

Date: 6<sup>th</sup> February 2017

The Arc  
High Street  
Clowne  
Derbyshire  
S43 4JY

Dear Sir or Madam

You are hereby summoned to attend a meeting of the Healthy, Safe, Clean and Green Communities Scrutiny Committee of the Bolsover District Council to be held in the Council Chamber, The Arc, Clowne on Tuesday 14<sup>th</sup> February 2017 at **1000** hours.

Register of Members' Interest - Members are reminded that a Member must within 28 days of becoming aware of any changes to their Disclosable Pecuniary Interests provide written notification to the Authority's Monitoring Officer.

You will find the contents of the agenda itemised on page 2.

Yours faithfully




Assistant Director – Governance, Solicitor to the Council and Monitoring Officer

To: Chairman and Members of the Healthy, Safe, Clean and Green Communities Scrutiny Committee

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**HEALTHY, SAFE, CLEAN AND GREEN COMMUNITIES SCRUTINY  
COMMITTEE AGENDA**

**Tuesday 14<sup>th</sup> February 2017 at 1000 hours in the Council Chamber,  
The Arc, Clowne**

<b>Item No.</b>		<b>Page No.(s)</b>
	<b><u>PART A – FORMAL</u></b>	
	<b><u>PART 1 OPEN ITEMS</u></b>	
1.	<b><u>Apologies for Absence</u></b>	
2.	<b><u>Urgent Items of Business</u></b>	
	To note any urgent items of business which the Chairman has consented to being considered under the provisions of Section 100(B) 4(b) of the Local Government Act 1972	
3.	<b><u>Declarations of Interest</u></b>	
	Members should declare the existence and nature of any Disclosable Pecuniary Interest and Non Statutory Interest as defined by the Members' Code of Conduct in respect of:	
	a) any business on the agenda	
	b) any urgent additional items to be considered	
	c) any matters arising out of those items	
	and if appropriate, withdraw from the meeting at the relevant time.	
4.	Minutes of a meeting held on 17 <sup>th</sup> January 2017.	3 to 4
5.	List of Key Decisions & Items to be Considered in Private. <i>(Members should contact the officer whose name appears on the List of Key Decisions for any further information).</i>	5 to 11
6.	Corporate Plan Targets Performance Update – October to December 2016 (Q3 – 2016/17)	12 to 19
7.	Where does Public Health fit within Planning Policy - Draft Report	20 to 28
8.	Work Plan	29 to 32

## **HEALTHY, SAFE, CLEAN AND GREEN COMMUNITIES SCRUTINY COMMITTEE**

Minutes of a meeting of the Healthy, Safe, Clean and Green Communities Scrutiny Committee of the Bolsover District Council held in the Council Chamber, The Arc, Clowne, on Tuesday 17<sup>th</sup> January 2017 at 1000 hours.

### **PRESENT:-**

Members:-

Councillor S. Peake in the Chair

Councillors T. Cannon, H.J. Gilmour, C.R. Moesby and D.S. Watson

Officers:-

C. Millington (Scrutiny Officer) and A. Brownsword (Senior Governance Officer)

### **0592. APOLOGIES**

Apologies for absence were received from Councillors J.E. Bennett, P.A. Cooper, P. Smith and K.F. Walker

### **0593. URGENT ITEMS OF BUSINESS**

There were no urgent items of business.

### **0594. DECLARATIONS OF INTEREST**

There were no declarations of interest.

### **0595. MINUTES – 13<sup>TH</sup> DECEMBER 2016**

Moved by Councillor H. Gilmour and seconded by Councillor C.R. Moesby  
**RESOLVED** that the minutes of a meeting of the Healthy, Safe, Clean and Green Communities Scrutiny Committee held on 13<sup>th</sup> December 2016 be approved as a true and correct record.

## HEALTHY, SAFE, CLEAN AND GREEN COMMUNITIES SCRUTINY COMMITTEE

### 0596. LIST OF KEY DECISIONS AND ITEMS TO BE HEARD IN PRIVATE

Members considered the List of Key Decisions and Items to be Considered in Private document.

The Scrutiny Officer updated Members with regard to the Irrecoverable Arrears item which had been discussed at Growth Scrutiny Committee and it was noted that the majority of write-offs were due to bankruptcy or liquidation of companies. 97% of Council Tax was collected and 98.5% of NNDR Rates were collected for the last financial year. A discussion took place and Members felt that they would like to see the numbers in monetary terms.

Moved by Councillor S. Peake and seconded by Councillor H.J. Gilmour

**RESOLVED** that (1) the List of Key Decisions and Items to be Considered in Private document be noted,

(2) the Scrutiny Officer send out the table with reasons for write-offs to the Members of the Healthy, Safe, Clean and Green Communities Scrutiny Committee.

(Scrutiny Officer)

### 0597. WORK PLAN

The Healthy, Safe, Clean and Green Communities Scrutiny Committee Work Plan was circulated for Members' information.

The Scrutiny Officer noted that the Director of Public Health Annual Report would now be presented to the February meeting and the Annual Review of the Community Safety Partnership would now be heard at the meeting in May.

Moved by Councillor C.R. Moesby and seconded by Councillor H.J. Gilmour

**RESOLVED** that the Work Plan be noted.

The meeting concluded at 1013 hours.

The Committee then met as a working party to continue their review work. The working party concluded at 1050 hours.



The Arc  
High Street  
Clowne  
Derbyshire  
S43 4JY

## **Key Decisions & Items to be Considered in Private**

**To be made under the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012**

**Published on: 27<sup>th</sup> January 2017**

## INTRODUCTION

The list attached sets out decisions that are termed as “Key Decisions” at least 28 calendar days before they are due to be taken by the Executive or an officer under delegated powers.

Preparation of the list helps Executive to programme its work. The purpose of the list is to give notice and provide an opportunity for consultation on the issues to be discussed. The list is updated each month with the period of the list being rolled forward by one month and republished. The list is available for public inspection at The Arc, High Street, Clowne, S43 4JY. Copies of the list can be obtained from Sarah Sternberg, Assistant Director – Governance & Monitoring Officer at this address or by email to [sarah.sternberg@bolsover.gov.uk](mailto:sarah.sternberg@bolsover.gov.uk).

The list can also be accessed from the Council’s website at [www.bolsover.gov.uk](http://www.bolsover.gov.uk). The Executive is allowed to make urgent decisions which do not appear in the list, however, a notice will be published at The Arc and on the Council’s website explaining the reasons for the urgent decisions. Please note that the decision dates are indicative and are subject to change.

The names of Executive members are as follows:

Councillor A.M. Syrett - Leader  
Councillor M. Dooley – Deputy Leader  
Councillor T. Connerton  
Councillor S.W. Fritchley  
Councillor B.R. Murray-Carr  
Councillor K. Reid  
Councillor M.J. Ritchie

The Executive agenda and reports are available for inspection by the public five clear days prior to the meeting of the Executive. The papers can be seen at The Arc at the above address. The papers are also available on the Council’s website referred to above. Background papers are listed on each report submitted to the Executive and members of the public are entitled to see these documents unless they contain exempt or confidential information. The report also contains the name and telephone number of a contact officer.

Meetings of the Executive are open to the public and usually take place in the Chamber Suites at The Arc. Occasionally there are items included on the agenda which are exempt and for those items the public will be asked to leave the meeting. This list shows where this is intended and the reason why the reports are exempt or confidential. Members of the public may make representations to the Assistant Director – Governance, Solicitor to the Council & Monitoring Officer about any particular item being considered in exempt.

The list does not detail all decisions which have to be taken by the Executive, only “Key Decisions”. In these Rules a “Key Decision” means an executive decision, which is likely:

- (1) to result in the Council incurring expenditure which is, or the making of savings which are, significant having regard to the Council’s budget for the service or function to which the decision relates; or
- (2) to be significant in terms of its effects on communities living or working in an area comprising two or more wards in the District.

In determining the meaning of “significant” the Council must have regard to any guidance for the time being issued by the Secretary of State. The Council has decided that income or expenditure of £50,000 or more is significant.

**The dates for meetings of Executive in 2016/17 are as follows:**

2017 30 January  
27 February  
27 March  
24 April  
22 May

The Council hereby gives notice of its intention to make the following Key Decisions and/or decisions to be considered in private:

<b><i>Matter in respect of which a decision will be taken</i></b>	<b><i>Decision-maker</i></b>	<b><i>Date of Decision</i></b>	<b><i>Documents to be considered</i></b>	<b><i>Contact Officer</i></b>	<b><i>Is this decision a Key Decision?</i></b>	<b><i>Is this decision to be heard in public or private session</i></b>
<b>CCTV</b>  To consider future options for CCTV in the District	Executive	January/February 2017	Report of Councillor J. Ritchie – Portfolio Holder for Housing and Community Safety	Assistant Director – Community Safety and Head of Housing (BDC)	Yes – involves savings or expenditure of £50,000 or more.	Public
<b>Development Proposal</b>  Investment opportunity for the Council aimed at delivering new homes across the District	Executive	January/February 2017	Report of Councillor A Syrett - Leader of the Council, Portfolio Holder for Economic Growth	Assistant Director – Property and Estates	Yes – involves savings or expenditure of £50,000 or more.	Private – relates to the Council’s financial or business affairs
<b>Funding Proposal</b>  To consider the opportunity to provide commercial loans to fund development	Executive	January/February 2017	Report of Councillor A Syrett - Leader of the Council, Portfolio Holder for Economic Growth	Assistant Director – Property and Estates	Yes – involves savings or expenditure of £50,000 or more.	Private – relates to the Council’s financial or business affairs
<b>Chesterfield and District Crematorium Delivery Options</b>	Executive	January 2017	Report of Councillor B Murray-Carr - Portfolio Holder for Health and Wellbeing	Report of Joint Crematorium Committee	Yes – involves savings or expenditure of £50,000 or more.	Private – relates to the Council’s financial or business affairs



<b><i>Matter in respect of which a decision will be taken</i></b>	<b><i>Decision-maker</i></b>	<b><i>Date of Decision</i></b>	<b><i>Documents to be considered</i></b>	<b><i>Contact Officer</i></b>	<b><i>Is this decision a Key Decision?</i></b>	<b><i>Is this decision to be heard in public or private session</i></b>
To look at delivery options						
<b>Fleet Vehicle Replacements</b>  To receive tenders	Executive	January 2017 – February 2017	Report of Councillor T Connerton - Portfolio Holder for Neighbourhood Services	Assistant Director - Streetscene	Yes – involves expenditure of £50,000 or more.	Public
<b>Letting of Contracts for Various S106 Funded Recreation Schemes</b>  To receive tenders	Executive	January 2017	Report of Councillor M. Dooley – Deputy Leader, Portfolio Holder for Corporate Plan, HR and Leisure	Assistant Director - Leisure	Yes – involves expenditure of £50,000 or more.	Public
<b>Mobile Telephony Contract</b>  To accept a tender for the provision of mobile telephony and call costs following completion of a procurement	Executive	January 2017	Report of Councillor T. Connerton – Portfolio Holder for Neighbourhood Services	ICT Manager	Yes – involves savings or expenditure of £50,000 or more.	Public

<i><b>Matter in respect of which a decision will be taken</b></i>	<i><b>Decision-maker</b></i>	<i><b>Date of Decision</b></i>	<i><b>Documents to be considered</b></i>	<i><b>Contact Officer</b></i>	<i><b>Is this decision a Key Decision?</b></i>	<i><b>Is this decision to be heard in public or private session</b></i>
exercise						
<b>Public Art contract- Gleeson Development- Doe Lea</b>  To receive tenders	Executive	March 2017	Report of Councillor M. Dooley – Deputy Leader, Portfolio Holder for Corporate Plan, HR and Leisure	Assistant Director - Leisure	Yes – involves expenditure of £50,000 or more.	Public
<b>Joint Venture Report</b>  To provide Members with an update	Executive	January 2017	Report of Councillor A Syrett - Leader of the Council, Portfolio Holder for Economic Growth	Assistant Director – Property and Estates	Yes – involves savings or expenditure of £50,000 or more.	Private – relates to the Council’s financial or business affairs
Kerbside Recycling Service Procurement arrangements for re-tendering the Council’s Kerbside (burgundy bin) Recycling Service.	Executive	February to July 2017	Reports of Councillor T Connerton, Portfolio Holder with Responsibility Neighbourhood Services	Assistant Director Streetscene	Yes – likely to incur expenditure of £50,000 or more and is significant in terms of its effects on communities living or working in an area comprising two or more	Exempt under Paragraph 3 of Schedule 12A to the Local Government Act 1972 (as amended).

<i>Matter in respect of which a decision will be taken</i>	<i>Decision-maker</i>	<i>Date of Decision</i>	<i>Documents to be considered</i>	<i>Contact Officer</i>	<i>Is this decision a Key Decision?</i>	<i>Is this decision to be heard in public or private session</i>
					wards in the District.	
<p><b>Medium Term Financial Plan 2017/18 to 2020/21</b></p> <p>To update Members regarding the current position and to agree recommendations for securing financial savings whilst maintaining service delivery in respect of 2016/17 to 2018/19, together with any implications this may have for the Council's staffing establishment.</p>	Executive	February 2017	Report of the Leader of the Council.	Executive Director - Operations	Yes – likely to result in the Council making savings or incurring expenditure of £50,000 or more and could have a significant impact on two or more wards in the District	Exempt under Paragraphs 1, 3 and 4 of Schedule 12A to the Local Government Act 1972 (as amended)

**Bolsover District Council**

**Healthy, Safe, Clean and Green Communities Scrutiny Committee**

**14<sup>th</sup> February 2017**

**Corporate Plan Targets Performance Update – October to December 2016  
(Q3 – 2016/17)**

**Report of the Assistant Director – Customer Service and Improvement**

This report is public

**Purpose of the Report**

- To report the quarter 3 outturns for the Corporate Plan 2015-2019 targets.

**1 Report Details**

1.1 The attached contains the performance outturn for targets which sit under the 'supporting our communities to be healthier, safer, cleaner and greener' corporate aim as of 31<sup>st</sup> December 2016. (Information compiled on 31<sup>st</sup> January 2017)

1.2 A summary is provided below:

**1.3 Supporting our Communities to be Healthier, Safer, Cleaner and Greener**

- 16 targets in total (1 target previously achieved – H14)
- 12 targets on track.
- 2 targets achieved
  - H06 *Provide signposting and support for people who want to volunteer and recruit 60 new volunteers by February 2016.* 81 volunteers recruited. (Target left running for monitoring purposes whilst the project ran).
  - H13 *Develop an action plan for the improvement of each of the four town centres by March 2017.* Final report presented to Council on 30/11/16.
- 1 target flagged as 'alert' i.e. it may not achieve its yearly target – H02 *Increase participation/attendances in leisure, sport, recreation, health, physical and cultural activity by 3,000 per year.* As noted on the appendix the figures are down for Q3 due to the Creswell facility closure and impact on swimming attendances. The yearly outturn will need to be assessed at Q4 when the initial impact of the new Arc facility will be known.

**2 Conclusions and Reasons for Recommendation**

2.1 Out of the 16 targets, 12 are on track, 3 have been achieved (2 this time and 1 previously) and 1 has been flagged as an alert.

2.2 This is an information report to keep Members informed of progress against the corporate plan targets noting achievements and any areas of concern.

### **3 Consultation and Equality Impact**

3.1 Not applicable to this report as consultation was carried out on the original Corporate Plan.

### **4 Alternative Options and Reasons for Rejection**

4.1 Not applicable to this report as providing an overview of performance against agreed targets.

### **5 Implications**

#### **5.1 Finance and Risk Implications**

No finance or risk implications within this performance report.

#### **5.2 Legal Implications including Data Protection**

No legal implications within this performance report.

#### **5.3 Human Resources Implications**

No human resource implications within this performance report.

### **6 Recommendations**

6.1 That progress against the Corporate Plan 2015-2019 targets be noted.

### **7 Decision Information**

<b>Is the decision a Key Decision?</b> (A Key Decision is one which results in income or expenditure to the Council of £50,000 or more or which has a significant impact on two or more District wards)	No
<b>District Wards Affected</b>	Not applicable
<b>Links to Corporate Plan priorities or Policy Framework</b>	Links to all Corporate Plan 2015-2019 aims and priorities

### **8 Document Information**

<b>Appendix No</b>	<b>Title</b>
1.	Corporate Plan Performance Update – Q3 Oct to Dec 2016

<b>Background Papers</b> (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers)	
All details on PERFORM system	
<b>Report Author</b>	<b>Contact Number</b>
Kath Drury, Information, Engagement and Performance Manager on behalf of Assistant Director – Customer Service and Improvement	01246 242280

Report Reference –

**Bolsover District Council**  
**Corporate Plan Targets Update – Q3 October to December 2016**

**Aim – Supporting our Communities to be Healthier, Safer, Cleaner and Greener**

Key Corporate Target	Directorate	Status		Progress	Target Date
H 01 - Deliver a minimum of 8000 hours of positive activity through community based culture and leisure engagement per year.	Transformation	On track		Q3 - At this stage of the year the target figure is 6000 hours, actual performance to date is 7429 - substantially exceeding target.	Sun-31-Mar-19
H 02 - Increase participation/attendances in leisure, sport, recreation, health, physical and cultural activity by 3,000 per year.	Transformation	Alert		Q3 - target for quarter is 175,500, we are behind the year to date target by achieving 160,195 to date. This is to be expected as the closure of Creswell facility mid Q3 has resulted in lost swimming attendances. New throughput targets and profiles will be set for next financial year and Q4 to account for change in facility offer following new Arc facility opening in January 2017.	Sun-31-Mar-19
H 03 - Deliver a health intervention programme which provides 900 adults per year with a personal exercise plan via the exercise referral scheme.	Transformation	On track		Q3 - Bolsover District Council is commissioned to deliver a health intervention programme by County Public Health. The scheme covers two programmes, the Derbyshire Integrated Wellbeing Approach and Bolsover Wellness Plus. A combined figure of 900 referrals has been set from these two programmes.  To the end of December 2016 we have seen 772 clients at a number of different locations including Clowne Sports Centre, Creswell Leisure Centre, Shirebrook Leisure Centre, Welbeck Road Doctors surgery and Frederick Gent Sports Centre.	Sun-31-Mar-19
H 04 - Tackle childhood obesity through	Transformation	On track		Q3. This quarter sees a new tranche of school delivery	Sun-

Key Corporate Target	Directorate	Status	Progress	Target Date
the delivery of a child focused health intervention programme to all Key Stage 2 year groups by the end of each academic year.			for the Five:60. The programme will be delivered to all key stage 2 pupils, mainly year 3, within all 28 schools in the Bolsover Schools Sports Partnership.	31-Mar-19
H 05 - Support 417 inactive 16+ individuals per year & increase their activity levels to more than 30 minutes of moderate intensity physical activity per week.	Transformation	On track	<p>Q3: Please note that targets for year 2 have changed having had discussions with funders and having taken into account shortfall in year 1. Amended target for year 2 is now 340 engaged participants. Total number of engaged participants up to current time (end of year 2 - November 2016) is 604. Please note 'engaged' refers to individuals who have been consulted with, signposted to activities or who have tried activities.</p> <p>Stage 2 of Active 4 Life project is continuing and Stage 3 has now started. Some local residents have been trained as walk leaders and new walk will shortly be starting. Various insight techniques are continuing to be piloted as a way of continuing to engage with the communities re community timelines, ethnography and video logs. A local committee of local residents has been set up and are now meeting to develop further opportunities for members of the community.</p> <p>Unfortunately numbers at the Girls Hub session at Hillstown did not improve despite outreach work, leaflet drops at other sessions for young people and trying to get into the local secondary school so session has now stopped. Conversations are due to take place with Multi Agency Team about trying to engage a different set of girls in the sessions.</p>	Sun-31-Mar-19



Key Corporate Target	Directorate	Status		Progress	Target Date
H 06 - Provide signposting and support for people who want to volunteer and recruit 60 new volunteers by February 2016.	Growth	Achieved		Q3: This work has now been completed. 81 volunteers were recruited against an extended revised target of 60.	29 – Feb -16
H 07 - Assist partners in reducing crime by delivering 12 Crime Cracking events in the community each year.	Operations	On track		Q3: 5 Crime Cracking events held this quarter engaging with approximately 240 people:  23.10.16 – North Derbyshire Domestic and Sexual Abuse Action Group (NDDSAAG) Dog walk event to raise awareness of domestic violence held at Poolsbrook Country Park 28.10.16 - ASB Perceptions follow-up survey on Shirebrook Market Place 04.11.16 - Environmental Health Day of Action on Shirebrook Market Place 08.11.16 - Vehicle Crime awareness campaign in Shirebrook 07.12.16 - Candlelit vigil to raise awareness of Domestic Violence held at Chesterfield Parish Church 9 events held to date this year	Sun-31-Mar-19
H 08 - With partners organise 3 community cohesion events each year to bring communities together in identified areas.	Operations	On track		Q3 - The Community Cohesion Officer has helped the newly established Shirebrook Polish Community Association to organise three community event during this quarter, all of which were held at the Shirebrook Christian Centre:  03.12.16 - Santa Claus Day event 14.12.16 - International Christmas Special 18.12.16 - Carol singing concert 6 events held to date this year	Sun-31-Mar-19

Key Corporate Target	Directorate	Status		Progress	Target Date
H 09 - Achieve a combined recycling and composting rate of 49% by March 2019.	Operations	On track		Q3 It is estimated 2,676tonnes of recyclable\compostable waste will be collected between October to December 2016 yielding a combined recycling rate of 45.6% between April to December 2016 (estimated based on 2015 data). The information will be updated when qualified WDF data is available at ending March 2017.	Sun-31-Mar-19
H 10 - Sustain standards of litter cleanliness to ensure 96% of streets each year meet an acceptable level as assessed by Local Environment Quality Surveys (LEQS).	Operations	On track		Q3 - LEQS's established 3% of streets and relevant land surveyed fell below grade B cleanliness standards resulting in 97% meeting the target standard for this quarter. Combined (Q1,Q2 & Q3) performance is 2% falling below grade B, resulting in 98% meeting the standard and achieving the 96% overall target.	Sun-31-Mar-19
H 11 - Sustain standards of dog fouling cleanliness to ensure 98% of streets each year meet an acceptable level as assessed by Local Environment Quality Surveys (LEQS).	Operations	On track		Q3 - LEQS's established 2% of streets and relevant land surveyed fell below grade B cleanliness standards resulting in 98% land surveyed meeting the target standard. Combined (Q1,Q2 & Q3) performance is 1% of land surveyed falling below grade B (99% above) therefore achieving the 98% target.	Sun-31-Mar-19
H 12 - Annually undertake 10 local environmental enforcement and educational initiatives in targeted areas to deal with dog fouling, littering or fly tipping.	Growth	On track		Q3 - Four enforcement/initiatives were delivered during the third quarter. One at Creswell, one at Shirebrook, one at Barlborough and one at Pleasley.  To date 7 enforcement/educational initiatives have been delivered.	Sun-31-Mar-19
H 13 - Develop an action plan for the improvement of each of the four town centres by March 2017.	Growth	Achieved		Q3 - Regeneration Frameworks - The Final Report presented to Full Council 30/11/16. Preliminary costings have been produced to inform the Controlling Migration bid submitted 25/11/16.	Fri-31-Mar-17
H 15 - Reduce energy use in sheltered	Operations	On track		Q3 - Tenders have been evaluated and the successful	Sun-

Key Corporate Target	Directorate	Status	Progress	Target Date
housing schemes by 10% by March 2019.			<p>contractor advised of the appointment. Initial conversation to be arranged by Property Services and the Contract is to be agreed and signed.</p> <p>The financial data is to be used from the gas bills which are recorded in Finance. The data is not precise due to reliance on the utility company for meter readings and bills. Guideline financial data will be provided for two years after the closed down of this financial year.</p> <p>It should be noted that other outside influences will affect the energy usage. Things to consider would be the difference in weather conditions from one year to another and the occupancy levels of each dwelling.</p>	31-Mar-19
H 16 - Replace each year 200 gas fired back boilers in our Council houses with more efficient 'A' rated combi boilers.	Operations	On track	<p>Q3 - To end of December 2016 we fitted the following numbers of boilers  32 fitted by BDC operatives  372 fitted by contractor  Total 404</p>	Sun-31-Mar-19

# **BOLSOVER DISTRICT COUNCIL**

## **HEALTHY, SAFE, CLEAN AND GREEN COMMUNITIES SCRUTINY COMMITTEE**

**Where does Public Health fit  
within Planning Policy?**

# CONTENTS

Chair's Foreword

1. Introduction
2. Recommendations
3. Evidence
4. Key findings
5. Conclusions

DRAFT

## Foreword of Councillor Sandra Peake

### Chair of the Healthy, Safe, Clean and Green Communities Scrutiny Committee

The committee has, over the past year, considered the impact of large scale housing developments upon the general health and wellbeing of residents. The committee feels that more emphasis should be placed upon the social aspects when planning applications are being discussed at committee and should be included as a policy in the formation of the new local plan.

I would like to thank my committee members, Councillor Hilary Gilmour, my Vice Chair, all officers who have contributed to the review, and lastly Abby Brownsword, Senior Governance Officer and Claire Millington, Scrutiny Officer for their support and guidance throughout the year.

*Councillor Sandra Peake*

## 1. INTRODUCTION

This review was suggested following concerns that development brings additional demands on local services and it was claimed that the current Section 106 Policy was not working to address public health issues.

Planning Practice Guidance states; *'Local planning authorities should ensure that health and wellbeing and health infrastructure are considered in local and neighbourhood plans and in planning decision making.'*

*'Local authority planners should consider consulting the Director of Public Health on any planning applications (including at the pre-application stage) that are likely to have a significant impact on the health and wellbeing of the local population or particular groups within it. This would allow them to work together on any necessary mitigation measures.'*

*A health impact assessment may be a useful tool to use where there is expected to be significant impacts.*

*Similarly, the views of the Local Clinical Commissioning Group and NHS England should be sought regarding the impact of new development which would have a significant or cumulatively significant effect on health infrastructure and/or the demand for healthcare services.*

*Information gathered from this engagement should assist local planning authorities to consider whether the identified impact(s) should be addressed through a Section 106 obligation or a planning condition.*

The Department for Communities and Local Government describes a healthy community as, *'a good place to grow up and grow old in. It is one which supports*

*healthy behaviours and supports reductions in health inequalities. It should enhance the physical and mental health of the community and, where appropriate, encourage:*

- *Active healthy lifestyles that are made easy through the pattern of development, good urban design, good access to local services and facilities: green open space and safe places for active play and food growing, and is accessible by walking and cycling and public transport.*
- *The creation of healthy living environments for people of all ages which supports social interaction. It meets the needs of children and young people to grow and develop, as well as being adaptable to the needs of an increasingly elderly population and those with dementia and other sensory or mobility impairments'*

Department for Communities and Local Government (2014) *what is the role of health and wellbeing in planning? - Planning Practice Guidance*

The aim of the review was to consider how public health issues were addressed through the planning process.

### **The Committee comprised the following Members,**

Councillors;

Sandra Peake (Chair)  
Toni Bennett  
Pat Cooper  
Tom Munro  
Deborah Watson

Hilary Gilmour (Vice Chair)  
Tracey Cannon  
Clive Moesby  
Ken Walker

A list of Stakeholders involved in the review is attached as appendix 1.

### **EQUALITY AND DIVERSITY**

Within the process of the review, the committee has taken into account the impact of equalities and the Improvement Officer has provided guidance and advice on the draft report.

## **2. RECOMMENDATIONS**

- 2.1 That for major development applications, (DCLG definition of major applications is 9+ dwellings) a meeting with stakeholders be arranged whereby all stakeholders are invited to come together to discuss the requirements from S.106 or planning conditions. This would allow all stakeholders to understand the range of requests and demands on the developer and would encourage engagement as to what is required and what should be priority. It should also be considered whether it would be appropriate for the developer to be involved in this meeting to provide them with a greater understanding of the requests and the reasons behind them.
- 2.2 That a local planning policy document be developed to restrict the number of hot food takeaways in an attempt to tackle obesity.

## **3. EVIDENCE**

The following evidence was considered as part of the review:

- Department for Communities and Local Government (2014) What is the role of health and wellbeing in planning? – Planning Practice Guidance and; Promoting healthy communities – Planning Practice Guidance
- UK Healthy Cities Network
- Local Government Association (2016) Tipping the Scales – Case studies on the use of planning powers to limit hot food takeaways.
- Andrew Ross, Final Draft Consultancy (2013) – Obesity-based policies to restrict hot food takeaways: progress by local planning authorities in England.
- Health Impact Assessment - Presentation on HIAs focusing on The Avenue site in Wingerworth, North East Derbyshire by the Public Health Manager, DCC

## **4. KEY FINDINGS**

### **Stakeholder involvement – Recommendation 2.1**

It was suggested that it would be useful for all stakeholders to meet to discuss a major development whereby all stakeholders come together to discuss the requirements from S.106 but this could also be expanded to ensure that service areas and partners work together to achieve the aims and objectives of key strategies to improve the health and wellbeing of local communities in our district.



Working in this way would allow all stakeholders to understand the requests and demands on the developer from others and would also encourage discussions on what is or isn't required and what is priority. It could also be considered whether it would be appropriate for the developer to be involved in this meeting for the same reasons of understanding the demands and where the requests have come from.

One stakeholder stated;

*The viability of S.106 demands is critical and we need to balance these different demands. We can ask and negotiate but at the end of the day, it is not a statutory requirement.*

Another relevant point raised was that on occasions, the Council's Corporate Plan priorities could create issues e.g. where the priority is to meet a specific target in relation to the number of houses build and an application may contribute towards this target, however the proposed development might be on land that is not suitable for various reasons, including its proximity to a motorway where air quality is poor, noise, safety, etc. All these factors affect public health and there needs to be a balance between realising a development and achieving what we need for a community.

One Stakeholder commented;

*The relationship between the planning team and public health is positive; information sharing, consultation on Local Plan and interest in how health can be integrated into planning approaches is emerging but this could be strengthened and more consistently applied.*

*Planning policy and processes could use opportunities to consider the impact of new development on a range of issues which affect health and wellbeing, for example, increasing physical activity, enabling community cohesion and reducing isolations, ageing well and much more.*

*Some emerging planning policy and approaches are starting to consider promoting health and wellbeing – rather than just focusing on how healthcare will be provided to communities, e.g. exploring age/dementia friendly policies, lifetime home standard, and access to leisure, green space and greenways.*

Comments made from consultation with the CCG indicate that the CCG's have been advised not to respond to consultations where the sum awarded as S.106 is likely to be less than £30,000.00 but the Committee would question how officers can be satisfied that the right priorities for an individual development are considered regardless of the amount of S.106 if stakeholders are only engaged in certain circumstances?

Most stakeholders involved in the review felt that involvement should be at an earlier stage than S.106 consideration.

All the points made above strengthen the need for a group discussion over the requirements of an individual development and would go some way to meeting requests for consistency and strengthening of current processes.

Members were pleased to note for the first time at the Planning Committee in January 2017 that reports to Planning Committee referred to health, open space, etc,

### **Using planning powers to limit hot food takeaway – Recommendation 2.2**

Concerns over takeaways and the proximity to schools or the number of establishments within a certain area were raised a number of times throughout the review and initially Members were of the view that there was nothing the Authority could do in terms of powers to tackle the location of takeaways in relation to schools.

During the review, the Committee has identified best practice from the Local Government Association, Tipping the Scales - case studies on the use of planning powers to limit hot food takeaways. These case studies show what other local authorities have done to address similar issues.

Other examples of authorities that have supplementary planning documents that cite obesity concerns relating to hot food takeaways or have restricted the number of establishments through exclusion zones are discussed in the overview of English local planning authority policies on hot food takeaway which showed that in January 2013, there were 21 local planning authorities that had policies or draft policies designed to restrict hot food takeaways to help curb obesity in the local area.

Members heard from the Public Health Manager about the work with Chesterfield Borough Council and how they are working to restrict hot food takeaways in areas with high levels of obesity.

The Committee feels that the use of a supplementary planning document around this issue should be considered and would be prepared to assist in further research and evidence gathering on this matter if requested to do so.

### **Local Plan Consultation**

The Healthy, Safe, Clean and Green Scrutiny Committee held a special meeting for consultation on the draft local plan and relationships with Health and Wellbeing and were satisfied that the whole of the Local Plan has a focus on Health and Wellbeing.

Chapter 3 addresses the vision of the Plan, part of which is that:

“Local people will have benefited from the opportunities for a healthier lifestyle, improved job opportunities, more housing, and the increase in facilities that this can help to deliver”.

Difficulties in the issues of contributions from developers in order to help deliver infrastructure were discussed and the Committee sought reassurance that developers were requested to submit costs/valuations for a development if they were

to argue that the development wasn't viable for a level of S.106 contributions requested. If necessary, the District Valuer would be asked to consider the viability.

### **What can be done differently?**

Every stakeholder involved in the review was asked what would you like to see done differently?

The following points were raised;

- Further consideration of wider health and wellbeing issues, with policies explicitly stating their intention to promote health and build communities which enable people to be healthy – implementation of UK Healthy Cities/Communities philosophy and principles.
- Health featuring in wider service areas because of Council's sign up to Healthy Cities Network and the delivery of "Healthy Bolsover" Locality Plan.
- Linking into wider national policy drivers on health and planning but more locally encourage some small practical changes including a detailed partner review on proposed developments and ensuring responses are encouraged from partners.
- It would be more effective to have a group discussion with consultees rather than individually and in isolation.

The Committee questioned whether the Authority had made use of Community Infrastructure Levies (CIL) and discussed examples of other local authorities where CIL had a negative impact on building rate. (Newark and Sherwood District Council). The Committee was advised that a lot of officer time and effort was required and the benefits simply weren't apparent.

A decision was to be taken by the steering group on appropriate use and the committee was advised that it was likely that S.106 was still considered the best option.

## **5. CONCLUSIONS**

We need to be clear who we consider is responsible for health provision in any new development. We have discussed this point with our stakeholders and agree that the responsibility for healthcare provision ought to lie with the NHS and not necessarily the developer. Negotiations via the Planning Officer with the NHS through the CCG makes sense but there are so many other demands on S.106 monies that the developer cannot be expected to deliver public health provision, although it may contribute towards it.

The provision of appropriate healthcare is only one aspect of promoting public health and planning policy can have a significant positive or negative impact on wider health and wellbeing issues. An increased willingness to consider the impact of

planning policy on wider health and wellbeing issues was acknowledged by stakeholders but it was stated that this needs to be maintained, particularly when faced with difficult economic and regeneration choices and developer pressures.

All stakeholders are aware of their role and the reasons why they are consulted and respond to applications accordingly. Most stated that they would like to be more involved or be involved in the process at an earlier stage.

From listening to our stakeholders there is a need for a robust consultation process at the earliest point possible to ensure that the right priorities are identified for individual developments and the communities that are impacted by them.

## APPENDIX 1

### LIST OF STAKEHOLDERS

Councillor Brian Murray-Carr	-	Portfolio Holder for Health and Wellbeing
Councillor Mary Dooley	-	Portfolio Holder for Leisure
Councillor John Ritchie	-	Portfolio Holder for Planning and Local Plan (Watching Brief)
James Arnold	-	Joint Assistant Director – Planning and Environmental Health
Lee Hicken	-	Joint Assistant Director – Leisure
Sharon Gillott	-	Environmental Health Manager
Rob Routledge	-	Interim Planning and Policy Manager
Pam Brown	-	Chief Executives and Partnerships Manager
Jessica Clayton	-	Partnership, Performance and Sustainability Officer
Mandy Chambers	-	Public Health Principal, Derbyshire County Council
Richard Keeton	-	Public Health Manager, Derbyshire County Council
Gareth Harry	-	Chief Commissioning Officer, NHS Hardwick CCG

**Healthy, Safe, Clean and Green Communities Scrutiny Committee**

**Work Plan – 2016 - 2017**

<b>Date of Meeting</b>	<b>Items</b>	<b>Lead Officer</b>	<b>Notes</b>
<p><b>24<sup>th</sup> May 2016 11.00 am</b></p>	<ul style="list-style-type: none"> <li>• Quarter 4 Performance Monitoring</li> <li>• Health Update – Focusing on the Director for Public Health Annual Report</li> <li>• Scrutiny reviews 2016/17 – selection and scoping exercise</li> </ul>	<p>Kath Drury, Information, Engagement and Performance Manager/Jane Foley – JAD, Customer Service &amp; Improvement</p> <p>Mandy Chambers, Public Health, DCC</p> <p>Claire Millington, Scrutiny Officer.</p>	
<p><b>28<sup>th</sup> June 2016, 10.00 am</b></p>	<ul style="list-style-type: none"> <li>• Update on the Community Cohesion project</li> <li>• Enforcement Policy (Joint Environmental Health Service)</li> <li>• Approve Scoping Document for Scrutiny Review.</li> </ul>	<p>Deborah Whallett – Housing Needs Manager &amp; Mariola Babinska – Community Cohesion Officer</p> <p>Sharon Gillott – Environmental Health Manager.</p> <p>Claire Millington, Scrutiny Officer.</p>	

<b>26<sup>th</sup> July 2016, 11.00 am</b>	<ul style="list-style-type: none"> <li>• Quarter 1 Performance Monitoring</li> <li>• Leisure Survey Results</li> <li>• Closure of Bolsover Hospital Consultation.</li> </ul>	<p>Kath Drury, Information, Engagement and Performance Manager</p> <p>Sarah Bingham – Senior Sports Development Officer.</p>	
<b>20<sup>th</sup> September 2016, 10.00 am</b>	<ul style="list-style-type: none"> <li>• Update on Corporate Plan Target - H10 Sustain standards of litter cleanliness to ensure 96% of streets each year meet an acceptable level as assessed by Local Environment Quality Surveys (LEQS).</li> </ul>	<p>Steve Brunt – Joint Assistant Director Streetscene</p> <p>Steve Jowett – Joint Streetscene and Waste Services Manager</p>	
<b>18<sup>th</sup> October 2016, 10.00 am</b>	<ul style="list-style-type: none"> <li>• Update on Environmental Enforcement Initiatives</li> </ul>	<p>Sharon Gillott – Environmental Health Manager</p>	
<b>15<sup>th</sup> November 2016, 11.00 am</b>	<ul style="list-style-type: none"> <li>• Quarter 2 Performance Monitoring</li> </ul>	<p>Kath Drury, Information, Engagement and Performance Manager</p>	
<b>30<sup>th</sup> November 2016, 12.00</b>	<ul style="list-style-type: none"> <li>• Local Plan Consultation</li> </ul>	<p>Rob Routledge, Interim Planning Policy Manager</p>	
<b>13<sup>th</sup> December 2016, 10.00</b>	<ul style="list-style-type: none"> <li>• Informal review work</li> </ul>		

<b>17<sup>th</sup> January 2017, 10.00 am</b>	<ul style="list-style-type: none"> <li>Review work - evidence gathering and recommendations to form the draft report</li> </ul>		
<b>14<sup>th</sup> February 2017, 11.00 am</b>	<ul style="list-style-type: none"> <li>Quarter 3 Performance Monitoring</li> <li>Director of Public Health Annual Report</li> </ul>	<p>Kath Drury, Information, Engagement and Performance Manager</p> <p>Mandy Chambers, Public Health, DCC</p>	
<b>14<sup>th</sup> March 2017, 10.00 am</b>	<ul style="list-style-type: none"> <li>Sustainable Communities Strategy Update.</li> <li>A Healthy Bolsover – Update on the Action Plan</li> </ul>	<p>Pam Brown, Chief Executives and Partnerships Manager</p> <p>Pam Brown, Chief Executives and Partnerships Manager</p>	
<b>19<sup>th</sup> April 2017, 10.00 am</b>			
<b>16<sup>th</sup> May 2017, 11.00 am</b>	<ul style="list-style-type: none"> <li>Quarter 4 Performance Monitoring</li> <li>Annual Review of the Community Safety Partnership</li> </ul>	<p>Kath Drury, Information, Engagement and Performance Manager</p> <p>Deborah Whallett – Housing Needs Manager &amp; Jo Selby – Community Safety Officer.</p>	

Healthy, Safe, Clean and Green Communities Scrutiny Committee Membership (11 Members)

Councillors; - Sandra Peake (Chair), Hilary Gilmour (Vice-Chair), Toni Bennett, Dexter Bullock, Tracey Cannon, Pat Cooper, Clive Moesby, Tom Munro, Phil Smith, Ken Walker, Deborah Watson.