

PUBLIC

MINUTES of a meeting of the **CABINET MEMBER FOR HIGHWAYS, TRANSPORT AND INFRASTRUCTURE** held on 20 July 2017 at County Hall, Matlock.

PRESENT

Cabinet Member – Councillor S A Spencer

Also in attendance – Councillors T Ainsworth and G Hickton.

75/17 PETITION RESOLVED (1) to receive the under-mentioned petitions:-

<u>Location/Subject</u>	<u>Signatures</u>	<u>Local Member</u>
Rowsley, Rowsley Bar/Chesterfield Road – Concerns regarding the condition of the road, speed limit and safety	25	Councillor J Atkin

(2) that the Strategic Director – Economy, Transport and Communities considers the matters raised in the petition.

76/17 MINUTES RESOLVED that the Minutes of the meeting of the Cabinet Member for Highways, Transport and Infrastructure held on 29 June 2017 be confirmed as a correct record and signed by the Cabinet Member.

77/17 AWARD OF GRANT TO EXTERNAL RECIPIENT (Minute 70/17)
The office of the Police and Crime Commissioner for Derbyshire has informed the Authority that the applicant for the award of grant detailed at the meeting on 29 June 2017 was from Derbyshire Constabulary and not its office.

The Cabinet Member agreed that as a consequence of this error in the report that part of the resolution referring to this grant be rescinded and a further report be submitted.

RESOLVED that (1) the part of the resolution at Minute 70/17 referring to the award of grant to the Police and Crime Commissioner of Derbyshire (£4,500), be rescinded; and

(2) an accurate report be submitted to the next Cabinet Member meeting.

78/17 PETITION – REQUEST FOR ADDITIONAL STREET LIGHTING – BENTFIELD ROAD, NETHER HEAGE

Following receipt of a petition requesting additional street lighting along Bentfield Road, Nether Heage, the issues raised have been investigated.

There were four street lights along the length of the road which have been changed to LED white light as part of the Council's 'Invest to Save' project. Light positions have not been changed during this process. The Police collision database indicated that had been no recorded injury collisions in the latest five year period to 28 February 2017 and the Community Safety Lower Super Output Area (LSOA) data indicated Nether Heage as being within an area designated as low crime.

RESOLVED that (1) the request for additional street lighting on Bentfield Road, Nether Heage be refused, but kept under review as part of the wider LED programme monitoring; and

(2) the Local Member and lead petitioner be informed of the decision.

79/17 AWARD OF GRANTS TO EXTERNAL RECIPIENTS

RESOLVED that the Cabinet Member approves the award of grants to Friends of Bamford Station (£200), Friends of Glossop Station (£150), Friends of Glossop Station (£100), Transpeak Walks (£1,600), Friends of Buxton Station (£1,622) and Manchester Folks Train (£600).

80/17 CONSULTATION – DRAFT MANAGEMENT PLAN : PEAK DISTRICT NATIONAL PARK AUTHORITY

The County Council has been consulted by the Peak District National Park Authority (PDNPA) on its draft Management Plan (MP) for the period 2018 to 2023 to replace the current 2011 – 2017 Plan.

The PDNPA was seeking partners' views on its revised special qualities which the Authority feels better articulates what was special about the Peak District; and on eight cross cutting areas of impact developed through a collaborative approach with partners and stakeholders.

Derbyshire County Council welcomed the opportunity to shape the MP of the PDNPA for the coming five years. It has also greatly appreciated being part of the Advisory Group which has overseen the production of the consultation draft and feels, as a consequence, that the new Plan has positively shifted away from capturing what is already happening and what others are doing, to a Plan which now genuinely focused on the added value that could be brought to bear by the PDNPA working collaboratively with others.

The report detailed a suggested response from the County Council. However overall, the County Council felt the Plan provided a positive framework

for partnership working over the next five years and, as a key stakeholder, it looked forward to the continued joint working to support the Plan's aims and ambitions.

It was the Council's intention to submit more detailed technical comments on the MP which would be submitted by the Peak District National Park Authority's deadline of 31 July 2017. It was requested that the Strategic Director – Economy, Transport and Communities be given delegated approval to submit these in liaison with the Cabinet Member.

RESOLVED (1) to authorise officers to respond to the Peak District National Park Authority with headline comments on its draft Management Plan, as set out in the report; and

(2) that the Strategic Director – Economy, Transport and Communities be given delegated authority to submit further, more detailed technical comments in the plan, in liaison with the Cabinet Member, by the comments deadline.

81/17 CHARGES FOR DERBYSHIRE ENVIRONMENTAL STUDIES SERVICE PROVISION FROM SEPTEMBER 2017 As part of the departmental restructure the Derbyshire Environmental Studies Service (DESS) relocated from an office and classroom in Chesterfield to a shared office space at Shand House, Darley Dale.

DESS was tasked with becoming fully cost recovering from 2018-19 and the report outlined the changes required to charges to enable delivery of sessions from locations across the County and how to best generate income from the delivery of these services.

The proposed charges from September 2017 were provided in Appendix 1 to the report. The intention was to try and keep costs low for Derbyshire schools, groups and communities to ensure that they could take part in projects across the county; the charges were reasonable and set at a rate comparable to similar services offered by other local organisations; and that an important message about the built and natural environment could be spread to young people and communities across Derbyshire, in a positive way.

RESOLVED that the proposed charges for Derbyshire Environmental Studies Services are adopted from September 2017 as set out in Appendix 1 to the report.

82/17 VIRGIN MEDIA FIBRE BROADBAND WORKS The Cabinet Member agreed to consider the report as urgent item because notice was required to be served before the next Cabinet Member meeting.

Virgin Media (VM) was a Statutory Undertaker and, as such, has a statutory right to undertake works within the highway, including excavations and installation of ducting, cabling and cabinets. These works must be carried out in accordance with The New Roads and Street Works Act 1991 (NRSWA) and comply with associated codes of practice.

VM has already completed installation of fibre broadband in Long Eaton, and was currently undertaking works at Repton, Codnor, Ripley, and Chesterfield.

For all Statutory Undertakers works, the Council's NRSWA inspectors inspect a random sample of sites and record performance at various stages of the works and where more than 10% of these inspections fail, the Highway Authority should issue an Improvement Notice. The failure rate for VM inspections in Quarter 1 – 2017-18 was 11.6%, while the overall failure rate during 2016-17 was 15.96%.

Any NRSWA Improvement Notice has to be served on VM within 28 days of the end of the previous quarter i.e. by 28 July 2017. A requirement of this Notice was that officers seek to agree an Improvement Plan with VM in the coming weeks.

VM has recently raised concerns that on a large number of Derbyshire footways, they were experiencing difficulties finding a "clean edge" to trim back to and its current view was that to achieve compliance with the requirements was making its current works programme unsustainable as a commercially viable programme. VM has approached the Council with a view to pursuing a local agreement, departing from the Specification for the Reinstatement of Highways (SROH). VM's proposals would keep the works required by it to a minimum, and would also minimise its risk, liability and costs. However, this would leave the Council faced with taking on these risks and potentially significant future maintenance costs. It could also be seen as setting a precedent and lead to similar requests from other Statutory Undertakers. It was not considered appropriate to enter into a local agreement and it was recommended that an Improvement Notice be issued to Virgin Media within the 28 day notice period.

RESOLVED to (1) note the action taken to protect the highways asset and to improve performance in relation to Virgin Media Fibre Broadband utility work; and

(2) authorise the issue of an Improvement Notice in respect of Virgin Media Fibre Broadband utility works.

83/17 **EXCLUSION OF THE PUBLIC** **RESOLVED** that the public, including the press, be excluded from the meeting during consideration of the remaining item on the agenda to avoid the disclosure of the kind of exempt information detailed in the following summary of proceedings:-

**SUMMARY OF PROCEEDINGS CONDUCTED AFTER THE PUBLIC,
INCLUDING THE PRESS, WERE EXCLUDED FROM THE MEETING**

1. To consider the exempt Report of the Strategic Director – Economy, Transport and Communities on County Transport Premises Refurbishment. (contains information relating to the financial or business affairs of a particular person (including the Authority holding that information))