transport team and begun the process of progressing an action plan. Liaison had been necessary to obtain the traffic figures necessary to undertake the Detailed Assessment. An Action Plan inception 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. In order to manage the Action Plan process, Officers set up a simple action log to record progress. This action log was presented to Members in the report, giving a more detailed timeline of the actions taken during the process.

Members raised concerns over the progress of the action plan and the ongoing emissions produced by vehicles travelling through the area. The Director of Regulatory Services informed members that an action plan is given eighteen months to progress by DEFRA, it was also pointed out that the draft action plan on the table contained eleven points with the building of a by-pass included. It was hoped that a final draft would be brought to the September meeting of this Committee before submission to DEFRA.

During debate Councillor David Hughes proposed an amendment to include two additional recommendations as set out below:

2. That a representation be made to DCC Highways Authority for a 20mph speed limit to be enforced on the A515.
3. That a representation be made to DCC Highways Authority for a congestion charge to be introduced to create a clean air zone.

Further to this, Councillor Peter O'Brien requested the inclusion of the two additional recommendations below, this was accepted by Councillor David Hughes:

4. That a full progress report be produced and presented to Members at the next meeting of this Committee.
5. That the draft Action Plan be made publicly available and circulated to Members.

This amendment was seconded by Councillor Peter O'Brien and put to the vote as follows:

Voting

6 For
9 Against
0 Abstentions

The Chairman declared the motion **LOST**.

It was then moved by Councillor Jason Atkin to accept the Officer recommendations as set out in the report, this was seconded by Councillor Tom Donnelly and

RESOLVED

That the actions taken in progressing the AQMA action plan be noted.

Voting

10 For
0 Against
5 Abstentions

The Chairman declared the motion **CARRIED**.

38/22 - ANNUAL LEISURE REPORT 2021/22

The Community Development Manager introduced the annual updating report on the performance of the four leisure centres operated by Freedom Leisure within the district from 1 April 2021 to 30 March 2022.

The Community Development Manager informed Members that the Council would continue to work closely with Freedom Leisure over the next financial year, meeting on a monthly basis to monitor any further impact the pandemic has on the performance of the leisure centres.

It was moved by Councillor Jason Atkin, seconded by Councillor Chris Furness and

RESOLVED

1. To note the annual report provided by Freedom Leisure for 2021/22
2. To approve a deviation from the leisure contract to allow Freedom Leisure to retain and carry forward the £28,910 surplus from 2021/22 to 2022/23.

The Chairman declared the motion **CARRIED**.

Meeting Closed: 8.20 pm

Chairman



OPEN REPORT COMMUNITY AND ENVIRONMENT COMMITTEE

Community and Environment Committee – 8 September 2022

Environmental Health Commercial Team Service Plan – Food Hygiene and Health and Safety at Work

Report of Director of Regulatory Services

Report Author and Contact Details

Amanda Goodwill, Environmental Health Manager
01629 761316 or amanda.goodwill@derbyshiredales.gov.uk

David Cowley, Principal Environmental Health Officer
01629 761249 or david.cowley@derbyshiredales.gov.uk

Wards Affected

District-wide

Report Summary

This report informs Committee of the official interventions for food hygiene and health and safety at work undertaken by the Council's Environmental Health service during 2021/22 and predicts service demands for 2022/23.

Recommendations

1. That the service plan for the delivery of official controls detailed at Appendix 1 to this report be approved;
2. That the operational sampling procedure contained within the service plan be approved.

List of Appendices

Appendix 1 Commercial Team service plan

Background Papers

None

Consideration of report by Council or other committee

N/A

Council Approval Required

No

Exempt from Press or Public

No

Environmental Health Commercial Team Service Plan – Food Hygiene and Health and Safety at Work

1. Background

- 1.1 The District Council is required under the Food Law Code of Practice to submit a Service Plan to cover all areas of food law the Competent Authority has a duty to enforce. The plan must set out how the Competent Authority intends to deliver and resource official food controls and other official activities in its area. A performance review must be carried out at least once per year. This performance review occurs on 1 April every year, and the findings are also directly provided to the Food Standards Agency
- 1.2 Service plans are an important part of the process to ensure that national priorities and standards are addressed and delivered locally. Service plans also help ‘competent authorities’ to:
 - Focus on the principles of good regulation;
 - Focus on key delivery issues and outcomes;
 - Provide an essential link with corporate and financial planning;
 - Set objectives for the future and identify major issues that cross service boundaries;
 - Provide a means of managing performance and making performance comparisons;
 - Provide information on an authority’s service delivery to stakeholders, including businesses and consumers.
- 1.3 The service plan is drafted in accordance with guidelines issued by the Food Standards Agency, following a structured, common format, with chapters and subject headings specified and flexibility for competent authorities to include additional items under specific headings.
- 1.4 The service plan is required to review the qualitative and quantitative performance of delivery against the plan, at least once per year.
- 1.5 The Environmental Health service is also required to submit the service plan for approval by Members and to make the information contained within the plan available to the public.

2. Key Issues

- 2.1 In line with the Food Standards Agency recovery plan, no service plan was published for 2021/22, taking into account the impacts that the Covid 19 pandemic had on service delivery in this area. However, a service plan is required for 2022/23.
- 2.2 The Commercial Team Service Plan for 2022/23 is attached as appendix 1 to this report for consideration and approval. The plan confirms the key activities of the Authority during the Covid 19 pandemic and its plans for the future in line with Food Standards Agency criteria. All the data within the plan is taken from and correct at 1 April 2022.

- 2.3 Some points to note include the tables detailing Establishment Profile by Risk Score Category and Food Hygiene Rating, which provide an overview of the food businesses within the Derbyshire Dales (page 6). The Interventions at Food Establishments table shows the number of interventions achieved by the team during 2021/22 and the work allocation projections for 2022/23 (page 8). The table of Health and Safety Demands for Service (page 15) shows a significant increase in service demand for 2020/21 and 2021/22, which reflects the level of service demand in this area during the pandemic.
- 2.4 The service plan also sets out the varying activities and demands upon the service due to the pandemic and summarises a number of complex investigations undertaken by the team.
- 2.5 The service plan highlights that the Council is on-target to exceed the Food Standards Agency expectations for post-pandemic recovery.
- 2.6 Pages 10 to 11 of the service plan set out the operational sampling procedure to which the team proposes to work. This procedure has been drafted in accordance with Food Standards Agency criteria and makes it clear that sampling decisions will be based on risk, in that any site that demonstrates poor performance during a routine intervention may be selected for sampling activities, or that sampling may be undertaken in response to a situation such as a food poisoning outbreak which requires that sampling in order to determine the level of risk to the public.

3. Options Considered and Recommended Proposal

- 3.1 Food Standards Agency guidance to 'competent authorities' is that service plans of this type should be developed annually and submitted to Members for approval. It is considered that the service plan attached as Appendix 1 to this report is a proportionate response to these guidelines.

4. Consultation

- 4.1 As outlined above, production of this service plan is a requirement of Food Standards Agency guidance and the draft plan has been developed in accordance with the specified template. It sets out how the authority will deliver its statutory requirements in relation to food safety and health and safety at work. Once approved the service plan will be published and made available to all stakeholders.

5. Timetable for Implementation

- 5.1 The service plan sets out the broad programme of food safety and health and safety at work activity for 2022/23 and will be implemented immediately.

6. Policy Implications

- 6.1 The production of this service plan is intended to address the District Council's responsibilities in respect of food safety and health and safety at work. As such it directly contributes towards the corporate Place priority to keep the District clean, green and safe.

7. Financial and Resource Implications

- 7.1 In considering this report and approving the service plan, the Committee will ensure that the authority's statutory obligations are met. Demand for the service is expected to return to pre-pandemic levels. The financial risk of this report is assessed as low.

8. Legal Advice and Implications

- 8.1 In considering this report and approving the service plan, the Committee will ensure that the authority's statutory obligations are met. Assuming that the proposals are approved, the legal risk in respect of this report is considered to be low.

9. Equalities Implications

- 9.1 The service plan addresses the District Council's statutory obligations in respect of food safety and health and safety at work and there are no perceived equality impacts in relation to protected groups. Copies of the service plan will be available in languages other than English upon request, or where officers identify situations in which expertise in languages other than English would be appropriate.

10. Climate Change Implications

- 10.1 The service plan sets out the District Council's statutory obligations in respect of food safety and health and safety at work and no positive or negative impacts upon climate change have been identified by comparison with previous years.

11. Risk Management

- 11.1 The District Council has a statutory responsibility to undertake the duties outlined in the service plan. Failure to conform to the Food Standards Agency's expectations could result in censure or, in extreme cases, intervention by the Agency.
- 11.2 Progress against the service plan will be monitored throughout the year to ensure that the expectations of the Food Standards Agency and of the District Council are being met.

Report Authorisation

Approvals obtained from:-

	Named Officer	Date
Chief Executive	Paul Wilson	31/08/2022
Director of Resources/ S.151 Officer (or Financial Services Manager)	Alison Wood	31/08/2022
Monitoring Officer (or Legal Services Manager)	James McLaughlin	31/08/2022



Regulatory Services – Environmental Health

Commercial Team Service Plan 2022 - 2023

This service plan is in addition to the Corporate Service Plan provided for the Environmental Health Department generally. The plan has been prepared in accordance with the Practice Guidance issued by the Food Standards Agency (FSA). The Plan also covers activities under Health and Safety Enforcement Activities.

Due to the Pandemic, the FSA have provided further advice to Local Authorities namely: Covid-19 Local Authority Recovery Plan: guidance and advice to local authorities for the period from July 2021 to 2023 / 24. The guidance from the FSA provides advice on how local authorities should target resources, where they add greatest value in providing safeguards for public health and consumer protection in relation to food.

The FSA have confirmed key activities and aims for Local Authorities, and have published Q and A documents for different situations as they arise due to Covid -19.

The FSA have moved away from the yearly LAEMs Monitoring System (Local Authority Enforcement Monitoring System), and has replaced this with "Temperature Check Surveys". The Commercial Team will provide an update to the FSA on the current situation in relation to the inspection data and progress with the FSA Recovery Plan. The Temperature Check Surveys are at each key milestone within the Plan.

Aims and objectives

- To maintain and improve food safety and health and safety standards within the Derbyshire Dales areas.
- To promote safe practices and safe activities with residents, businesses and visitors to the Derbyshire Dales areas
- To support other services and partners which share the same aims and objectives
- To contribute to the Council's Corporate plan
- To ensure the recovery process from the Pandemic is on track

Corporate Plan

The Derbyshire Dales Corporate plan 2020 – 2024 is a public document available on the Council Website. The Commercial Team activities also fall within the following Corporate Priorities:

People: Providing you with a high quality customer experience

- The Environmental Health Department are currently working on updating our data management system. This will improve the customer experience
- Register a Food Business, once the Council is setup with the FSA on the 'Register a Food Business', this will improve the customer experience as the system is more user friendly.
- To maintain a high customer satisfaction from the service we provide.

Place: Keeping the Derbyshire Dales Clean, Green and Safe

- The fundamental aim of the Commercial Team is to ensure the Derbyshire Dales are a safe environment for everyone within the area.
- The Food Hygiene Rating information informs the public of safe places to eat which are clean, and well managed.

Supporting better homes and jobs for you

- The Commercial Team provides advice to any business wishing to improve their activities.
- We will also respond to any employee who has concerns about the workplace, and will direct any individual to the most appropriate person if we cannot help further.

This Service Plan is provided to supplement the Corporate Service Plan, setting out how the Commercial Team plan for managing Food Hygiene and Health and Safety delivery matters. The Corporate plan sets out how Environmental Health generally contribute towards meeting the Corporate Priorities for 2022/ 2023

Profile of the Competent Authority

Derbyshire Dales District Council is a large rural district (approx.800 Sq Km) with a low population density. The District Council is only responsible for Food Hygiene requirements under food safety regulations. Food Standards is the responsibility of Derbyshire County Council.

The Authority is located within the Peak District National Park Area, and the location attracts around 4.9 million visitors and tourists every year. This also can make food businesses seasonal in nature with high and low seasons.

The population is estimated at 72,325 in 2019, is evenly spread across the area, as opposed to being clustered around large towns. There is a low ethnic population of 2.9% of residents, and approximately 22% of the residents are of retirement age.

Large population centres such as Manchester, Sheffield, Derby, and Nottingham, are located within close proximity for day trips, and holidays within the Countryside.

Organisational Structure

The Environmental Health service is split into two operational teams, namely Public Health and Housing, and the Commercial Team.

The Principal Environmental Health Officer is the designated Manager and Lead (Food) Officer for the Commercial Team, and works under the Environmental Health Manager, who has wider responsibilities for Environmental Health generally.

The Director of Regulatory Services is the designated Director responsible for the activities of the Environmental Health Service.

The service is based in the Town Hall, Matlock, Derbyshire, DE4 3NN. The Commercial Team work in an “agile” fashion. This results in Officers working from home, on District or from the Council Offices depending on the work activity requirements.

The ‘Business Support Unit’ (BSU), a Council Service under the Corporate and Customer Service Directorate provide assistance to the Commercial Team in the following areas:

- Initial responses to concerns and data entry
- Visitors / collect of food complaints from reception
- Processing letters and other communication streams
- Export Health Certificates Administration
- Facilitating in the General Administration of the service

The Council operates a Committee System of governance, and the activities of the Environmental Health service report to the ‘Community and Environment Committee’, which then feeds into Full Council.

The Authority has a Service Level Agreement with the UK Health Security Agency York Laboratory for Food Examiner / and Sampling expertise.

Out of Hours

The Environmental Health service does not operate a routine out of hours or call out service. Any member of the public reporting concerns out of hours should call the main Council Telephone number 01629 761100. This will direct Emergency calls to Derbyshire County Council’s Emergency Planning Duty Officer. The on-call duty officer will refer the matter to an appropriate officer depending on the nature and urgency of the problem.

Service user may also contact the service

1. Council reception at the Town Hall (as stated above), open Monday to Friday between 9am and 2pm (with the exception of Wednesday morning when the

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offices open at 9.30am). These times are being reviewed following the Covid 19 pandemic.

2. By telephone – 01629 761212, 8.30am to 5pm Monday to Friday.
3. By E-mail to officers individual e-mail addresses or to the general address: envhealth@derbyshiredales.gov.uk
4. The Council also operates a general enquiries on-line form www.derbyshiredales.gov.uk/general-enquiries

The service follows the Communications and Market Strategy and Customer Services Standards to ensure that the service is accessible by all members of the local community.

Scope of the Commercial Team

The Commercial Team have a wide range of responsibilities which are delivered alongside the food hygiene service namely:

- Health and Safety at Work
- Animal Welfare
- Public Health including Covid – 19 responsibilities

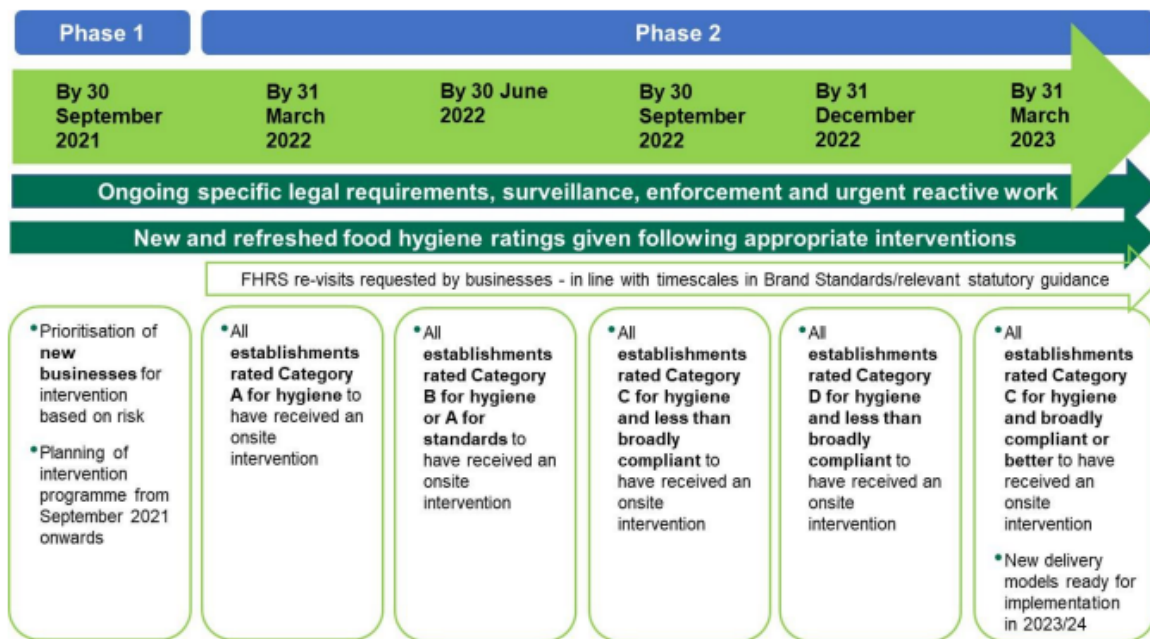
The Commercial Team also allocate food inspection work depending on service demand to a contractor Environmental Health Officer. If the intervention establishes issues of concern then the situation is reported back to the Commercial Team to consider the situation further, as contractors are not responsible for enforcement activities.

Demands on the Service

Due to the Covid-19 Pandemic the demands on the Service to help control the virus have been extensive, especially as cases of concern have escalated, resulting in Government restrictions. The Commercial Team have played a key role in supporting Licensing / Derbyshire Police, Public Health at Derbyshire County Council, and UK Health Security Agency. The Service has provided advice and guidance on hygiene matters generally, and investigated outbreaks within various settings, and enforced Covid -19 requirements.

The Service is currently following the FSA Guidance on the Recovery Plan. Any local authority who cannot meet the recovery standard is required to notify the Food Standards Agency without delay.

Figure 1: Outline of the Recovery Plan



Notes

The key milestone dates within the Recovery Plan for higher risk establishments are shown.

For lower risk establishments not shown in the figure, local authorities have the flexibility to defer planned interventions and only undertake intervention where information/intelligence suggests that risks have increased/standards have fallen or if the establishment is otherwise considered a priority for intervention due to the risk posed.

In the case of food standards, the impact on the business of the new requirements on allergen labelling for products prepacked for direct sale - that apply from 1 October 2021 - should also be taken into account.

The diagram above details the minimum expected timescales for the recovery process for the inspection programme. I.e. the Council must ensure the recovery of all Risk Category **A** inspections by March 2022, and Risk Category **B** by June 2022.

In addition to ensuring the risk based inspection programme is recovering, the Council must also ensure the following important principles which underpin the recovery are implemented fully namely:

1. official controls where the nature and frequency are prescribed in specific legislation and official controls recommended by FSA guidance that are undertaken to support trade and enable export
2. reactive work including, enforcement in the case of non-compliance, managing food incidents and food hazards, and investigating and managing complaints
3. sampling in accordance with the local authority sampling programme or as required in the context of assessing food business compliance, and any follow-up necessary in relation to the FSA Surveillance Sampling Programme
4. ongoing proactive surveillance to obtain an accurate picture of the local business landscape and to: identify open/closed/recently re-opened/new businesses; as well as businesses where there has been a change of operation, activities or FBO

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5. or 'new businesses', consideration of registration information and intelligence with appropriate onsite interventions carried out where there are concerns around public health/consumer protection
6. for 'new businesses' where consideration of registration information and intelligence indicates lower risk, initial visits should be prioritised and undertaken in accordance with the Codes of Practice and Practice Guidance taking account of the flexibilities provided
7. implementing planned intervention programmes for high-risk category and non-compliant establishments in accordance with the timeline
8. implementing an intelligence/information based approach for lower risk category establishments
9. Responding to FHRS requested re-visits in line with the timelines specified in the FHRS Brand Standard for England or the statutory guidance in Wales and Northern Ireland.

The Council report back to the FSA on using the "Temperature Check Survey" with progress on the inspection programme, and confirmation that resources are available to implement the above arrangements.

The Commercial Team is currently **on-target** with these requirements, and expectations of the FSA.

Establishment's Profile by Risk Score Category

Risk Score Category	Total Number	Establishments with Hygiene Rating 2 Improvement Necessary or below
A	8	6
B	31	12
C	135	12
D	500	3
E	377	0
UNRATED	31	New Business so rating not yet determined
Total	1,082	

Establishment's Profile by Food Hygiene Rating

5 Very Good	753
4 Good	117

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3 Generally Satisfactory	47
2 Improvement Necessary	13
1 Major Improvement Necessary	15
0 Urgent Improvement Necessary	2

Hygiene Scores of 3, 4 and 5 are considered to be Broadly Compliant Food Businesses. Some sites registered with the authority are excluded, or exempt from a hygiene rating, and are therefore not included within these figures.

Approved Establishments

The District Council currently has 10 Approved Establishments in total. 9 sites operate within the Dairy Industry namely Milk, Ice Cream and Cheese, and the one remainder is an Approved Cold Store.

Seasonal Activities

Various business which rely on the tourism trade tend to close or reduce the opening hours and level of service during the winter period, also this can attract a frequent change in the registered person.

Unrated Establishment (New Business)

Due to the Pandemic, the Authority have closed several premises records as they are not operating, however these sites may start to trade and will require monitoring. Other Businesses have also changed ownership, or catering practices due to the pandemic.

The Commercial Team is currently working on unrated premises as a priority in accordance with the FSA recovery plan. The estimate number for new businesses in 2022/23 is taken from historical trends over the last 4 years.

Regulation Policy

The Commercial Team aim to support positive business growth and development generally and follow the Government Guidance on undertaking regulatory activities in line with the Regulators Code.

The Council has adopted a Corporate Enforcement Policy to ensure that activities are proportionate, consistent, transparent and accountable. A copy of the Enforcement Policy is available on the Council's website:

www.derbyshiredales.gov.uk/your-council/policies-plans-a-strategies/corporate-enforcement-policy

The Commercial Team will ensure that any enforcement decisions are consistent with our policy and any other enforcement guidance and standards issued by a

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relevant Government Agency such as the Food Standards Agency, Home Office, and Health and Safety Executives, BEIS

During the period of 2021/2022 the Commercial Team has overseen the following regulatory matters:

- 2 Hygiene Improvement Notices (Training and HACCP)
- 1 Voluntary Closure
- 2 Product Recalls

Interventions at food establishments

Due to the Pandemic the Commercial Team have a number of outstanding food safety interventions as below

Risk Score Category	Outstanding Interventions	2022-23 projections
A	0	16
B	0	31
C	0	67
D	64	245
E	256	318
UNRATED	31	
Total Number of Interventions A-C		114
Total Number of Interventions D & E		563
Total Number of establishment suitable for Alternative Inspection approach (E rated)		180
Total Number of establishments rated D & E requiring an intervention		383
<u>Estimated</u> Number of Re-inspections 2021-22		15
<u>Estimated</u> Number of New Registration		126
Grand Total of interventions for 2022/23		638 + Alternative Enforcement
Grand Total of interventions achieved 2021/22		608 (inspection)

Food complaints

The Commercial Team respond to complaints/ service requests regarding Food Hygiene matters within the District due to poor hygiene standards, specific foodstuff safety concerns, and provide general advice. All this information is recorded on the data management system as below

Trends

	2018-19	2019-20	2020-21	2021-22	Projection
Concerns about a Premises	41	42	38	31	38
Food Product Concern	50	27	35	48	40
Health Certificate	9	29	18	27	25
Advice Requests	245	223	206	295	260+
FHRS Inspections	15	16	13	15	15
FHRS Advice	157	110	54	39	90+
New Business Registrations	126	118	127	135	126

Due to the Pandemic the number of Service Requests to provide advice may not be accurate, due to the number of requests for service during the lockdown periods.

During the year of 2021 – 2022, the Team has dealt with 5 Service Requests which have required direct escalation to the food incidents team at the FSA. This was due to situations resulting in a national significance. The team would estimate a similar number of Food Safety Incidents for the 2022 – 2023.

Within the Food Hygiene Rating data, it is clear that standards within the local area have declined since pre-pandemic standards, and it would appear this situation has been observed across Derbyshire, and Nationally. Further information / analysis may emerge from the national picture on this element from the FSA in due course.

Due to the Pandemic the area also has vacant premises which may become active at some point within the future namely public houses / café and restaurants and therefore these sites are currently closed, but maybe active during the summer. Therefore modelling the number of new registrations is difficult to plan for 2022/23

Poor Performance Premises – establishment with a hygiene rating 2 Improvement Necessary or Lower.

The Commercial Team have noted an increase in the number of sites rated as 2 improvement necessary or lower. The FSA classification for these sites is not-broadly compliant businesses.

For any establishment which is not broadly compliant the premises is a priority for re-inspection, to check that any issues of concern have been addressed by the business.

All enforcement decisions in-relation to poor performance are made in accordance with the enforcement policy taking into account various factors namely: the public safety risk, and any mitigations by the business. Formal actions could result in voluntary or formal prohibitions and improvement notices, or prosecutions.

Home Authority and Primary Authority

The Commercial Team currently has one Primary Authority Relationship with the YHA (Youth Hostel Association) based within Matlock. The company based throughout the UK. The Council currently charge an hourly rate for any advice provided to this company.

The resource implications for the team, have been minimal since the partnership was agreed, however the agreement is under review to consider further areas under the scheme namely Health and Safety and Public Health. The partnership is currently resourced by the team sufficiently, this will however be reviewed should the company start requesting further support from the Council.

Advice to businesses

The Commercial Team currently offer free advice to help businesses comply with legislation and guidance. Advice is provided during inspections, and specifically if a service request is received. The Team also aim to provide advice to new businesses upon receiving a food business registration form. The number of Service Requests received for advice is detail above.

Food Sampling Policy

The Council work in partnership with the UK Health Security Agency to undertake microbiological food samples. When investigations result in food standards samples requiring investigations by the Public Analyst, the department will liaise with Trading Standards at Derbyshire County Council.

The Council undertake the following sampling activities namely:

Surveillance and Interventions– sites which demonstrate poor performance during a routine intervention can be selected for sampling activities i.e. swabbing chopping boards. These sites are normally rated 2 improvement necessary or lower. Or if an officer feels a certain situation may benefit from sampling i.e. routine sampling for a manufacturer to verify the shelf-life of a high risk product, i.e. cooked meats from a butcher shops, or products subject to commercial sterilization techniques.

Imported food sampling – the Council may be requested to sample a specific imported foodstuff at the point of sale, or processing within a food business.

Interventions in higher risk premises (site with a risk category A or B, or score for processing high risk foodstuff, or catering for a vulnerable group), sampling may be appropriate during an inspection i.e. sampling while inspecting an approved establishment, or care home.

Complaints - a member of the public may be concerned about foodstuffs they have purchased, this may be suitable for laboratory analysis.

Special Investigations - Samples may be required in relation to special investigations, i.e. local outbreaks, or special directions by the FSA.

National and Regional Studies - The Derbyshire Sampling Group, and Cross Regional Sampling group may determine that a specific activity requires further investigations. This will result in them releasing a specific study to all local authorities.

The Commercial Team attend the local Sampling Group, to keep up to date with the latest sampling information, and activities of other Local Authorities.

The demand for sampling can vary, depending on what situations are observed during an intervention, and the Council has sufficient equipment and resources to undertake sampling when a situation arises.

If the sampling activity establishes bacteria of concern, then further investigation and / or enforcement actions may occur if the public are exposed to a health risk, in accordance with the Enforcement Policy. If the sample is unsatisfactory then the site maybe sampled again, until a satisfactory result is obtained. The business will also be offered advice on why the sample was unsatisfactory.

If a site has satisfactory samples results, then generally the site should not be sampled again for another 12 months.

The key factors for determining whether a site should be sampled are as follows:

- Risk (health concerns about a specific product or premises)
- Supply arrangements (is the product distributed widely)
- Verification – ensuring a premises is cleaning sufficiently

Sampling Programme

The Commercial Team discuss what premises should be added to the sampling programme during monthly team meetings. If urgent samples are required these are instigated without delay outside the programme which identifies establishments which are in scope for a sampling intervention.

Liaison with other organisations

The Commercial Team liaise with other organisations by the following means:

- EHCNET – the team has access to this facility
- Knowledge Hub
- Working Groups – Namely Food Safety and Health and Safety
- Covid Working Groups
- Food Sampling Group (Derbyshire)

During the Pandemic the Commercial Team participated with many organisations in the response to control the virus, including Derbyshire Police, Derbyshire Trading Standards and Public Health, UK Health Security Agency, Health and Safety Executive.

The team aim to be an 'active' member of any partnership working to provide other agencies with advice, or information we have encountered as a department.

Food safety and standards promotional work

The Commercial Team are planning the following promotional work for 2022 / 23.

- Allergy campaign during the School Holiday of 2022 #speakupforallergies
- Fire Work Safety Campaign November 2022

The planning for these events is still on-going. The Commercial Team liaise with the Communications Team on these matters.

Control and investigation of outbreaks and food related infectious disease

Throughout the Covid-19 pandemic the Commercial Team have responded to outbreak situations as needed, in line with the FSA expectations. In the event of a major outbreak, this may result in significant resources implications until the situation is under control. In such circumstances it may be necessary to meet these demands by the disruption of other priority work, secondment of employees from other work areas within the Council or the provision of funding for a temporary resource. During the Pandemic the service responded effectively and worked in line with FSA expectations.

Financial Allocation

Details of the Financial Allocation to Environmental Health, and the Commercial Team is detailed within the Main Corporate Service Plan.

Staffing Allocation

In order to deliver the food hygiene programme, the authority need to ensure that competent qualified staff are employed by the authority, with a sufficient number of staff working on food law enforcement.

No. of Posts	Officers Resource	Food	H & S etc
1	Director of Regulatory Services	0.05	0.10
1	Environmental Health Manager	0.10	0.10
1	Principal Environmental Health Officer	0.65	0.25
3	Environmental Health Officers	2.2	0.8
0.5	Technical Officers	0.5	0
1	Graduate Environmental Health Officer	0.75	0.25
0.5	Food Safety Consultant / Contractor	0.5	0
FTE TOTALS		4.75 FTE	1.5 FTE

Please note that Officers within the Commercial Team also undertake enforcement activities for Health and Safety, Public Health, and Animal Welfare requirements.

The Environmental Health service is also supported by 2 FTE members of BSU, who also contribute to food hygiene work, along with other duties.

Please note that one Environmental Health Officer Post will be vacant from late May, and recruitment will occur to fill this vacancy.

Staff Development Plan

The Graduate Environmental Health Post is a professional development opportunity for a qualified person, to gain experience while also delivering food hygiene and safety interventions. The Council are members of the East Midlands Council 5 plus 1 Training programme, Mallard legal training, and CIEH. There are corporate budgets for training that are available to bid to annually, plus the Regulatory Services directorate holds a budget for seminars and short courses. Food Safety Officers are required to achieve 10 Hours CPD in food safety matters, along with another 10 hours on other areas of work. The Council support Officers in reaching CPD requirements. The PDR (Personal Development Review) is also a key tool in developing staff within the team.

Quality assessment and internal monitoring

To monitor the quality of work and consistency of hygiene rating BSU select 4 premises every month for internal monitoring. These records are checked by the Principal Environmental Health Officer. This monitoring is recorded on a spreadsheet.

Each inspection report contains a link for an online survey, for the public so they can report back any comments, or concerns with the food hygiene service.

The Principal Environmental Health Officer undertakes joint interventions with food officers to monitor performance generally. This is especially required for new employees, and or employees demonstrating competency under the FSA competency matrix.

Identification of any variation from the service plan

Due to the pandemic, the previous food hygiene target of 95% of interventions being achieved is not realistic. Historical data from 2019 for complaints has been reviewed within this plan, along with the historical intervention performance.

Service planning during the pandemic has been difficult due to the nature of different demands, and therefore the department must remain flexible, and adapt to any changes in Government Policy going forward.

Areas of improvement

The Environmental Health service is currently upgrading the computer database, to provide a better customer experience. This work will involve the department migrating onto a new cloud based system (Assure). This work is a key priority for the department over the next 24 months.

Register a Food Business – within the next 6 – 12 months, the Commercial Team will be taking steps to improve the food business registration system. The new process will allow members of the public to register a food business directly at www.gov.uk

The Environmental Health service are also considering charging food businesses for food hygiene re-inspection. Currently the Council does not charge for a food hygiene re-inspection, and the scheme can be updated. Further information on this matter will be presented to Members as part of the Fees and Charges report, before introduction.

Health and Safety Functions

Under the Health and Safety at Work etc, Act 1974, the Commercial Team enforce safety standards within various sectors namely: Hospitality, Leisure, Retail, Offices, Nurseries and playgroups. Higher risk premises are inspected by the Health and Safety Executive (HSE) namely manufacturing and farming etc.

The service currently undertake the following functions:

- Investigating reportable accidents under RIDDOR
- Participate in safety advisory groups for large events
- Undertake health and safety inspections and interventions
- Advise Licensing on Public Safety matters as a Responsible Authority
- Provide general advice to the public, and respond to workplace concerns

The HSE provide guidance to local authorities for planning interventions known as LAC67 (Local Authority Circular). The guidance is provided under Section 18

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of the Health and Safety at Work etc, Act 1974, and provides tools for priority planning and targeting of interventions. The main priority for 2020 / 21 was Covid-19 and responding to the pandemic.

The HSE has published a new LAC67 version 11 for 2022/23.

Over the period 2021/22 the Commercial Team have worked in partnership with the HSE on the Spot Check programme to support business with guidance on Covid -19. This has been a national project by the HSE.

Demands on Service

	2018-19	2019-20	2020-21	2021-22	Projection
H&S Advice Requests	8	29	260	329	<50
H&S Inspections	24	29	95	34	25
RIDDOR Investigations	43	45	19	45	37
Significant RIDDOR Investigations	2	3	0	4	<3

The elevated figures for providing advice is due to guidance on the Covid – 19 pandemic. As confirmed the figures for the work in relation to the Pandemic is not entirely accurate, as lots of businesses have been inspected through general observations around the towns and villages and only exception reporting has been recorded. I.e. records for sites where advice was needed, if the site was satisfactory no record was recorded to save time and resources, however information was stored on areas which have been visited to avoid duplication of resources.

The Commercial Team is currently investigating 2 workplace matters which require a Coroner Report due to Death within the workplace. These investigations are complex and resource intensive.

The Commercial Team also has a long standing investigation into lead contamination which is complex and resource intensive.

The Team has also provided advice and guidance for FemmeFest as this duty holder was identified as requiring attention.

National Priorities Planning for 2022/23

The HSE have published the latest LAC67 guidance for Local Authorities, revision 11 confirming the following national priorities for the department as:

Working Minds – raising awareness of the work-related stress and mental health campaign “Working Minds” with businesses. Local Authorities are asked to raise aware of the campaign with appropriate SME’s.

Electrical Safety in Hospitality Settings – Local Authorities are asked to increase awareness to improve standards of compliance. The pandemic has meant that many hospitality venues have extended their outside space to make the most of the outdoor areas.

Construction Work – generally construction is enforced by the HSE however LA activities may encounter Construction Works, and the Commercial Team can provide advice on: Asbestos Duty to manage / Silica Dust / fall from Heights, and draw attention to the CDM regulations where needed.

Inflatable amusement devices – there has been a number of serious incidents where inflatable amusement devices have collapsed or blown away in windy conditions.

Gas Safety in commercial catering premises – The Commercial Team will raise awareness of these issues during routine food hygiene inspections especially when observations are noted.

Pesticides – where the Local Authority is the enforcement authority the team will investigate any complaints about pesticides within the workplace, storage, sale and supply and use of pesticides in the workplace. We will also provide advice to members of the public using pesticides in a domestic setting.

Promoting worker involvement in safety management systems – employers have a duty to consult employees either directly or through appointed or elected representatives, on health and safety matters. During any visit to a site to review safety we will encourage and support worker involvement.

Priority sites for a Pro-Active Inspection

The following activities within the Derbyshire Dales area will be suitable for a proactive inspection.

- LPG storage on Caravan and Camping sites.
- Wholesale premises (falls from height / machinery / lifting equipment)
- Bakeries and Flour Dust occupational exposure
- Large scale public gathering (festivals and live music)
- Fires and Explosions

The above are within the scope for an inspection by the Commercial Team regardless of whether a complaint has been received by the Public i.e suitable for a pro-active intervention.

During the summer of 2022 / 2023 the Commercial Team will be inspecting / visiting Large Scale public events to review Public Safety standards. These event operators normally attend an event safety management meeting formally known as DESAG (Derbyshire Events Safety Advisory Group).

Key Partners for the Commercial Team

Food and Water Examiner

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UK Health Security Agency, Food, Water and Environmental Microbiology
Laboratory, York, Block 10, The National Agri-Food Innovation Campus, Sand
Hutton, York, YO41 1LZ General Office Tel: 01904 468 948
YorkFWElab@phe.org.uk

CCDC Consultant in Communicable Disease Control

UK Health Security Agency – East Midlands Health Protection Team, Seaton House,
City Link, London Road, Nottingham, NG2 4LA General Office Tel 0344 2254 524

Health and Safety Executive

concerns@hse.gov.uk – the Commercial Team has a dedicated HSE Liaison
Officer for a point of contact for other HSE services.

DRAFT

Community and Environment Committee – 8 September 2022

Derbyshire Dales Local Development Scheme 2022-2025

Report of Director of Regeneration and Policy

Report Author and Contact Details

Esther Lindley, Senior Planning Policy Officer
01629 761241 or esther.lindley@derbyshiredales.gov.uk

Wards Affected

All Wards Outside the Peak District National Park

Report Summary

This report seeks approval of a revised Local Development Scheme (LDS) for the period covering 2022-2025 to be published on the Council's website.

Recommendations

1. That the Derbyshire Dales Local Development Scheme 2022-2025 as set out in Appendix 1 to this report be approved and brought into immediate effect

List of Appendices

Appendix 1 Derbyshire Dales Local Development Scheme 2022-2025

Background Papers

[Adopted Derbyshire Dales Local Plan](#) (December 2017)

[National Planning Policy Framework](#) (July 2021)

[Planning Practice Guidance](#) (June 2021)

[Report to Council on Local Plan Review](#) (19 January 2022)

[Report to Council on Local Plan Review – Next Steps](#) (24 March 2022)

[Derbyshire Dales Local Development Scheme 2020-2023](#) (October 2020)

Consideration of report by Council or other committee

None Directly – Council on 24th March approved an timetable for the review of the Derbyshire Dales Local Plan. This report seeks to update the Local Development Scheme to reflect the updated timetable.

Council Approval Required

No

Exempt from Press or Public

No

Derbyshire Dales Local Development Scheme 2022-2025

1. Background

- 1.1 Section 15 of the Planning and Compulsory Purchase Act 2004 (as amended by Section 111 of the Localism Act) requires that local planning authorities prepare a Local Development Scheme (LDS), which sets out the Council's programme for the preparation and adoption of Local Development Documents over a three year period.
- 1.2 The National Planning Policy Framework requires that the planning system should be plan led, with an up to date plan providing a positive vision for the future of the area that sets out a framework for addressing housing needs, economic, social and environmental priorities. The National Planning Practice Guidance states that local planning authorities must keep communities informed of plan making activity, by publicising and keeping up to date their timetable for producing their Local Plan in a Local Development Scheme (LDS). The LDS should be published on the authority's web site
- 1.3 Following changes in legislation there is no longer a requirement for local planning authorities to specify the timetables for producing other planning documents such as the Community Infrastructure Levy (CIL), Supplementary Planning Documents (SPD's) and the Statement of Community Involvement (SCI) in the LDS. However, where being prepared details of these documents, and their timetable for preparation should be set out on the Council's website. Local Planning Authorities are however encouraged to include within their Local Development Scheme, details of other documents which form (or will form) part of the development plan for the area such as Neighbourhood Plans.

2. Key Issues

- 2.1 The Derbyshire Dales Local Plan was adopted on 7 December 2017 and the most recent Local Development Scheme was brought into effect in October 2020 and covers the period 2020-2023¹.
- 2.2 Regulation 10A of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) requires local planning authorities to review and assess whether local plans need updating at least every five years from their adoption date to ensure that policies remain relevant and effectively address the need of the local community.
- 2.3 In accordance with the National Planning Policy Framework Local Plan reviews should be completed no later than five years from the adoption date of the Plan, and should take into account changing circumstances affecting the area, and/or any relevant changes in national policy. Members will recall that a report was presented to a Meeting of Council on 24 March 2022 (Minute 347/21), which set out the work that had been undertaken on the Local Plan Review and proposals for future work to finalise the Local Plan following completion of the Local Plan Review by the Council at an Extraordinary Council meeting on 19 January 2022 (Minute 241/21).

¹ <https://www.derbyshiredales.gov.uk/planning-a-building-control/planning-policy/local-development-scheme>

- 2.4 The local planning authority is required to set out the timetable for producing and reviewing the Local Plan within the Local Development Scheme. A revised Local Development Scheme has been prepared to cover the period 2022-2025, as set out in Appendix 1.
- 2.5 The revised Local Development Scheme provides details of the next stages of local plan preparation to allow interested parties to keep track of progress and reflect the requirements of the regulations. The Local Development Scheme also sets out the resources required to take the Plan forward and the risks associated with its preparation. The key milestones, as approved at the meeting of Council on 24 March 2022 (minute 347/12) form the basis of the timetable for the preparation of the revised Derbyshire Dales Local Plan within the Local Development Scheme 2022-25

Completion of Additional Options Appraisal	May 2023
Draft Modifications	October 2023
Draft Submission Modifications	April 2024
Submit Modifications to Secretary of State	June 2024
Examination in Public (End)	October 2024
Adoption of Modifications	December 2024

3. Options Considered and Recommended Proposal

- 3.1 It is a legal requirement to prepare and keep up to date a Local Development Scheme which sets out a publically available timetable for the preparation/review of a Local Plan. This reports seeks approval for an updated timetable which reflects the timetable approved by Council in March 2022.
- 3.2 Members are recommended to approve the Derbyshire Dales Local Development Scheme, as set out in Appendix 1 and to publish it on the District Council's website as soon as practically possible

4. Consultation

- 4.1 None Required

5. Timetable for Implementation

- 5.1 It is recommended that the Derbyshire Dales LDs be brought into immediate effect.

6. Policy Implications

- 6.1 None – this is a technical document which has no policy implications for the District Council.

7. Financial and Resource Implications

- 7.1 Any future review of the Local Plan may have financial implications for the District Council. However the costs of undertaking such review have been taken into account in the District Council's Medium Term Financial Strategy.

8. Legal Advice and Implications

- 8.1 The proposals accord with the provisions of the relevant legislation, accordingly the legal risk is low

9. Equalities Implications

- 9.1 The Derbyshire Dales LDS has no direct equalities implications. The review of Derbyshire Dales Local Plan will be subject to a comprehensive Equalities Impact Assessment.

10. Climate Change Implications

- 10.1 The Derbyshire Dales LDS has no direct climate change implications. The review of the Derbyshire Dales Local Plan will include revised policies which will seek to mitigate the effects Climate Change.

11. Risk Management

- 11.1 At this time the risk associated with the preparation of the Derbyshire Dales LDS is low. The review of the Derbyshire Dales Local Plan will influence the ability of the District Council to achieve a number of its key aims and objectives during the next three years including the delivery of affordable housing, business growth, job creation and delivering a thriving district. Any significant delays in undertaking the review of the Derbyshire Dales Local Plan will increase the risk to the District Council of delivering its key aims and objectives.

Report Authorisation

Approvals obtained from:-

	Named Officer	Date
Chief Executive	Paul Wilson	31/08/2022
Director of Resources/ S.151 Officer (or Financial Services Manager)	Alison Wood	31/08/2022
Monitoring Officer (or Legal Services Manager)	James McLaughlin	31/08/2022



DERBYSHIRE DALES DISTRICT COUNCIL

LOCAL DEVELOPMENT SCHEME

2022-2025

July 2022

DERBYSHIRE DALES DISTRICT COUNCIL

LOCAL DEVELOPMENT SCHEME

2022-2025

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Appendix 1 – Local Plan Review 2020 – Risk Assessment

1. INTRODUCTION

Localism Act 2011

- 1.1 The Local Development Scheme (LDS) is a three year project plan which sets out the timescales for the preparation and review of Local Development Documents within Derbyshire Dales. A LDS is required under Section 15 of the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011). The LDS must specify:
- The local development documents which are to be development plan documents;
 - The subject matter and geographical area to which each development plan document is to relate;
 - Which development plan documents (if any) are to be prepared jointly with one or more other local planning authorities;
 - Any matter or area in respect of which the authority have agreed (or propose to agree) to the constitution of a joint committee;
 - The timetable for the preparation and revision of the development plan documents; and
 - Such other matters as are prescribed.
- 1.2 The LDS must set out (among other matters) the documents which, when prepared will comprise the Development Plan for the area. It must be made publically available and kept up to date. In order to enable local communities and interested parties to keep track of progress this LDS has been prepared and covers the period 2022 – 2025. This LDS supersedes the previous version of the LDS published in October 2020.

Local Plan Regulations

- 1.3 The Town and Country (Local Planning) (England) Regulations 2012 came into force on 6 April 2012. These Regulations prescribe the form and content of a Local Plan and Policies Map and set out the procedural arrangements for preparing Local Plans. They also list the prescribed bodies in relation to the Duty to Co-operate, the requirements in relation to the Authority Monitoring Report (AMR), and set out how information should be made available for inspection.
- 1.4 Following changes in legislation there is no longer a requirement for local planning authorities to specify the timetable for the production of other planning documents, such as Supplementary Planning Documents (SPDs), the Community Infrastructure Levy (CIL) and the Statement of Community Involvement (SCI) in the LDS. However, it is considered good practice, that where these are being prepared their details and timetable for preparation are set out on the local planning authority website¹.

¹ [Planning policy - Derbyshire Dales District Council](#)

Neighbourhood Planning Regulations

- 1.5 Town and Parish Councils can prepare *Neighbourhood Development Plans*. These can set out the vision and planning policies for the use and development of land in a particular designated neighbourhood area. Neighbourhood Plans, must, however, be in general conformity with the National Planning Policy Framework and the local planning authority's strategic planning policies. When a Neighbourhood Development Plan is approved by an independent examiner and agreed through a local referendum, the local planning authority must adopt it as part of its Development Plan and take it into account when making decisions on planning applications in the area.
- 1.6 As Neighbourhood Development Plans are not prepared by the District Council and their timetables are dependent on the progress made by the respective communities, they are not required to be included in the LDS. However to reflect good practice, information on neighbourhood planning activity and 'made' Neighbourhood Plans in the Derbyshire Dales is included in this LDS. More detailed information is however, available on the District Council's website².

The National Planning Policy Framework

- 1.7 A revised National Planning Policy Framework (NPPF) was published in July 2021. It commits the Government to the principle of a plan-led system where decisions on planning applications are made in accordance with the development plan unless material considerations indicate otherwise. The NPPF sets out the importance of Local Plans as being key to delivering sustainable development that reflects the vision and aspirations of local communities and providing a framework for addressing housing needs and other economic, social and environmental priorities; and platform for local people to shape their surroundings.
- 1.8 Various strategic priorities must be addressed in a Local Plan, including policies to deliver the homes and jobs needed together with any necessary retail, leisure and other commercial development. The NPPF stresses that plans must be based on adequate, up to date and relevant evidence. National planning policy sets out clear expectations about how a Local Plan must be developed in order to be justified, effective, consistent with national policy and positively prepared to deliver sustainable development that meets local needs and national priorities.

The National Planning Practice Guidance

- 1.9 The National Planning Practice Guidance (NPPG) provides complementary guidance for local planning authorities on the production, preparation and deliverability of Local Plans. The NPPG reiterates the key role of Local Plans in delivering sustainable development that reflects the vision and aspirations of local communities. It advocates the role of the Local Plan as an important tool in guiding decisions on development proposals, and acting as the starting point for decision making.
- 1.10 The NPPG sets out that the Local Plan should make clear what is intended to happen in the area over the life of the Plan, where and when this will occur and how it will be delivered. A key diagram and policies map must also be included to indicate the geographic application of the policies in the plan. The NPPG also indicates the type

² <http://www.derbyshiredales.gov.uk/planning-a-building-control/planning-policy/neighbourhood-planning>

of documents which should form the appropriate and proportionate evidence base to support the preparation of a Local Plan.

2. PROPOSED LOCAL DEVELOPMENT SCHEME

The Development Plan

2.1 The 'Development Plan' comprises one or more 'adopted development plan documents'. The Local Plan is the main document produced by the District Council which sets out the policies and proposals for the use and development of land for the period up to 2033. This is one of the documents that make up the 'Development Plan' for Derbyshire Dales. Planning applications have to be determined in accordance with the Development Plan unless material considerations indicate otherwise. The following documents currently comprise the statutory Development Plan for Derbyshire Dales;

- **The Derbyshire Dales Local Plan** – Adopted December 2017; sets out up to 2033 the overall vision, objectives and policies for the future development of those parts of the Derbyshire Dales that lie outside the Peak District National Park. The Local Plan provides a strategy for the spatial development of the Derbyshire Dales and provides a framework for promoting and controlling development. The Plan allocates sites for housing and employment development and provides development management policies for use in the determination of planning applications. The Adopted Derbyshire Dales Local Plan and Policies Map can be viewed using the following link:

https://www.derbyshiredales.gov.uk/images/L/DDDC_Planning_Doc_2018_vweb_2.pdf

- **Saved policies of the Derby and Derbyshire Minerals Local Plan³** (2000 – partly revised in 2002) – guides decisions on planning applications for the extraction of minerals and associated works in the area. A review of the Minerals Local Plan is ongoing and is currently under consultation.⁴
- **Saved policies of the Derby and Derbyshire Waste Local Plan⁵** – 2005 – guides decisions on planning applications for developments associated with the management of waste material in the area.
- **Neighbourhood Development Plans** – The Localism Act 2011 introduced the right for communities to prepare their own Neighbourhood Development Plans. Neighbourhood Development Plans in order to become part of the Development Plan and used in the determination of planning applications have to follow a formal statutory process for preparation and consultation, and be examined by an appointed person. When adopted, the 'made' Neighbourhood Plan' is used to assess and determine planning applications within the Plans designated area.

There are currently six 'made' Neighbourhood Plans in Derbyshire Dales:

³ <https://www.derbyshire.gov.uk/environment/planning/planning-policy/minerals-waste-development-framework/minerals-and-waste-planning-policy.aspx>

⁴ <https://www.derbyshire.gov.uk/environment/planning/planning-policy/minerals-waste-development-framework/minerals-plan/minerals-local-plan.asp>

⁵ <https://www.derbyshire.gov.uk/site-elements/documents/pdf/environment/planning/planning-policy/minerals-waste-development-framework/derby-and-derbyshire-waste-local-plan.pdf>

- Ashbourne, made on the 1st July 2021.⁶
- Brailsford, made on 1st July 2021.⁷
- Darley Dale, made on 19th February 2020⁸
- Doveridge, made on 26th July 2018.⁹
- Kirk Ireton, made on 1st July 2021¹⁰
- Wirksworth, made on 25th June 2015¹¹

Other Material Considerations to Decision Making

2.2 Decisions on planning applications have to be made in accordance with Development Plan Documents unless other material planning considerations indicate otherwise. There are however other documents that complement DPDs, and provide detailed guidance that can assist in the determination of planning applications, and which are material to the District Council's decision making.

- **Supplementary Planning Documents (SPD's)** – provide supplementary advice and guidance and are material considerations in the determination of planning applications. SPD's are not subject to independent examination but are subject to public consultation in accordance with the Regulations and the District Council's Statement of Community Involvement. The District Council has a number of adopted SPD's that support the policies of the Derbyshire Dales Local Plan.

- Conversion of Farm Buildings¹²
- Landscape Character and Design¹³
- Developer Contributions¹⁴
- Climate Change¹⁵
- Shop front and commercial properties¹⁶

2.3 As part of the review of the Derbyshire Dales Local Plan revisions to the adopted Supplementary Planning Documents may be required and/or new Supplementary Documents prepared to reflect and support policies in the revised Derbyshire Dales Local Plan 2017-2040.

⁶ [Ashbourne Neighbourhood Plan - Derbyshire Dales District Council](#)

⁷ [Brailsford Neighbourhood Plan - Derbyshire Dales District Council](#)

⁸ [Darley Dale Neighbourhood Plan - Derbyshire Dales District Council](#)

⁹ [Doveridge Neighbourhood Plan - Derbyshire Dales District Council](#)

¹⁰ [Kirk Ireton Neighbourhood Plan - Derbyshire Dales District Council](#)

¹¹ [Wirksworth Neighbourhood Plan - Derbyshire Dales District Council](#)

¹² https://www.derbyshiredales.gov.uk/images/documents/C/FINAL_SPD_Conversion_of_Farm_Buildings_November_2018.pdf

¹³ https://www.derbyshiredales.gov.uk/images/S/SPD_Landscape_Character_and_Design_September_2018.pdf

¹⁴ https://www.derbyshiredales.gov.uk/images/D/Adopted_S106_SPD_Final_Clean_Version_Feb_2020.pdf

¹⁵ https://www.derbyshiredales.gov.uk/images/documents/C/Climate_Change_SPD_July_2021_-_final.pdf

¹⁶ https://www.derbyshiredales.gov.uk/images/documents/S/Shopfronts_and_Commercial_Properties_SPD_Final_-_March_2019.pdf

Derbyshire Dales Local Plan Review

- 2.4 The Derbyshire Dales Local Plan was adopted in December 2017. Regulation 10A of the Town and Country Planning (Local Planning) (England) Regulations 2012, requires Local Planning Authorities to review and assess whether local plans need updating at least every five years. To comply with this duty a review of the Derbyshire Dales Local Plan must be completed by December 2022.
- 2.5 The advice in the National Planning Practice Guidance (NPPG) is that Local Plan reviews should be proportionate to the issues in hand. The guidance also suggests that policies age at different rates according to local circumstances and a plan does not become out-of-date automatically after 5 years. The review process is a method to ensure that a plan and the policies within remains effective at managing the use and development of land in the future.
- 2.6 To ensure that this requirement was met the District Council commenced a review of the adopted Derbyshire Dales Local Plan in November 2020¹⁷.
- 2.7 The review process involved commissioning an update of the evidence base, and to identify the extent to which the policies and proposals in the adopted Derbyshire Dales Local Plan required updating to ensure compliance with national planning policy and local priorities.
- 2.8 In January 2022, the District Council resolved that for the purposes of Regulation 10A that it had completed the review of the Derbyshire Dales Local Plan¹⁸. Whilst the District Council resolved that the review of the Derbyshire Dales Local Plan had been completed it also resolved that detailed further work was required on those parts of the adopted Derbyshire Dales Local Plan that had been identified as necessary to be modified.
- 2.9 In March 2022 the District Council resolved that further additional work was required to ascertain whether there was sufficient land available to meet the potential future housing needs of the District Council up to 2040¹⁹. This work is on-going.
- 2.10 This LDS has been prepared to inform the preparation and review of the adopted Derbyshire Dales Local Plan over the next three years for the period 2022-2025. This LDS sets out the timetable for the review of the Local Plan, the resources required to take the Plan forward and the risks associated with its preparation.
- 2.11 The Programme for the Review of the Derbyshire Dales Local Plan set out within Section 3 envisages the adoption of a new revised Local Plan by mid-2023.

Derbyshire Dales Local Plan Review - Consultation

- 2.12 The National Planning Policy Framework requires that Plan making should be shaped by proportionate and effective engagement between plan makers, communities, local organisations, business, infrastructure providers and operators and statutory

¹⁷ <https://democracy.derbyshiredales.gov.uk/CeConvert2PDF.aspx?MID=352&F=01%20-%20Derbyshire%20Dales%20Local%20Plan%20Review.pdf&A=1&R=0>

¹⁸ <https://democracy.derbyshiredales.gov.uk/CeConvert2PDF.aspx?MID=366&F=01%20-%20Derbyshire%20Dales%20Local%20Plan.pdf&A=1&R=0>

¹⁹ <https://democracy.derbyshiredales.gov.uk/CeConvert2PDF.aspx?MID=370&F=06%20-%20Derbyshire%20Dales%20Local%20Plan%20-%20Next%20Steps.pdf&A=1&R=0>

consultees (Paragraph 16 NPPF). Local Planning Authorities are required to set out in their Statement of Community Involvement how they intend to engage with communities and stakeholders during plan making and how they will be involved in the preparation, alteration and review of Local Plans and also in the determination of planning applications. The District Councils Statement of Community Involvement is available to view on the District Councils website²⁰.

Monitoring

- 2.13 Up to date and accessible reporting on the Local Development Scheme is set out in the District Councils Authority Monitoring Report and is an important way in which local communities and stakeholders can be kept informed of plan making activity. The AMR monitors the implementation of the adopted Derbyshire Dales Local Plan and progress of the LDS on an annual basis, reporting in December each year. The latest AMR covers the period 2021-2022 and is available on the District Councils website.²¹
- 2.14 The AMR will monitor the delivery of policies in the Local Plan when they have been adopted as well as referring to the Council’s five year housing land supply; Neighbourhood plans; Infrastructure Delivery; projects and programmes in relation to the Duty to Co-operate and targets and indicators have been identified for the policies within Local Plan.

Programme for Derbyshire Dales Local Plan Review – 2022-2025

Derbyshire Dales Local Plan Review LDS Timetable 2022-2025												
Derbyshire Dales Local Plan	2022		2023				2024				2025	
	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2
Completion of Additional Options Appraisal												
Draft Modifications												
Draft Submission Modifications												
Submit Modifications to Secretary of State												
Examination in Public (End)												
Adoption of Modifications												

Table 1: Derbyshire Dales Local Plan LDS Timetable 2022-2025

- 3.1 An explanation of the key milestones in Table 1 are set out below:
- 3.2 **Completion of Additional Options Appraisal** – The Council will conclude its additional development options appraisal.
- 3.3 **Draft Modifications** – The Council will publish draft modifications for public consultation to the Local Plan as part of its review.
- 3.4 **Draft Submission Modifications** – The Council will finalise its modifications and prepare them for submission.
- 3.5 **Submit Modifications to Secretary of State** – The Council will submit the modifications to the Secretary of State.

²⁰ <https://www.derbyshiredales.gov.uk/planning-a-building-control/planning-policy/statement-of-community-involvement>

²¹ <https://www.derbyshiredales.gov.uk/planning-a-building-control/planning-policy/authority-monitoring-report>

- 3.6 **Examination in Public (End)** – The modifications will be subject to public examination.
- 3.7 **Adoption of Modifications** - Once the Council has received the Inspectors report it will revise the Local Plan and seek to formally adopt the revised Plan.

Derbyshire Dales Local Plan Review

Overview

Role & Subject	Review of adopted Derbyshire Dales Local Plan (2017). Set out vision, objectives and spatial development strategy to 2040 within the context of the Derbyshire Dales. It will include land allocations and a suite of strategic and development control policies that will be utilised to deliver the overall vision and spatial development strategy.
Coverage	Local Planning Authority Area.
Status	Development Plan Document.
Conformity	NPPF/NPPG

Timetable

Stage	Dates
Commencement of Preparation Process	November 2020
Commence Identification of Key Issues	January 2021
Review of Local Plan Completed	January 2022
Draft Modifications	October 2023
Draft Submission Modifications	April 2024
Submission to Secretary of State	June 2024
Examination in Public Commences	October 2024
Receipt of Inspector's Report	November 2024
Adoption	December 2024

Arrangements for Production

Organisational Lead	Director of Regeneration and Policy & Policy Manager
Political Management	Local Plan Working Group & Council.
Internal Resources	Derbyshire Dales Planning Policy Section
External Resources	Peak District Partnership; Derbyshire County Council; Appointed Consultants, Local Enterprise Partnerships; key Stakeholders
Community & Stakeholder Involvement	In accordance with the Town and Country Planning (Local Development) (England) Regulations 2004 as amended by the Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2012 and the strategy set out in the Statement of Community Involvement.

Post Production

Monitoring and Review	The Local Plan sets out a number of Key Performance Indicators that will be monitored on an annual basis through the Authorities Monitoring Report, and changes will be made to the Local Plan as necessary.
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Development Plan Policies to be replaced

Derbyshire Dales
Local Plan Adopted
(2017)

4 Delivery and Implementation

Resources

- 4.1 All work undertaken in connection with the preparation of the Derbyshire Dales Local Plan will be managed by the District Council's Policy Manager. Staff resources will be drawn mainly from the Planning Policy section. The Planning Policy section consists of 2.55 full-time equivalent (FTE) posts, consisting of Policy Manager, Senior Planning Policy Officer, Planning Policy Officer and Administrative Assistant. If required, a Programme Officer will be appointed to assist the Inspector through any future examination of the Derbyshire Dales Local Plan. Other sections from within the District Council will be drawn upon for extra resources when required to provide support to the Planning Policy team, such as the Business Support Unit and Officers from the Regulatory Services Department.
- 4.2 Advice will be sought from Council Officers in other sections and departments including the Development Manager; Head of Housing Services; and Director of Regeneration and Policy. Advice on traffic and transportation matters will be obtained from Derbyshire County Council. External advice will be sought on matters such as nature conservation from Natural England and the Derbyshire Wildlife Trust and Historic England on the historic environment for instance.
- 4.3 The District Council has sufficient budget to support the preparation of Local Plan, including the Examination in Public.

Risk Assessment and Management

- 4.4 As part of the review of the Derbyshire Dales Local Plan a Risk Assessment has been undertaken which considers the possible risks to the Local Plan preparation process and degree of impact. A copy of this risk assessment is set out within Appendix 1.
- 4.5 Table 2 below identifies a range of potential risks, their impact and likelihood of occurrence, together with contingency and mitigation measures.

Risk	Likelihood	Impact	Contingency	Mitigation
Staff Recruitment & Retention A member of staff leaves or is off sick	Medium	High	Spread knowledge of the Local Plan and issues amongst team members, Manager and Head of Service.	Possibly pull in extra resources from the Policy and Regeneration Team, re-deploy staff or in the case of loss of staff, re-appoint as soon as possible if budgets permit
New National legislation	Medium	Medium	The National Planning Policy Framework, National Planning Practice Guidance and the Localism Act have reformed the planning system. Delays in the delivery of plans may occur in terms of compliance	Review timescales and where necessary extend to some degree to incorporate changes to policy formulation work.

Risk	Likelihood	Impact	Contingency	Mitigation
			<p>with the NPPF as a result of challenges on local interpretation and providing sufficient justification for decisions taken</p> <p>Further changes to regulations at later stages may lead to further modifications to the Local Plan being made prior to Adoption.</p> <p>Unanticipated significant changes to planning policy guidance including legislative changes.</p>	<p>Contact other Local Authorities to gain better understanding of the implications of changes if necessary.</p> <p>Ensure contingency measures are put in place to address revised policy guidance and discuss with DLUHC realistic solutions.</p>
Legal Challenge	Medium	Medium	Post adoption of a Local Plan, there is a six week challenge period.	To reduce the risk of challenge, ensure that the Local Plan is legally compliant and is based upon robust evidence
Compliance with the Duty to Co-operate , with DTC agreement cannot be reached with adjacent Local Planning Authorities	High	High	Close working with prescribed authorities and Members to detect issues early in the process. Ensure all discussions are documented in writing and formally agreed.	Commence discussions with neighbouring Local Planning Authorities early to ensure agreement can be reached in a timely manner. Continuing discussions with neighbouring authorities.
Local Plan not being found sound	Medium	High	Seek advice from PINS at key stages. Develop a sound evidence base and ensure that all policy decisions can be thoroughly justified.	Develop a sound and robust evidence base and ensure there are no gaps in the evidence to support the Local Plan. Ensure all evidence is regularly updated to reflect the latest information available.

Risk	Likelihood	Impact	Contingency	Mitigation
Programme Slippage	Medium	High	Ensure that timescales are achievable and offer a degree of flexibility. For ensure delays in the preparation of the evidence base, delays in securing external procurement, evidence being unable to be gathered in time e.g. due to COVID, public consultation results in an overwhelming number of representations.	Ensure sufficient resources are available to complete all the required work and future stages of the Local Plan process are achievable. Ensure all the team is involved in the preparation process and extend timescales if necessary. Utilises online survey to help assist with analysis of representations, close project management of external consultants. Keep human resources under review to ensure there is adequate staffing to complete project within timescales.
Provision of Infrastructure	Medium	Medium	Discussions with infrastructure providers to focus on the preparation of the Infrastructure Delivery Plan (IDP) including various workshops and meetings. Ensure emerging and updated regulations relating to CIL and Planning Obligations are taken into account and addressed through policy and IDP.	Continuing engagement with infrastructure providers and development of the IDP will ensure timely consideration prior to submission of Local Plan to the Secretary of State
Council does not agree Draft Submission Plan or the adoption of the Local Plan	Medium	High	Early and continuous engagement with Members to ensure support for Plan and proposals.	Ensure Council Members are kept up to date on the Local Plan preparation process and emerging Plan and policies.
Inspectors Report delayed and/or includes recommendations the Council find hard to accept	Medium	Medium	Close liaison with PINS and identify any contingency measures to address any possible delays. The Council will need to consider all recommendations if it wishes to have an up to date development plan in place as required by the NPPF.	Keep Council Members up to date on issues arising and likely recommendations, and allow for delegation arrangements were necessary to deal with difficult issues.

Risk	Likelihood	Impact	Contingency	Mitigation
Unforeseen additional work	Medium	Medium	Timetabled work programmes and top priorities clearly set out, overall programme management of all areas of work is essential to delivering targets and deadlines	Ensure that a degree of flexibility is added into current work programmes to accommodate unforeseen work. Draw on additional resources within the Policy and Regeneration Department where required to meet deadlines.
Financial Risk	Low	High	The cost of preparing the Derbyshire Dales Local Plan is contained within the Council's budget.	Ensure that budgets are managed and updated. Ensure efficient working practices. A specific budget exists to cover the costs of the EIP .

Table 2: Derbyshire Dales Local Plan Risks, Contingencies and Mitigation Measure

APPENDIX 1 – DERBYSHIRE DALES LOCAL PLAN REVIEW RISK ASSESSMENT

Project Name	Local Plan Review
Project Manager	Mike Hase
Project End Date	May-23
Risk Register Version	v2
Date prepared	14/08/2020

Scoring system key

Likelihood	5	Highly likely
	4	Likely
	3	Forseeable
	2	Unlikely
	1	Rare occurrence

Impact	5	Catastrophic
	4	Severe
	3	Moderate
	2	Minor
	1	Negligible

		Impact				
		1	2	3	4	5
Likelihood	1	1	2	3	4	5
	2	2	4	6	8	10
	3	3	6	9	12	15
	4	4	8	12	16	20
	5	5	10	15	20	25

1-4 =
Low risk

5-9 =
Medium risk

10-16 =
High risk

20-25 =
High risk

50

Risk category	Risk ID	Risk	Pre-mitigation			Mitigation	Post-mitigation				
			Likelihood (L)	Impact (I)	Risk		Likelihood (L)	Impact (I)	Risk		
			Min score	1	1		1	Min score	1	1	1
			Max score	5	5		25	Max score	5	5	25
External Procurement	P1	Preparation of Specifications not completed on time as a result of Coronavirus	3	3	9	Ensure that whole team involved in the preparation process	2	2	4		
	P2	Tender Submissions - Not Returned within timescales	3	3	9	Extend Timescales or provide sufficient time based upon discussions with consultants	2	2	4		
	P3	Tender Submission - Significantly	2	3	6	Utilise more of Local Plan Reserve	1	2	2		

		Exceed Budgetary Estimates							
	P4	Tender Submissions - Consultants cannot complete within timescales envisaged	3	3	9	Ensure that Specifications are appropriate to needs of the Local Plan Review	2	2	4
Internal Review Process & Statutory Requirements	IR1	Sites not accessible for site visits	3	3	9	Site Assessment work undertaken as desktop exercise	2	2	4
	IR2	Insufficient sites identified to meeting future housing requirement	2	4	8	Duty to Co-operate engaged - adjacent local planning authorities contacted to see if they have capacity.	2	2	4
	IR3	If Engaged Duty to Co-operate agreement cannot be reached with adjacent local planning authorities	3	4	12	Commence early discussions with relevant local planning authorities to ensure that agreement can be reached in a timely manner	2	3	6
	IR4	Delayed delivery of laptops to replenish staff	3	4	12	Requisition of other staff's laptops to meet Planning Policy priorities	2	2	4
Plan Preparation	PP1	Delay in preparation of evidence base	3	3	9	Project Management of Consultants to ensure preparation timetable adhered to	2	2	4

PP2	Delay in preparation of LDS & SCI	3	3	9	Keep human resources under review to ensure that there is adequate staffing to complete within timescales	2	2	4
PP3	LPWG does not agree to recommend LDS & SCI for approval to Council	3	4	12	Early engagement with Members prior to LPWG	2	3	6
PP4	Council does not agree LPWG Recommendations on LDS & SCI	3	4	12	Early engagement with Members prior to Council	2	3	6
PP5	Unanticipated Significant Changes to Planning Policy Guidance and/legislative changes	2	4	8	Ensure that there are contingency measures in place - discuss with MHCLG realistic solutions	2	2	4
PP6	Public Consultation results in overwhelming number of representations at all stages	3	3	9	Utilise online resource such as Survey Monkey to assist with the analysis of representations and enter manual representations as received	2	3	6
PP7	Delay in preparation of Pre Submission Draft	3	3	9	Keep human resources under review to ensure that there is adequate staffing to complete within timescales	2	3	6

PP8	LPWG & Council do not agree contents of Pre Submission Draft Local Plan	3	4	12	Early engagement with Members before LPWG & Council	2	3	6
PP9	Delay in commencement of Public Consultation on Pre Submission Draft Local Plan	2	4	8	Ensure that there are contingency measures in place - discuss with MHCLG realistic solutions	2	2	4
PP10	Delay in preparation of Draft Submission Plan	3	4	12	Keep human resources under review to ensure that there is adequate staffing to complete within timescales	2	3	6
PP11	Council does not agree to submission of Local Plan	3	5	15	Early engagement with Members prior to Council	3	3	9
PP12	Inspector does not agree DTC been met - plan review is delayed	3	5	15	Ensure timely preparation of DTC Statement with all relevant local planning authorities	3	3	9
PP13	Examination in Public Delayed by unforeseen circumstances	3	3	9	Identify with PINS contingency measures - if not already in place.	2	3	6
PP14	Mutiple & Complex Main Modifications require additional time to prepare	3	3	9	Liaise with Inspector throughout the EIP to ensure no hidden surprises in the modifications	2	2	4

	PP15	Council does not agree to Adoption of Local Plan	3	5	15	Early engagement with Members prior to Council	2	3	6
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