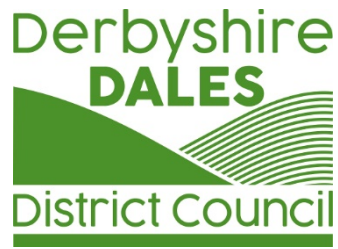


# **MINUTE BOOK**

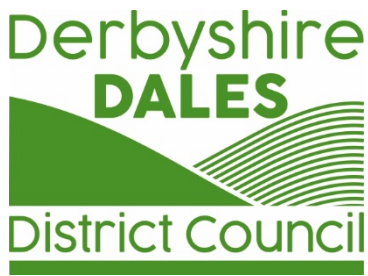
14 July 2022 to 08 September 2022



# MINUTE BOOK INDEX

**14 July 2022 to 08 September 2022**

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## GOVERNANCE & RESOURCES

**Minutes of the Governance & Resources meeting held at 6.00 pm on Thursday, 14th July, 2022 in the Council Chamber, Town Hall, Matlock, DE4 3NN.**

**PRESENT** Councillor Tom Donnelly - In the Chair

Councillors: Sue Bull, Alyson Hill, Stuart Lees, Dermot Murphy, Garry Purdy, Alasdair Sutton, Robert Archer, Paul Cruise, Steve Flitter, Neil Buttle and Claire Raw

Present as Substitute(s) Councillors: Jason Atkin and Mark Wakeman

Paul Wilson (Chief Executive), James McLaughlin (Director of Corporate and Customer Services (Monitoring Officer)), Karen Henriksen (Director of Resources), Tim Braund (Director of Regulatory Services), Jenny Williams (Head of the Internal Audit Consortium), Vikki Hatfield (Neighbourhoods Manager), Tommy Shaw (Democratic Services Team Leader), Lucy Harrison (Democratic Services Assistant), John Pressley (Audit Manager, Mazars) and James Sutton (Audit Assistant Manager, Mazars)

### **Note:**

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## **APOLOGIES**

Apologies for absence were received from Councillor(s): David Chapman, Helen Froggatt, Susan Hobson, Mike Ratcliffe and Colin Swindell

## **59/22 - APPROVAL OF MINUTES OF PREVIOUS MEETING**

It was moved by Councillor Jason Atkin, Seconded by Councillor David Hughes and

**RESOLVED** That the minutes of the meeting of the Governance and Resources Committee held on 17 March 2022 be approved as a correct record.  
(unanimously)

The Chairman declared the motion **CARRIED**.

## **60/22 - PUBLIC PARTICIPATION**

### **Item 5 – Starkholmes Allotments**

In accordance with the procedure for public participation, Ms Barbara Marriott, Ms Mary Derrick and Councillor David Hughes spoke regarding the compulsory purchase of Starkholmes Allotments. Ms Sharon Shirley presented a short video which supported the compulsory purchase of Starkholmes Allotments.

**Councillor Claire Raw entered the meeting at 6:08PM.**

## **61/22 - INTERESTS**

### **Item 5 – Starkholmes Allotments**

Councillor Mark Wakeman declared a personal interest in Item 5 due to having a business relationship with the owner of the allotment land. Councillors Paul Cruise and Steve Flitter also declared personal interests in Item 5 due to both being Members of Matlock Town Council.

## **62/22 - STARKHOLMES ALLOTMENTS**

Councillor Mark Wakeman left the meeting at 6:18pm due to having previously declared a personal interest in this Item.

The Director of Regulatory Services introduced a report which updated the Committee on the work that had been undertaken in relation to Starkholmes Allotments, following the request from Starkholmes Allotment Association to proceed with compulsory purchase action. The report explained the roles and responsibilities of the District Council and of Matlock Town Council and set out the ways in which those two organisations had worked together on this issue. A number of recommendations were also made in relation to land adjacent to the Allotment site, which had been proposed to be transferred to Matlock Town Council, but which had been paused following consideration at an earlier meeting of this Committee.

Councillor Garry Purdy moved the Officer recommendations with an amendment to recommendation 3 to read as below:

3. That Council be requested to approve a supplementary revenue budget of £15,000 in 2022/23 for the costs associated with defending that Asset of Community Value decision, to be financed from the General Reserve. Should any additional funds be required above the proposed £15,000, this would return to Members for approval.

It was also proposed that an additional fifth recommendation be included as set out below:

5. That an additional sum of £5,000 be gifted to the Allotment Society to support their fundraising efforts.

The proposed motion was seconded by Councillor Jason Atkin and

**RESOLVED**

1. That the work undertaken to support Matlock Town Council in relation to compulsory hire of the allotment site be noted.
2. That the work undertaken to defend the appeal against the Asset of Community Value listing be noted.
3. That Council be requested to approve a supplementary revenue budget of £15,000 in 2022/23 for the costs associated with defending that Asset of Community Value decision, to be financed from the General Reserve. Should any additional funds be required above the proposed £15,000, this would return to Members for approval.
4. That work to undertake a community asset transfer of the site adjacent to the Starkholmes Allotments be recommenced.
5. That an additional sum of £5,000 be gifted to the Allotment Society to support their fundraising efforts.

**Voting:**

<b>For</b>	12
<b>Against</b>	0
<b>Abstention</b>	1

The Chairman declared the motion **CARRIED**.

Councillor Mark Wakeman re-entered the meeting at 6:43pm.

**63/22 - REVIEW OF CAR PARKING POLICY**

The Neighbourhoods Manager introduced a report which proposed a review of the Council's current car parking policy and sought Member agreement for the scope and timescale for a review to be undertaken. The report also proposed the establishment of a sub-group of Elected Members to monitor progress within established terms of reference.

The Council's current Car Parking Policy was last fundamentally reviewed in 2012/13 with changes introduced in January 2014. At the request of the Leader of the Council, a review of the current car parking policy was proposed to be undertaken in response to public concerns about specific aspects of the current policy.

The report informed Members of the significant revenue funding gathered via the Council's car parking service and therefore its critical importance to the Council's revenue budget and the delivery of high quality services to the residents, businesses and visitors of the Derbyshire Dales. The report also details the car parking revenue during 2021/22, which amounted to just under £2.5 million and represented almost 42% of the Council's total revenue income from fees and charges. By way of comparison, if the Council did not secure this level of income from car parking charges in 2022/23, the District Council's share of the Council Tax across the District would have to rise by over 36% to replace lost income. The report informed the Committee that this would not be possible as the level of council tax increase is subject to the government's capping limits. It was therefore noted that maintaining the recent level of car parking revenue would be critical to the sustainability of the Council's future financial position and that any recommendations arising from the review

must not undermine this critical income source unless compensatory savings/income streams could be identified.

It was moved by Councillor Garry Purdy, seconded by Councillor Sue Bull and

**RESOLVED**  
(Unanimously)

1. That a review of the Council's Car Parking Policy be undertaken in accordance with the terms of reference outlined at Section 2 of the report.
2. That a Member Working Group comprising of up to five Members representing each political group is formulated to monitor progress and to work with officers on options for consideration of the relevant decision making body.
3. That once completed, the review of the Car Parking Policy be reported to a future meeting of this Committee for target implementation by Autumn 2023.

The Chairman declared the motion **CARRIED**.

#### **64/22 - EXTERNAL AUDIT STRATEGY MEMORANDUM FOR THE FINANCIAL YEAR ENDING 31 MARCH 2022**

The Director of Resources introduced a report which provided information about the external audit plan for the 2021/22 accounts. The Council's external auditor, Mazars LLP, provided an Audit Strategy Memorandum for the financial accounts for the year ending 31 March 2022. The purpose of this document was to summarise the audit approach, highlight significant audit risks and areas of key judgements and provide the committee with the details of the audit team. The external auditor requested that the Memorandum be brought to Members' attention.

The audit scope, approach and timeline was set out at Appendix 1 of the report. It could be seen from this that the intention was for the audit to be completed in time for a report on the outcome to be presented to the November meeting of this Committee

It was moved by Councillor Garry Purdy, seconded by Councillor Steve Flitter and

**RESOLVED**  
(Unanimously)

1. That the External Audit Strategy Memorandum for the year ending 31 March 2022 be noted.
2. That Council be requested to approve a supplementary revenue estimate of £6,002 for 2022/23 in respect of the additional audit fee for work on the 2021/22 financial statements, to be financed from the General Reserve.

The Chairman declared the motion **CARRIED**.

#### **65/22 - INTERNAL AUDIT REPORT 2021/22**

The Head of the Internal Audit Consortium introduced a report which presented a summary of the internal audit work undertaken during 2021/22 from which the opinion on governance,

risk and internal control is derived. The report also provided an opinion on the overall adequacy and effectiveness of the Council's governance, risk and control arrangements including any qualifications to that opinion.

The 2021/22 Operational Audit Plan was originally approved by this Committee on the 11th March 2021. In November 2021 the Committee approved a revised plan with a reduced number of days. The number of audit days were reduced due to a failure to recruit a Senior Auditor and the continued redeployment of the current Senior Auditor to business grants work. Subsequently an Auditor was appointed. For operational reasons a few of the areas in the revised plan were supplemented by alternative areas.

Throughout 2021/22 the Senior Internal Audit continued to have a large involvement in Business Grants, this had a detrimental impact on the completion of the Operational Audit Plan. In order to be able to complete sufficient work to be able to provide an unlimited opinion, work on the 21/22 plan continued into June 2022. The Committee were informed that this was predicted to have a knock on effect on completion of the 2022/23 approved plan.

It was moved by Councillor Steve Flitter, seconded by Councillor Mark Wakeman and

**RESOLVED** That the Internal Audit Annual Report for 2021/22 be accepted.  
(Unanimously)

The Chairman declared the motion **CARRIED**.

## **66/22 - PROGRESS UPDATE ON THE 2021/2022 INTERNAL AUDIT PLAN**

The Head of the Internal Audit Consortium introduced a report which informed Members of a progress update in respect of the 2021/2022 Internal Audit Plan. The report included a summary of internal audit reports issued since the last meeting of this Committee.

As mentioned in the previous report, the 2021/22 Operational Audit Plan was originally approved by this Committee on the 11th March 2021. In November 2021 the Committee approved a revised plan with a reduced number of days. The plan provided a framework by which service functions would be reviewed to test and report on the adequacy and effectiveness of risk management systems and the internal control environment within the Council. The report detailed the results of the internal audit reviews undertaken since the last meeting. The internal audit annual report provided an update in terms of internal audit resource and progress on the revised plan.

It was moved by Councillor Mark Wakeman, seconded by Councillor Garry Purdy and

**RESOLVED** That the report be noted.  
(Unanimously)

The Chairman declared the motion **CARRIED**.

## **67/22 - ANNUAL GOVERNANCE STATEMENT 2021/22**

The Director of Resources introduced a report detailing the Annual Governance Statement, which provided Members with an overview of how the Council's governance arrangements operated.

Governance comprises the systems and processes, culture and values by which the Council is directed and controlled, and through which it is accountable to, engages with and leads the community. The report covered the annual review to ensure that governance arrangements remain effective. The report showed the extent to which the Council had complied with its own code of governance and described significant governance issues, alongside an explanation of what actions had been taken to bring about required improvements, and what work was still to be done. This provided transparency and gave assurance of the Council's commitment to continuously improve the way in which it functions.

It was moved by Councillor Jason Atkin, seconded by Councillor Sue Bull and

- RESOLVED** (Unanimously)
1. That the Annual Governance Statement for 2021/22 be approved.
  2. That the significant governance issues, and the action plan to address them, be noted.

The Chairman declared the motion **CARRIED**.

## **68/22 - STATEMENT OF ACCOUNTS 2021/22 - APPROVAL OF ACCOUNTING POLICIES**

Councillor Claire Raw left the meeting at 7:37pm.

The Director of Resources introduced a report which sought Member approval of the Accounting Policies used within Derbyshire Dales District Council's Statement of Accounts 2021/22 and highlighted any changes from last year. Members were informed that the Council must publish its draft Statement of Accounts 2021/22 by the 31st July 2022.

The report presented the accounting policies that the Council would apply in the preparation of the Statement of Accounts for 2021/22. Members were informed that Officers had assessed the accounting policies deemed necessary to explain clearly and underpin the accounting treatment of transactions within the Council's Statement of Accounts for 2021/22.

With specific regard to the accounting policies proposed in respect of 2021/22, these were largely unchanged from previous years. However, it was proposed to amend the rolling revaluation programme for fixed assets from every 5 years, which is the minimum requirement, to every 3 years. It was expected that this amendment would improve the accuracy of the fixed asset valuations held within the Balance Sheet, whilst also reducing the impact of that the annual impairment review.

It was also noted that as the Statement of Accounts for 2021/22 is prepared, it may be necessary to amend a policy in order to adopt a more appropriate accounting policy. If this were to occur, the change and the reason for the change would be reported back to this



Committee at its next available meeting and / or would be highlighted within the report when the Statement of Accounts is presented to Members for approval.

It was moved by Councillor Garry Purdy, seconded by Councillor Jason Atkin and

**RESOLVED** That the 2021/22 Accounting Policies be approved for use within the  
(Unanimously) Statement of Accounts.

The Chairman declared the motion **CARRIED**.

## **69/22 - DISTRICT COUNCIL'S ASSET LIST**

The Director of Regulatory Services introduced a report which updated Members on the progress made in updating the District Council's official list of assets.

At its meeting on 14 December 2020, Council considered a report that provided information on the methodology and outcome of an independent review of assets. It had become clear during this review that the Council official asset list was not up-to-date. Council therefore resolved that the asset list should be reviewed annually and presented to this Committee for review.

In order to address this issue an officer working group was formed, with the purpose of updating this list. It became clear that there were in fact three separate lists of assets, these lists were maintained separately, for different purposes and appeared not to have been reconciled for some time. The group considered that the most appropriate way to begin to address these issues was to examine the assets held in specific geographical areas of the district, to check each record, complete any necessary legal paperwork and to then update the lists.

Because of the concerns that had previously been raised by Tansley Parish Council, it was agreed that asset records relating to Tansley would be examined first. Through working in this way, it was the aim of the group that the three separate asset lists could be rationalised into one central list, which would be held in the Uniform database and mapped on GIS. The report detailed the work completed regarding several identified sites in Tansley and the records of five public conveniences which required updating.

It was moved by Councillor Jason Atkin, seconded by Councillor Sue Bull and

**RESOLVED** That the report be noted.  
(Unanimously)

The Chairman declared the motion **CARRIED**.

## **70/22 - ANNUAL REPORT ON THE REGULATION OF INVESTIGATORY POWERS ACT (RIPA)**

The Director of Corporate and Customer Services introduced the annual report on the Council's use of RIPA and any related matters.

The Regulation of Investigatory Powers Act 2000 (RIPA) was put in place to ensure that the use of investigatory powers by certain organisations complies with the UK's obligations

under the European Convention on Human Rights (ECHR) including Article 8 (the right to privacy). The proper authorisation of certain covert surveillance powers under RIPA ensures that the Council is acting in accordance with such human rights. The purpose of this annual report was to set out the level and nature of the Council's use of covert surveillance under RIPA.

The District Council's RIPA Policy was approved by Council in January 2020. It clearly explained the type of surveillance the Council could and could not undertake and also explained those limited circumstances where covert surveillance, requiring external authorization, may be appropriate. It was noted in the report that the policy ensured compliance with the regulatory framework for the use of covert investigatory techniques by officers, as set out in the Regulation of Investigatory Powers Act 2000 and RIPA (Directed Surveillance and Covert Human Intelligence Sources CHIS) Order 2010 (and as amended 2012).

The Committee were informed that the Council had not used its RIPA surveillance powers during the 2021/22 financial year and the Council's RIPA Authorising Officers had not approved the use of covert surveillance techniques in any cases. The last time such powers were used dates back to 2014.

It was moved by Councillor Sue Bull, seconded by Councillor Mark Wakeman and

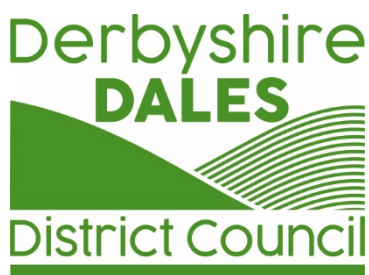
**RESOLVED**  
(Unanimously)

1. That the report be noted.
2. That the procedure for the use of corporate social media accounts to access information be endorsed and included in the RIPA Policy.

The Chairman declared the motion **CARRIED**.

**Meeting Closed: 7.46 pm**

**Chairman**



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## **COUNCIL**

**Minutes of the Council meeting held at 6.00 pm on Tuesday, 26th July, 2022 in the Council Chamber, Town Hall, Matlock, DE4 3NN.**

**PRESENT** Councillor Sue Bull - In the Chair

Councillors: Jacqueline Allison, Jason Atkin, Matt Buckler, Martin Burfoot, Sue Burfoot, Neil Buttle, David Chapman, Tom Donnelly, Graham Elliott, Richard FitzHerbert, Helen Froggatt, Chris Furness, Clare Gamble, Dawn Greatorex, Susan Hobson, David Hughes, Stuart Lees, Tony Morley, Dermot Murphy, Peter O'Brien, Garry Purdy, Mike Ratcliffe, Peter Slack, Colin Swindell, Steve Wain, Mark Wakeman and Janet Rose

Paul Wilson (Chief Executive), James McLaughlin (Director of Corporate and Customer Services (Monitoring Officer)), Tim Braund (Director of Regulatory Services), Steve Capes (Director of Regeneration & Policy), Giles Dann (Policy and Economic Development Manager), Jim Fearn (Communications & Marketing Manager) and Angela Gratton (Democratic Services Officer)

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## **APOLOGIES**

Apologies for absence were received from Councillor(s): Robert Archer, Richard Bright, Paul Cruise, Steve Flitter, Alyson Hill, Michele Morley, Claire Raw, Mark Salt, Andrew Shirley, Andrew Statham and Alasdair Sutton.

## **71/22 - PUBLIC PARTICIPATION**

**Re: Agenda Item 6 – Community Governance and Polling Arrangement Reviews**

In accordance with the procedure for public participation, Mr Julian Wallbank on behalf of South Darley Parish Council made a statement on the Community Governance and Polling Arrangement Reviews.

## **Re: Agenda Item 8 - Development of small Solar Farms on Council owned land**

### **Letter submitted from Tansley Parish Council**

In Law the Development Plan is a document adopted under the Planning and Compulsory Purchase Act 2004, a Legal Document. Planning Law requires that applications are determined in accordance with the Development Plan (NPPF 2021) Decisions made should reflect relevant obligations and statutory requirements. The Equalities Act 2010 is also an important issue which should be part of the 'Plan' and taken into account by decision takers.

Page 104 of the Officers Report for the above Council meeting contains a Report by APSE ENERGY Report V2. This independent Report examines potential sites 'owned' by DDDC, for a future solar farm.

Watery Lane Ashbourne which has been designated as a Travellers Site, is now to be considered as a Solar Farm.

The Report states that residents of Ashbourne may prefer a Solar Farm to a Travellers Site!

Whilst it is commendable to be seeking a location for a Solar Farm, the Local Authority have a legal duty to the travellers.

Whilst the Local Plan does refer to Climate Change, there is no allocation of land within the plan, for a Solar Farm, however there is an allocation of land for Travellers Site, as previously stated the Local Plan is a legal document.

Previously land at Watery Lane Ashbourne was deemed impossible to develop as a Travellers Site because it might be needed for the proposed Ashbourne by pass, residents were lead to believe the land belonged to DCC? Is this different land? however It now appears that the much needed by pass will not impact on this, Local Plan Site.

For Councillors to accept the recommendation to use land at Watery Lane as a Solar Farm would be contrary to Policy HC4 of the legally adopted Local Plan, HC4 states that' the District council will safeguard 0.3 HA of land at Watery Lane Ashbourne as identified in the Local Plan Policies Map for at least 6 Travellers Pitches, the District Council will safeguard this authorized site' (Policies map Inset 5 ref HC6).

Councillors' are all aware that the Travellers have stated consistently their need to be near other family members in the South of the Dales, for support and for health reasons.

The Equalities Act could appear to being ignored by the Local Authority.

The designated land at Watery Lane Ashbourne is now available for its designated use, as a Travellers Site, DDDC need to comply with their own Local Plan.

## **72/22 - INTERESTS**

### **Item 73/22 Land at Bakewell Road Matlock – Update on Proposed Conversion of Former Matlock Hall and Modifications to External Layout**

Councillors Sue Burfoot and Martin Burfoot declared a non –pecuniary interest in item 73/22 as members of Matlock Community Vision (MCV).

### **Item 75/22 – Community Governance and Polling arrangement reviews.**

Councillors Matt Buckler, Martin Burfoot, Sue Burfoot, David Hughes and Steve Wain declared a non-pecuniary interest in item 75/22 as members of Matlock Town Council. Councillor Jason Atkin declared a non-pecuniary interest in item 75/22 as a member of Darley Dale Town Council.

## **73/22 - LAND AT BAKEWELL ROAD, MATLOCK - UPDATE ON PROPOSED CONVERSION OF FORMER MARKET HALL AND MODIFICATIONS TO EXTERNAL LAYOUT**

The Policy and Economic Development Manager introduced a report updating Members on the programme for the conversion of the former Market Hall and seeking approval for the proposed modifications to the external layout of the scheme with regard to bus, taxi and other provision laid out in the report.

The Policy and Economic Development Manager presented the proposed modifications to the external layout of the scheme with regards to the bus and taxi provision. On site consultation had been undertaken by officers with taxi drivers and users to seek views on the proposals and feedback was shown in Annex 1 of the report.

In addition to the consultation, Access for All UK were commissioned to undertake an access audit of the proposed modifications to the external layout. This has informed the Equality Impact Assessment undertaken (see Annex 2). The verbal feedback immediately following the site visit from Access for All was that the proposed modifications were considered reasonable within the constraints of the site and the proposed inclusion of the taxi waiting shelter and lighting column was welcomed.

To support the additional costs of the new arrangements it was proposed to seek external funding as part of the package of public realm improvements to the north side of Bakewell Road included within the Draft Derbyshire Dales UK Shared Prosperity Fund Investment Plan for considered in the next item (due for submission to Government on 1 August).

The RIBA Stage 4 programme had been updated by the Council's architect as follows:

- technical design pack due end of July
- tender pack ready for issue September 7
- tenders for the shell works due end of October
- tender assessment / value engineering / contract negotiation / contractor appointment November – December (subject to acceptable tender)
- proposed commencement of works January 2023 (subject to acceptable tender)

Councillor Peter O'Brien proposed an amendment that modifications to taxi waiting and passenger waiting arrangements within the site be subject to further appraisal to ensure the safety of pedestrians accessing the facilities. This was not seconded.

It was moved by Councillor Martin Burfoot, seconded by Councillor Sue Burfoot and

**RESOLVED**  
(Unanimously)

1. Note progress in moving the scheme forward since the last Committee update;
2. Note the updated RIBA Stage 4 programme for the scheme;
3. Note the additional work undertaken through engagement with the MCV Steering Group to facilitate provision of the phase 2 community space in the longer term (delivery subject to separate local fundraising);
4. Note the outcome of consultations with licensed taxi operators and taxi users regarding proposed changes to waiting arrangements within the site;
5. Note the proposed improvements to arrangements for bus passengers and pedestrians accessing the Market Hall development;
6. Note the proposed enhanced provision for disabled car users and for cyclists;
7. Note the proposed modifications to taxi waiting and passenger waiting arrangements within the site;
8. That the proposed modifications to the external layout included in Recommendation 5 - specifically the widening of the pedestrian footway – Recommendation 6; and Recommendation 7 - subject to preparation of a detailed layout / lining plan - are approved in principle as part of a package of public realm works to the north side of Bakewell Road for consideration within the Draft Derbyshire Dales *UK Shared Prosperity Fund* Investment Plan to be considered later on this Council meeting agenda.

The Chairman declared the motion **CARRIED**.

## **74/22 - UK SHARED PROSPERITY FUND: INVESTMENT PLAN SUBMISSION**

The Policy and Economic Development Manager introduced a report in the context of the approved Economic Recovery Plan, Corporate Plan and Economic Plan for the Derbyshire Dales, seeking approval for submission of the District Council's Investment Plan for the Government's *UK Shared Prosperity Fund*.

To access the Fund, the District Council must submit an Investment Plan to include: proposed interventions; measurable outputs and outcomes; state how projects/activities will be procured and delivered; and set out governance arrangements. As lead local authority for UKSPF, the District Council must put in place appropriate project assessment; contracting; programme management, monitoring and evaluation procedures. The deadline for submission was 1 August 2022. Payments are expected from October 2022.

As a result of the work of Officers, Partners and Councillors a summary plan had been prepared (as agenda item 5, Annex 1) setting out a deliverable package of UKSPF interventions based on identified priorities. It was anticipated that, in accordance with UKSPF guidance, there will be a mixed approach including in-house delivery,

commissioned services and procured contracts. It was noted that potential outputs and outcomes were indicative at this stage and subject to finalisation of the plan prior to submission.

A summary of proposed interventions, activities and required funding is set out in Table 1 of the report.

The proposed activities had been costed through a combination of methods including: independent cost assessment for the public realm works; costs of delivering similar schemes in the past e.g. Peak Rural Innovation Programme and; using existing delivery costs as a basis for initiatives proposed for extension.

During debate Councillor Peter O'Brien **proposed** two amendments, these were **seconded** by Councillor Clare Gamble and are included below:

### **Amendment 1**

That the element of the public realm programme relating to that section of Bakewell Road between the proposed cinema and Crown Square be deleted and that relevant funding be redistributed to one or more of the following:

- a.) An increase in value of the Community Resilience Fund and an increase in the maximum grant to £20,000.
- b.) A scoping report to examine the issues regarding the infrastructure capacity of the electricity grid to accommodate green energy investment.
- c.) An accelerated delivery of the Electric Vehicle Charging Point programme, focused on the more rural areas of the district.
- d.) Funding of the next stage of the feasibility study for the development of a solar farm at Watery Lane.

### **Amendment 2**

That the element of the programme relating to generic business support be deleted and the relevant funding be redistributed to one of more of the following:

- a.) An increase in value of the Community Resilience Fund and an increase in the maximum grant to £20,000.
- b.) A scoping report to examine the issues regarding the infrastructure capacity of the electricity grid to accommodate green energy investment.
- c.) An accelerated delivery of the Electric Vehicle Charging Point programme, focused on the more rural areas of the district.
- d.) Funding of the next stage of the feasibility study for the development of a solar farm at Watery Lane.

These amendments were then put to the vote as follows:

### **Voting:**

<b>For</b>	5
<b>Against</b>	22
<b>Abstention</b>	0

The Chairman declared the amendment **LOST**

It was moved by Councillor Garry Purdy, seconded by Councillor Mark Wakeman and

**RESOLVED**

1. The *UK Shared Prosperity Fund* Investment Plan Summary is approved for submission;
2. Subject to the approval of 1 above, that a supplementary revenue estimate of £1,043,517 and a capital programme estimate of £911,235 is approved to be spent over the next three financial years and funded from the UK Shared Prosperity Fund grant;
3. Authority is delegated to the Director of Regeneration and Policy to make detailed changes and finalise the plan with the S151 officer for submission;
4. The procurement of resources to support plan preparation is noted;
5. The proposed options for adopting *UK Shared Prosperity Fund* governance arrangements are approved and finalised by the Director of Regeneration and Policy prior to plan submission.
6. That a supplementary revenue estimate of £20,000 for plan preparation is approved retrospectively, to be funded by government grant upon sign-off of the Investment Plan.

**Voting:**

<b>For</b>	25
<b>Against</b>	0
<b>Abstention</b>	2

The Chairman declared motion **CARRIED**

**75/22 - COMMUNITY GOVERNANCE AND POLLING ARRANGEMENT REVIEWS**

The Director of Corporate and Customer Services introduced a report providing details of feedback received during the first stage of a Community Governance Review of the Parishes of Darley Dale, Matlock and South Darley carried out as a result of the new District Council warding and parish arrangements proposed by the Local Government Boundary Commission for England.

It proposed that as a result of initial feedback further consultation should take place on a proposal to amend the boundaries of the Parishes of Matlock and South Darley so that future housing developments in the Oker and Snitterton Ward of South Darley Parish Council would be included in a new Cawdor Ward of Matlock Town Council.

The report also included details of the review of Polling Districts, Polling Places and Polling Stations which took place to reflect the revised District Council electoral arrangements and put forward a number of recommendations for Members to consider.

The report advised that any additional responses received between the statutory deadline for publishing the agenda and the deadline for consultation responses would be reported to the Council. The updated report provides details of additional responses, including South Darley Parish and Darley Dale and Matlock Town Councils and proposed additional recommendations 3 and 4 below to reflect the feedback.

It was moved by Councillor Susan Hobson, seconded by Councillor Colin Swindell and



**RESOLVED**  
(Unanimously)

1. That the recommended changes to Polling Places and Polling Stations as set out in paragraphs 1.2.7 to 1.2.13 of the report be approved.
2. That the Director of Corporate and Customer Services be authorised to carry out further consultation on a proposal to move the shaded area identified in Appendix 3 from the Parish of South Darley to the Parish of Matlock.
3. That the Director of Corporate and Customer Services be authorised to carry out further consultation on a proposal to move the shaded area identified in Appendix 9 from the Parish of Darley Dale to the Parish of Matlock.
4. That the Director of Corporate and Customer Services be authorised to carry out further consultation on a proposal to incorporate the Parish of Northwood and Tinkersley in to the Parish of Darley Dale.
5. That any changes required as a result of this review be brought back to Council before 1 October 2022 to consider any proposed changes and any representations received before the arrangements are approved by Members.

The Chairman declared the motion **CARRIED**.

## **76/22 - HOUSEHOLD SUPPORT FUND**

The Director of Regulatory Services introduced a report informing Members of the outcome of the initial Household Support Fund period 16 October 2021 to 31 March 2022 and seeking approval for the proposals as laid out in the report for the Household Support Fund 2 for period 1<sup>st</sup> April 2022 to 30 September 2022.

The Household Support Fund directly supports households experiencing financial difficulties relating to rent arrears, utility bills and other debts. Such issues can have a long lasting detrimental impact on the ability of residents to maintain rental payments and can lead to homelessness. The provision of the Fund therefore meets the Council's objective of reducing homelessness.

There is no revenue budget for this expenditure so it is necessary to seek approval for a supplementary revenue estimate of £100,000 in 2022/23. However, as indicated in the report, the expenditure will be funded by grants (£84,000 from the Household Support Fund allocation and £16,000 from homelessness prevention grant). Expenditure will be monitored by officers to ensure that it does not exceed the grant available.

It was moved by Councillor Mike Ratcliffe, seconded by Councillor Garry Purdy and

**RESOLVED**  
(Unanimously)

1. The outturn for the first round is noted.
2. That approval is given for the delivery of round 2 as set out in the report.
3. That approval is given to a supplementary revenue estimate of £100,000 in 2022/23 for expenditure associated with the Household Support Fund, to be funded by grants (£84,000 from the Household Support Fund allocation and £16,000 from

homelessness prevention grant).

The Chairman declared the motion **CARRIED**.

## **77/22 - DEVELOPMENT OF SMALL SOLAR FARMS ON COUNCIL OWNED LAND**

The Director of Regulatory Services introduced a report presenting the findings of a technical and financial feasibility study carried out on five Council owned sites, exploring the possibility of developing small solar PV farms. The report sought approval for the necessary next steps in order to move a single viable site, at Watery Lane, Ashbourne to 'phase two' with an ambition of completing this scheme towards the end of 2024.

The first part of the 'phase two' work is acceptance by the Council of a grid connection offer. As the grid connection situation changes regularly and capacity can be short, this is one of the early priorities for action. In simple terms a grid connection is not necessary where there is an offtaker, such as Severn Trent, who is willing to buy all of the generating asset's output. However, if the offtaker's business closes or relocates for any reason, the Council will be left with a 'stranded asset' i.e. a solar farm which cannot get its electricity to any buyers. For this reason, it is almost universal practice where public money is involved to go for a grid connection, even if it is considered unnecessary at the start. Then, if the situation changes, the Council would always have the option to switch to sales on the wholesale market via the grid.

During debate, a question was raised as to whether the Solar Farm would be on the Allotment ground, the Director of Regulatory Services confirmed it would not be on the Allotment ground and grazing rights could also continue on the Solar Farm ground.

During debate, Councillor David Hughes suggested a letter be written to Ofgem re connections into the National Grid asking for an upgrade to rural infrastructure to accept smaller and larger developments.

The Officer recommendations were moved by Councillor David Chapman with the following amendment:

*'That authority be given to write to Ofgem to consider improving access for smaller and larger developments to feed into the National Grid.'*

This was seconded by Councillor Mark Wakeman and

**RESOLVED**  
(Unanimously)

1. That the report attached in Appendix One and the associated business and financial cases in Appendix Two are received.
2. That Council approves the recommendation in the attached report to move to 'phase two' of development work in respect of the Watery Lane, Ashbourne site.
3. That approval is given to a supplementary revenue budget of £40,000 for consultancy relating to the next stage of work required, to be financed from the General Reserve.
4. That authority be given to write to Ofgem to consider improving access for smaller and larger developments to feed into the National Grid.

The Chairman declared the motion **CARRIED**.

## **78/22 - INTERIM ELECTRIC VEHICLE STRATEGY**

The Director of Regulatory Services introduced a report presenting an interim high level strategy setting out Council priorities for approval and the approach for encouraging the adoption of electric vehicles (EVs) and the installation of EV charging infrastructure in the Derbyshire Dales.

The interim strategy is intended to be directional, a high level vision rather than setting out a plan for delivery. It covers the period 2022-2024 and enables the Council to apply for funding from the On-street Residential Chargepoint Scheme in 2022/23

Officers will work in collaboration with DCC going forward, including a potential bid to the £450m LEVI (Low Emission Vehicle Infrastructure) fund. This will be launched later in 2022/23 including £50m of multi-year resource funding for local authorities, to enable them to have dedicated resource for the planning and delivery of local EV charging infrastructure in their areas. The funding will help provide the staff needed to deliver these projects, in all parts of the country. Details of the fund are not yet available but it is likely that a fully assessed and costed scheme, including investment from the private sector, would need to be developed prior to any application. The demands and needs assessment currently being undertaken by DCC is the first part of this scheme development. Indicative timings suggest that the LEVI bid will be submitted in Spring/Summer 2023 with mobilisation of contract and delivery of charging points from late 2024 onwards.

It was moved by Councillor Martin Burfoot, seconded by Councillor Tom Donnelly and

**RESOLVED**  
(Unanimously)

1. That the interim strategy is approved.
2. That the Council continues to collaborate with partner local authorities on a more detailed strategic approach to charge point installation and plan for delivery.

The Chairman declared the motion **CARRIED**.

## **79/22 - DURATION OF MEETINGS (MOTION TO CONTINUE)**

At **8.27pm**, prior to consideration of Item 10 Councillor Chris Furness and Councillor Jacqueline Allison left the meeting.

It was moved by Councillor Jason Atkin, seconded by Councillor Tom Donnelly and

**RESOLVED**  
(unanimously)

That, in accordance with **Rule of procedure 13**, the meeting continue beyond 2 hours 30 minutes to enable the business on the agenda to be concluded.

The Chairman declared the motion **CARRIED**.

**Meeting reconvened 8:38pm**

## **80/22 - RECOMMENDATIONS FROM THE CONSTITUTION WORKING GROUP - PROPOSED AMENDMENTS TO THE ARTICLES OF THE CONSTITUTION, RESPONSIBILITY FOR FUNCTIONS AND PROCEDURE RULES**

The Director of Corporate and Customer Services introduced a report submitting the recommendations of the Constitution Working Group in respect of proposed amendments to various parts of the Constitution and to seek the Council's approval and adoption of the proposed revisions.

In introducing the working group's recommendations, the Director reported that the full Council would continue to take all decisions in respect of new strategies or policies or where proposals represented a major departure from agreed policy. Within the proposed framework, policy committees would have authority to review and develop policy and make amendments to policies other than where the Council had reserved that function to itself or where the change was so politically significant that it would require a decision of the full Council.

*The Constitution Working Group recommended the establishment of a Scrutiny Committee. The group have prepared draft terms of reference and procedure rules for the operation of the Scrutiny Committee, the functions are summarised as:*

Holding Policy Committees to account for decisions taken – either through call-in prior to a decision being implemented or through post implementation review of a policy, procedure or service change

Developing or reviewing an existing policy, procedure or way of working within the Council

Monitoring and reviewing the performance indicators in respect of service provision

Scrutiny of external bodies

The Director of Corporate and Customer Services thanked all members of the Constitution Working Group for their input and Councillor Hughes for assisting with the development of the Scrutiny Procedure Rules.

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

### **RESOLVED**

1. That the functions of the Council be confirmed as all new strategies and policies, those matters reserved by the law and any matters that the Council resolves to reserve to itself; as well as responsibility for the approval of the following specific strategies and policies:
  - a) Revenue and Capital Budgets, including determination of the Council Tax and the Local Council Tax Support Scheme
  - b) The Corporate Plan
  - c) The Performance Plan
  - d) The Crime and Disorder Reduction Strategy
  - e) The Development Plan documents and the plans and alterations which together comprise the Development Plan, known as the Local Plan
  - f) The Licensing Authority Policy Statement under the Licensing Act 2003 and Gambling Act 2005
  - g) The Medium Term Financial Strategy
  - h) The plan or strategy for the control of the Council's borrowing, investments or capital expenditure or for determining the Council's minimum revenue provision.
2. That the Policy Committees be authorised to review and approve amendments to existing policy matters that are not reserved to

- Council or delegated to officers relating to the functions within service areas listed in their respective terms of reference at Part 3 of the Constitution.
3. That the term of reference of the Policy Committees be amended to include the following:
    - a) The formulation, development and implementation of the Council's overall budget and policy framework, including recommending to Council where such matters are required in respect of new strategies or policies
    - b) The coordination of the implementation of policy and strategic objectives across the Council.
    - c) The implementation of Council approved strategies for the social, economic and environmental well-being of citizens in respect of functions and services not otherwise the responsibility of the full Council.
    - d) The promotion and maintenance of excellent services for citizens in line with the Council's corporate priorities.
    - e) Functions relating to personnel and health and safety to the extent that those functions are discharged in the Council's capacity as an employer.
    - f) The establishment of working groups, subject to available resources and to consultation with the Chief Executive, to develop or review policy in accordance with agreed priorities in the Corporate Plan or Budget and make recommendations back to Policy Committees for determination
  4. That, subject to the approval of recommendations 1, 2 and 3, the Council Procedure Rules be amended to allow for questions to be put to officers at meetings of Policy Committees and for multiple contributions from Members during debate at the discretion of the Chairman of the Policy Committee meeting.
  5. That reports for information no longer be submitted to Council or its Committees unless there is a statutory requirement for the matter to be considered formally.
  6. That a regular information briefing be issued to Members covering matters previously subject to information reports to Council or Committees.
  7. That a Scrutiny Committee be established, with terms of reference to be inserted in Part 3 of the Constitution (Responsibility for Functions) and procedure rules to be inserted in Part 4 of the Constitution (Rules of Procedure), as set out in Appendices 2 and 3.
  8. That the Independent Remuneration Panel be asked to review the role and remit of the Chairman and Vice-Chairman of the Scrutiny Committee and recommend at its earliest convenience a special responsibility allowance to be paid for the roles to the Council.
  9. That General Delegations to Officers, set out in Appendix 1, be inserted in Part 3 of the Constitution and the principle be approved that functions are to be discharged by officers unless expressly reserved to the Council or its committees within the Constitution or by way of resolution.

**Voting:**

**For**

23

**Against** 1  
**Abstention** 1

The Chairman declared the motion **CARRIED**.

## **81/22 - MEMBERSHIP OF POLITICAL GROUPS, POLITICAL BALANCE AND ENTITLEMENT TO SEATS ON COMMITTEES**

The Director of Corporate and Customer Services introduced a report on the updated membership of political groups on the Council, the change to the Political balance of the authority following Councillor Gamble's decision to become a member of the Independent Group and the revised entitlement of political groups to seats on committees for the remainder of the 2022/23 municipal year.

The Conservatives and Councillors Bright, Elliott & Salt Group continue to hold the majority of seats on the Council and is in overall control of the authority. The political balance of the Council is now:

Name of Group	Designated Leader	Number of Members
Conservative and Councillors Bright, Elliott & Salt	Councillor Purdy	22
Green & Independent	Councillor Buttle	4
Independent	Councillor Swindell	3
Labour	Councillor Ratcliffe	3
Liberal Democrat	Councillor Flitter	7

The Director of Corporate and Customer Services verbally reported a change to recommended number of seats on the Planning Committee and the Licensing and Appeals Committee, with the former recommended to have 15 seats and the latter to have 13 seats, albeit only 12 seats would be filled to meet the proportionality requirements.

It was moved by Councillor Jason Atkin, seconded by Councillor David Hughes and

**RESOLVED**  
(Unanimously)

1. That the operation of five political groups on the Council and the detail of their designated Leaders be noted:
  - a) Conservative Group and Cllrs Bright, Elliott and Salt – Councillor Garry Purdy
  - b) Green and Independent Group – Councillor Neil Buttle
  - c) Independent Group – Councillor Colin Swindell
  - d) Labour Group – Councillor Mike Ratcliffe
  - e) Liberal Democrat Group – Councillor Steve Flitter
2. That the Council notes, and agrees, the entitlement of the membership of the political groups and that such entitlements have been reflected in the allocations to Committees.
3. That authority be delegated to Political Group leaders to nominate representatives from their groups to fill vacancies in accordance with the agreed seat entitlement, with those nominations taking immediate effect on committees and working groups.

The Chairman declared the motion **CARRIED**.

## **82/22 - PERFORMANCE MANAGEMENT - KEY AND CORPORATE PERFORMANCE INDICATORS OUTTURN 2021/22**

The Director of Regeneration and Policy introduced a report for Members to note summarising the outturn performance against the District Council's Corporate Plan Targets and Key Performance Indicators for the full year 2021/22, which is the second year of the current Corporate Plan 2020-24, agreed at Council on 5th March 2020. The report highlighted where services have performed strongly and where improvements can be made.

It was moved by Councillor Susan Hobson, seconded by Councillor Tom Donnelly and

### **RESOLVED**

(Unanimously)

1. The outturn performance against Corporate Plan targets for 2021/22 be noted.
2. The outturn performance against the Key Performance Indicators for 2021/22 be noted.
3. That bi-annual reports continue to be brought to Members to highlight progress, demonstrate good performance, and address areas for improvement.

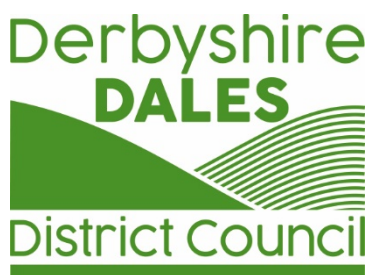
The Chairman declared the motion **CARRIED**.

**Meeting Closed: 9.00 pm**

**Chairman**

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## COUNCIL

**Minutes of the Council meeting held at 6.00 pm on Thursday, 28th July, 2022 in the Council Chamber, Town Hall, Matlock, DE4 3NN.**

**PRESENT** Councillor Sue Bull - In the Chair

Councillors: Jacqueline Allison, Jason Atkin, Martin Burfoot, Sue Burfoot, David Chapman, Tom Donnelly, Graham Elliott, Richard FitzHerbert, Helen Froggatt, Chris Furness, Clare Gamble, Dawn Greatorex, Alyson Hill, Susan Hobson, David Hughes, Stuart Lees, Tony Morley, Dermot Murphy, Peter O'Brien, Garry Purdy, Mike Ratcliffe, Peter Slack, Andrew Statham, Alasdair Sutton, Mark Wakeman and Janet Rose

Tim Braund (Director of Regulatory Services), Robert Cogings (Director of Housing), Karen Henriksen (Director of Resources), James McLaughlin (Director of Corporate and Customer Services (Monitoring Officer)), Jim Fearn (Communications & Marketing Manager) and Lucy Harrison (Democratic Services Assistant)

Public – 9 Members

## APOLOGIES

Apologies for absence were received from Councillor(s): Andrew Shirley, Robert Archer, Richard Bright, Matt Buckler, Paul Cruise, Steve Flitter, Michele Morley, Colin Swindell and Steve Wain.

## 83/22 - PUBLIC PARTICIPATION

**Note:**

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

## **ITEM 9 – PROPOSAL OF A NOTICE OF MOTION (RULE OF PROCEDURE 16)**

In accordance with the procedure for public participation, Mr Rob Tamlyn (Grindleford Parish Council) and Mr John Davies (Grindleford Resident) made statements on Agenda Item 9 – Proposal of a Notice of Motion (Rule of Procedure 16).

The further following statements were submitted in writing:

### **STATEMENT from Mr Paul Thorpe and Ms Deborah Wright, Grindleford Local Resident**

To The Leader of the Council,

We would like to whole heartedly support Councillor Peter O'Brien's motion as tabled above regarding the totally unacceptable noise nuisance from Grindleford station sidings by Network Rail at unsociable hours. The noises are sudden loud clunking sounds, presumably rails being dropped, which wake us up in the middle of the night, and loud reversing alarms which continue to keep us awake.

We have complained to Network Rail on numerous occasions to no effect.

We have also complained on numerous occasions to the Environmental health department and our MP.

Whilst we appreciate that Network Rail has to maintain the rail line, we do not accept that they have to make a terrible noise in the middle of the night at Grindleford station sidings for work that is being done up and down the Hope Valley line, not at Grindleford.

We would like to stress to the Leader of the Council that both the anticipation of the noise and the noise itself at unsociable hours is having a direct negative impact on the physical and mental health of the both of us.

### **STATEMENT from Mr Steve Burton, Upper Padley Local Resident**

It is matter of record that Network Rail has never carried out a formal consultation with all the residents who have been impacted by the expansion, development and change of use of the Grindleford railway siding. I strongly support the motion and hope that it meets with the council's approval. However, if the council is unable to approve the motion then would the council be prepared to support and fund an independent consultation exercise that could provide a clearer understanding of the issues and make recommendations that might lead to more amicable arrangements between Network Rail and local residents.

### **STATEMENT from Mr and Mrs Slingsby, Upper Padley Local Residents**

Dear Councillors,

With reference to Councillor Peter O'Brien's motion regarding Grindleford Station Railway Sidings.

As residents of Upper Padley for 36 years we have seen a steady increase Year on Year to the usage of the Sidings. Resulting in more noise, light pollution and impact on the local area. We fully endorse Councillor Peter O'Brien's proposed motion to request that Network Rail reduce their use of Grindleford Sidings to a minimum. i.e. The maintenance of Topley Tunnel and Emergencies only.

## **STATEMENT from Tony and Gillie Jenkinson, Grindleford Local Residents**

We are writing as residents of Nether Padley, Grindleford, to give our strong support to Councillor Peter O'Brien's motion concerning Network Rail activities near Grindleford Station.

We are often disturbed on weekend nights by the noise of heavy machinery and of metal crashing. Continual sleep disturbances and related anxiety can be harmful to both physical and mental health.

It is intolerable that Network Rail can use a legal loophole to continue to cause this serious disturbance in a residential area.

It is clear that determined action is needed to force them to move these operations to a non-residential area, and we urge the Council to take all necessary steps to bring this about.

## **STATEMENT from Mr John Davies, Grindleford Local Resident**

When we moved to Midland Cottages 36 years ago there were two coal merchants operating from the disused railway sidings (we still call it 'the coal yard'). When they ceased using the site it became unoccupied (apart from a couple of incursions by groups of 'travellers'). It was a 'dark space' at night and a range of wildlife could be seen and heard there - this is no longer the case.

The juxtaposition of the National Trust posters on Grindleford Station platform inviting visitors to enjoy "A breath of fresh air" and "Peaceful Views" with pictures of scenery and wildlife, and the industrial landscape Network Rail have created right next to the platform could not be more striking.

In recent years the site has become a major hub for multiple rail projects to the point where we now expect some kind of disruption on a daily basis - and increasingly overnight. The level of noise and light pollution, along with the added air pollution that comes from the hundreds of visiting rail related vehicles is, for the many residents living within 50 yards of the site (and others living within earshot), unacceptable and completely out of keeping with the setting - a Conservation Area within the Peak District National Park and adjacent to two National Trust areas.

Fleets of 40 foot articulated low loaders come and go bringing huge JCB type machines, other heavy equipment and tons of rail ballast to the site and then uploaded for use on the rail line. 30 foot sections of old rail that are brought back to the site from rail replacement operations are (literally) dropped to the ground (usually at night) and then uploaded to large lorries to be taken away - each time creating extremely loud crashing and banging.

The result of this constant disruption has been that we are often unable to sleep or enjoy the sort of peace and quiet in our gardens that you'd expect in this location. As a result a number of residents are suffering from anxiety or depression. We are frustrated that 5+ years of complaints to and discussions with Network Rail and involvement of our Environmental Health teams have led to no improvement in the situation - in fact it has got more intense with our complaints falling on deaf ears. Indeed, Network Rail are now saying to us that they have done all they can to mitigate the disruption (as far as we are concerned they have put up one sign that most workmen ignore) and they will no longer respond to our complaints !

Recent projects in the Bamford and Dore areas to improve the flow of rail traffic have (we think) led Network Rail and their contractors to set up new access points for delivering those projects. We feel Network Rail should be pressed to make more use of those access points in future and limit use of Grindleford to emergency access and basic maintenance of the nearby track and tunnel.

## **STATEMENT from Ms Gillian Hutchinson, Upper Padley Local Resident**

We write as local residents of Upper Padley living immediately adjacent to the railway line and sidings since 2007. We wish to comment on both parts of this agenda item.

**1a.** While we accept that live right next to a railway line and that from time to time the sidings will be used for work on the tracks, we seem to have become a base for both for extensive operations that run not only at weekends and also a dump for stored equipment (usually bright yellow) and materiel. As I write (Wednesday morning) I can hear a lorry, lifting equipment and the clatter of loading and unloading heaving equipment. (This may go on for several hours.) This is not unusual, but weekend after weekend and at night this is very wearing due to the on-going loss of sleep such disturbance causes (several nights a week, week after week). We regularly get letters from Network Rail about disruptions on Saturday nights (often after the run of work has started), however, this disruption is not just restricted to these nights i.e., deliveries and loading seem to take place through the week (last time at 5 AM).

As a regular railway user I have observed other track side open land (sidings?) near other stations on the Sheffield to Manchester line e.g., at Topley, Bamford, Hope and Edale. It would not seem unreasonable to spread the burden of noise and stored equipment / materiel across these sites (with smaller impact) and to therefore to reduce the use of Grindleford apparently as a base for work all along the railway line. The impact in terms of noise and visually is worse in winter without the leaf cover of trees around the sidings, but hiding the houses this way also seems to be part of the problem, as we are hidden from the workers on the site - see comments below.

**2b.** Network Rail 'own' the site but seem unable to effectively manage operations on the sidings at Grindleford. The issue seems to be that numerous contractors use the site and the impact on local residents is down to how they conduct themselves. There seems to be no oversight / practical management by Network Rail. Why does Network Rail not make 'random checks'? In the past we have asked for practical steps to be taken to help use such as parking vans at right angles to the houses (parallel to the tracks and turning headlights off promptly). This does not always happen illuminating the back of my house for long periods for example, but has got better. The same applies to the lighting on the containers and cabins used by contractors. This needs to point down and away from the housing and does not need to be on all night / all week. Track side workers do not seem to know or care there are local residents close by trying to sleep. If they did, why do they shout to one another at 4:30 AM? Is there no briefing for all jobs informing workers that people live nearby? The big sign apparently about this at the gate to the site clearly is ignored by some. As a practical step, a significant improvement could be made to the noise impact of operations if contractors were not permitted to power the site using a diesel / petrol generator, but were required to hook up to mains electricity. This has previously been suggested. There must be a power line close to the sidings given there is a lit platform at one end and a signal box at the other. Caravan sites seem to be able to provide and meter power hook ups, so why not here? However, this would require Network Rail to 'improve' the site by setting this up and making it available (and metering it) job by job. I assume its easier to let each contractor haul in power and fuel as part of the cost of the work. This may be simpler, but would be a way to reduce the impact of work at the site and an investment for years to come which would show some commitment to taking this issue seriously. Can this suggestion be explored?

A further practical step to reduced the visual impact of work at Grindleford would be better site management to ensure that equipment and 'left over' materiel is not left to on site for long periods after each job or allowed to accumulate longer term as an eyesore, not only for

local resident but also for visitors to the areas as the sidings are visible from the Station Road which is a popular access point for Padley Gorge and Woods.  
Thank you for your consideration of these comments and suggestion.

### **ITEM 13 – GYPSIES AND TRAVELLERS – PROVISION OF TEMPORARY SITES**

In accordance with the procedure for public participation, Councillor Vicki Raynes (Tansley Parish Council) and Ms Victoria Friend (Rowsley Resident) made statements on Agenda Item 13 – Gypsies And Travellers – Provision of Temporary Sites.

The further following statements were submitted in writing:

#### **STATEMENT from Ms Kerry Andrews, Level Centre**

I'm writing from Level Centre on Old Station Close in Rowsley to object to the proposed use of Old Station Close car park and land as a traveller site.

This proposal could have a significant impact on our business and people wanting to attend and visit LEVEL.

LEVEL was established to provide contemporary art experiences for Learning Disabled and Disabled members of our community. We have a year-round programme of events that are open to the public.

Although the building was RIBA award-winning, car parking is limited with only three parking spaces, two of which are for disabled parking. This does not provide sufficient parking for our staff, participants and visitors and Old Station Close car park is used as an overflow.

Much of Station Close is un-surfaced, with traffic to and from the other businesses. Our building occupies the full footprint of the land that it was built on, therefore we use Old Station Close car park as our fire assembly point for our team and vulnerable users. We are unable to change the location of our fire assembly point as much of Station Close is un-surfaced, with traffic to and from the other businesses and would not be safe for our users.

The trees have grown up around the LEVEL building on DDDC land, so the building is no longer visible from the A6. This makes signposting visitors to the centre already difficult, but combined with the potential loss of parking it would make it very difficult for us to not only open to the public but to operate at all.

#### **STATEMENT from Ms Isobel McCormick, Chair of Chesterfield and Northeast Derbyshire Ramblers**

I am writing to represent the views of Chesterfield and Northeast Derbyshire Ramblers, especially those who live in the Derbyshire Dales, regarding the possible use of the Old Station Road car park in Rowsley as a temporary site for Travellers and Gypsies. We understand that the council has a duty to provide accommodation for the homeless Traveller families but we would like to express our concern that the use of this site would result in the loss of use of a car park which we frequently utilise as a starting point for our walks. Our walks attract up to thirty people and this means we require a lot of parking spaces not readily available elsewhere in Rowsley. When the car park was occupied by Travellers previously, we used part of the Peak Village carpark near the auction rooms but this is not always available and our Walks Programme is organised several months in advance. This

makes unexpected closures difficult for us. We feel it is important that the council encourage walking as it improves mental and physical health.  
Thank you for taking account of our views

### **STATEMENT from Ms Sarah Porter, Northwood and Tinkersley Parish Council**

On behalf of Northwood and Tinkersley Parish Council I am writing to object to the inclusion of the recreation ground on Northwood Lane as a potential temporary traveller site. The access options to this site are both down a narrow poorly surfaced track within a high residential area. The recreation ground has just had repairs to a pipe that runs across the flattest part of the site and so vehicles should not go on this area in case the pipe is damaged again, it is also a wet part of the site. The recreation ground is well used by the community and losing this space will have a detrimental effect on the well being of the parish. The top of the recreation ground is a wildflower area and supported by the DDDC green team as one of their flagship areas. The whole site is grass and so unsuitable for caravans going into the winter. The Parish Council urges the District Council to remove this site from the list.

The site near Peak Rail may well be a better option but could have a detrimental effect on Peak Rail and other local businesses.

### **STATEMENT from Ms Sarah Porter, Baslow and Bubnell Parish Council**

On behalf of Baslow and Bubnell Parish Council I am writing to object to the inclusion of the Baslow car park as a potential temporary traveller site. Baslow is one of the key gateways to the Peak District and leads to Chatsworth. Parking is already an issue in the village, particularly during holidays and weekends, and so reducing the available car parking spaces will cause a huge impact on the rest of the village. The Parish Council has recently undertaken consultation to look at this and can provide data to show this. The impact on a loss of parking to the village will be felt by the local businesses still trying to recover from the lockdowns of Covid. The Parish Council urges the District Council to remove this site from the list.

### **STATEMENT from Ms Laura Newbould, Bakewell Local Resident**

Dear Councillors

I am writing to you all with regard the meeting you will be possibly attending on Thursday 28<sup>th</sup> July 2022.

Where I believe it will be discussed from looking on the agenda the siting of temporary travellers camps on DDDC land.

I live with my father and my two young children in the house directly behind the ABC in bakewell and adjacent to the showground land which the council lease and which has recently endured stays by said travellers. I wish to raise our concerns for those families and indeed any travellers to be located there.

This land is within the Peak District National Park and as such should **NOT** have any type of travelling camp within it (temporary or otherwise) Not only does it fall within the National park but Bakewell being a very profitable tourist location suffers heavily from having these sites located on its land, not only does the council lose revenue from parking but also the loss of much loved community events which would normally be held on the showground land, have recently had to to postponed or even cancelled. As lifelong resident of this town, I believe that siting travellers here would be to the detriment of both council revenues and to all the residents who live here. Not only that but the destruction and mess they leave behind once they move on is disgusting and dangerous.

I wrote to you all last year when the travellers were camped on the land adjacent to us, and I told you about the verbal abuse and threats my father had received from members of the travelling community which had led to him struggling with mental health, I also told you about the constant shouting and swearing we heard and how my children were scared to be in the garden alone, and also the verbal abuse tourists faced when walking into the centre of bakewell from the Monsal trail, a much loved and very well used footpath which runs straight past the locations on your appendix sheet. One morning my 10 year old daughter , opened her curtains to one of the members of these family's, a fully grown man stark naked, urinating and defecating all over the showground grass. Is this really what you want local children and the tourists , who spend so much money in this town to be greeted with.

The ABC was built on this site adjacent to the showground land as a community hub and to make the cattle market and surrounding land a more successful and more profitable establishment, Housing members of the travelling community on it does neither of those things. DDDC have spent a lot of money improving parking, making low barriers, building premises, why would you be willing to put this at risk? Also why would you potentially take away the prospect of having much needed events for the residents of this town, things like the Christmas fairs, and the country show, thornbridge festival, Eroica, circus, cycle rides, walks , dog shows and Many more would all be at jeopardy if you were to house the travellers on any part of abc or show ground land and after the last two years of pandemic we need these events to be able to get together as a community and start to rebuild confidence and relationships that have been so missed by so many, you will be potentially putting all of this at risk by considering housing two family's from the travelling community on this land in the future.

The residents on this road are made up of at least 75% elderly and or frail people who have all paid their taxes for years and been able to purchase property in what is regarded by many as a quiet and green part of bakewell in the twilight of there years. I am disgusted therefore that you would even consider putting such travellers on their doorstep, I appreciate you have a duty of care to this travelling family however you also have a duty of care to towards the residents who pay their council taxes and to the tourists who pay handsomely to visit this town, if you house travellers on this land you will be failing us all.

I ask you to take all my points into consideration and I trust you will all do the right thing and not consider this land suitable for habitation by the travelling community in the future.

I have copied this email to all the local councillors, Who I know have an interest in the wellbeing of Bakewell residents and also to Sarah Dines MP as a matter of courtesy as we have previously exchanged communication on this matter.

Best wishes

Laura Newbould on behalf of all my family and fellow residents of Coombs Road.

### **STATEMENT from Mr David Oakley, Darley Dale Town Council**

I am a little disappointed that the Town Council weren't consulted in compiling the long list of potential gipsy and travellers' temporary sites which were only brought to our attention through Social Media. We have had strong local representations already from residents and below are our first thoughts on each location (though we could have done a more through analysis had we been consulted). I trust that this information will be taken into account when refining the list and that you will all give due consideration to the strong local feelings about these sites and their suitability.

1. Land NW of the Arc Leisure Centre – not clear where this location is .
2. Columbello Way and Dale Road North – densely populated residential area with a high volume of older residents as it is directly adjacent to Underhall Respite and Resource Centre.

3. Broadwalk Park (The Tippin) – The only recreational facility in Darley Dale apart from the Whitworth and heavily used by local residents, children and local clubs. Vehicle access is difficult and through residential areas.
4. South Side of Old Road – busy junction with queuing traffic with noise and pollution.
5. Lime Grove and Dale Road North – heavily populated area with several blocks of flats adjacent, Directly next to main A6 with associated noise and pollution.
6. East of Bent Lane – rural area with no houses nearby so no easy access to local amenities. Winter access could be a problem.
7. West Side Newell Way – densely populated area with vehicle access through very busy estate.
8. ARC Leisure Car Park – Close to Morledge and locally used recreational facilities.
9. Land off Morledge – Residential area and busy thoroughfare. Designated wildflower area.
10. Crowstones Road – Busy local convenience store and established residential area.
11. Land North West of Pumping Station - used extensively for parking by local residents and main access route to Heritage Way. When large vehicles or camper vans have parked there overnight in the past we have been inundated with complaints from people unable to access their cars or the trail.

It is also worth pointing out that the general understanding from the travellers' own posts and comments on this issue that their preference is to located near to Ashbourne rather than Matlock.

### **STATEMENT from Ms Annemarie Fell, Local Resident**

I understand there is a meeting on Thursday 28th July at 6pm to discuss the identification of possible sites for Travellers and that one possible site is the Old Station Road car park in Rowsley.

I strongly object to this proposal. On previous occasions when the site has been used by travellers we, the local residents, have experienced a number of problems including

- General waste being strewn around even when bins are provided.
- Nappies, human excrement and toilet paper being left on the footpath, despite the fact that chemical toilets are provided.
- Bonfires burning
- Caravans are parked across the footpath making it extremely difficult and intimidating to access the path. In addition fierce dogs are chained and barking near it meaning that it is not used for access when the Travellers are there.
- The feeling of intimidation was such that even using the car park to park stopped happening.
- On departure the site is generally left in an appalling state and not just the car park but the banks and paths in the area.

Even as a temporary site this causes disruption, upset and damage to the local environment including beautiful and much valued rivers with amazing diversity. I dread to think what would happen if it were to become a permanent site, as I have heard it may. The area would not even have time to recover between visits and the river quality would decline steadily; locals would be forced out of a wonderful and much used track for walking and cycling and local businesses would decline.

I am not against Travellers as such but I am against anti-social behaviour and locals feeling wary of using areas of their own village as well as feeling that everyone should be working to protect the river and its surrounding environment.



## **STATEMENT from Ms Sian Bacon, Rowsley Parish Council**

Dear Cllr Purdy and Cllr Hobson,

Rowsley Parish Council wish to express their concerns regarding the situation with the Travellers that is once again up for discussion in the District Council meeting to be held on Thursday 28<sup>th</sup> July 2022. Over the past few years this issue has appeared with no resolution on at least 5 different occasions. During the periods where the Travellers have stayed in Rowsley, several anti-social behaviour incidents occurred. These incidents include aggressive and intimidating behaviour from individuals towards staff members of local businesses and users of the car park, defecation on a well-used public cycle trail and the Derwent Heritage Way both of which exit on to the car park. After the departure from Old Station Road car park, enormous levels of rubbish remained which were then cleared by local volunteers several months afterwards as opposed to the District Council. Realistically the list of rules for staying on sites do not show how they will be enforced or what will happen to the families if there are incidents, ultimately, they are homeless due to the lack of action by the District Council over the last twenty years to provide them with a proper managed site and will still need somewhere to go even if they do not follow the rules provided. Rowsley is a small village and so the impact falls greater on its residents and tourists who come to the area.

In addition to this the Traveller families are quite reasonably, due incidents with a very few residents, are unwilling to return to Rowsley. This was highlighted most recently in an article by the Derbyshire Times. They have expressed their wish to be placed down around Ashbourne due to family ties and the Parish Council believe this should be supported. The Old Station Road car park is not private, quiet, or realistically near facilities that would be desirable for people to live on it. There are better spaces even around the Matlock to Bakewell areas than a well-used car park on a busy trail used by tourists and next to businesses in the centre of a small village.

The Parish Council has observed that on permanent traveller sites in other areas there are permanent site managers who are employed to manage the issues raised above and keep the sites in good condition thus helping the local areas to remain clean and harmony to occur between all communities using the space. Derbyshire Dales however have been completely derelict in not providing this support for the temporary sites in the past and this is directly in contrast to the well being of both the Traveller community and the local residents. Rules that are put in place would be better enforced with a proper and familiar site management team which doesn't appear to be one of the suggestions put forward with any of these suggested sites.

Given the illegal dereliction of duty of the District Council to provide proper permanent sites for Travellers in the area at the very least the temporary sites should be properly managed and all issues either anticipated with a level of risk assessment or resolved promptly with all sites returned to a spotless condition shortly after the Travellers have moved or been moved to an alternative site. The failure of the District Council to deal with this issue has created bad feeling in both communities which has spilled over into residents around the Derbyshire Dales being opposed to Traveller sites entirely. This is deeply unfair to both the Travellers and the residents as had sites be properly managed from the beginning much of the bad feeling would not have occurred.

Rowsley Parish Council would request to see the permanent sites issue dealt with as quickly as possible but also that the selected temporary sites are properly managed by a site manager to see a reduction in anti-social behaviour and the rubbish left behind removed promptly and properly.

## **84/22 - APPROVAL OF MINUTES OF PREVIOUS MEETING**

It was moved by Councillor Helen Froggatt, seconded by Councillor Mark Wakeman and

**RESOLVED** That the minutes of the meeting of Council held on 26 May 2022 be  
(unanimously) approved as a correct record.

The Chairman declared the motion **CARRIED**.

## **85/22 - INTERESTS**

There were no declarations of interest.

## **86/22 - LEADERS' ANNOUNCEMENTS**

Councillor Garry Purdy, Leader of the Council, made the following statement:

*"Members, you may recall that I informed you in past meetings that Vision Derbyshire was formed about two years ago when All Derbyshire Local Authority Leaders and Chief Execs met at the invitation of Cllr Barry Lewis, Leader of Derbyshire County Council at J28 Hotel off the M1 in order to discuss the then proposals on Devolution by Government. Present at that meeting were representatives of Derby City Council.*

*A unanimous vote was made by all Derbyshire Local Authority Leaders and Chief Execs that:*

- 1. Vision Derbyshire should be formed*
- 2. That we did not want a Mayor or Mayoral Combined Authority.*
- 3. That regular meetings should take place with a view to engaging Consultants to help determine what kind of Authority Derbyshire wished to become.*

*Derby City representatives stated that whilst they acknowledged and respected the formation of Vision Derbyshire, they did not wish to join. They were informed at the meeting that the door would be left open for them to join at any time.*

*Price Waterhouse Cooper were subsequently engaged and a series of Workshops took place between Leaders and Chief Execs at Lea Hurst, Holloway which resulted in a number of ideas for future collaboration and Workstreams were raised in order to deal with the business of the Two-Tier Authorities.*

*It is important to note that this work resulted in Derbyshire being at the Head of the Nine County Deals announced a few months ago by Government. Invitations to All Councillors were sent out from time to time to enable an update on progress. It is also important to note that the work of Vision Derbyshire preceded the White Paper on Devolution. The delivery of the White Paper was frequently delayed and was finally produced in February 2022.*

*The content of the White Paper revealed amongst many other issues – 3 x Funding Streams:*

*Level 1 – Status quo – As we are now with limited and diminishing funding from Government and being very much reliant on income.*

*Level 2 – A Derbyshire Combined Authority – which would result in slightly more devolved powers and funding*

*Level 3 – A Mayoral Combined Authority which ticked every box regarding devolved powers and funding.*

*Following the delivery of the White Paper we were subsequently informed by Cllr Barry Lewis at a virtual Vision Derbyshire meeting that talks has been held between the 4 x Leaders of Derbyshire (Cllr Barry Lewis – Derby City (Cllr Chris Poulter) – Nottingham (Cllr David Mellen) and Nottinghamshire – (Cllr Ben Bradley) with a view to the formation of an East Midlands Mayoral Combined Authority.*

*Naturally this led to a lot of disquiet, unease and anger in some cases especially due to the fact contained in the White Paper was No Power of Veto by 2<sup>nd</sup> Tier Authorities such as Derbyshire Dales.*

*We are though assured through Cllr Barry Lewis, and I have been present at a meeting with Cllr Chris Poulter, Leader of Derby City Council when he gave the same assurance, that all 4 Leaders are desirous that all 2<sup>nd</sup> Tier Authorities in Derbyshire and Nottinghamshire should be included in the Governance arrangements and have a Voice at the table.*

*At a virtual D2 Meeting last week Chaired by Elizabeth Fagan, Cllr David Mellen gave the same commitment and spoke of 4 x seats at the Board Meeting table being enabled for District and Borough Councils in Derbyshire & Nottinghamshire. Let us not forget that James McLaughlin is one of the architects of any new Governance arrangements for whatever construct is decided by Government.*

*Nonetheless, assisted by the District Council Network who are lobbying Government very hard re the lack of a Power of Veto and to allow a seat at the table for 2<sup>nd</sup> Tier Authorities, I have written to our MP Sarah Dines MP and the two Candidates for the Conservative Leadership – Liz Truss and Rishi Sunak, copies of which you will have seen, appealing for this wrong to be rectified.*

*Cllr Barry Lewis is currently meeting Leaders of all Eight District & Borough Councils in order to take stock of their views on the recent development. Paul and I met with Cllr Barry Lewis and Chris Henning Director of Place at DCC – at the Town Hall at 9am on Monday 11 July 2022 when I gave my view on the recent development.*

*That notwithstanding our still strongly held view that a Mayoral system is not right for our areas, that we have to do right by our residents and businesses and have no choice but to accept the fact that a Mayoral system of Governance is the only game in town that will receive extra powers and funding from Government. I also said that I would not wish to see a Mayor with full powers delegated to whoever it might be in the final analysis.*

*Cllr Barry Lewis explained that all 4 Leaders were aiming for a similar Mayoral system to that of the West Midlands under Mayor Andy Street where a strong Governance Board arrangement does not allow for full powers in a single individual.*

*We have to wait now to see what Government Civil Servants and Ministers decide what our fate will be and we are led to understand that we should know our fate by the end of Autumn – September 5<sup>th</sup> being cited as the decision date. I will continue to fight for a voice at the table not only for our Authority but for all of the other 2<sup>nd</sup> Tier Authorities involved in this process.*

*If it is to be decided by Government that an East Midlands Mayoral Combined Authority should be formed, then Elections are anticipated to take place in May 2024.”*

## **87/22 - CHAIRMAN'S ANNOUNCEMENTS**

Councillor Graham Elliott, Civic Chairman, made the following statement:

*“The charity I have chosen to support this year has over 35000 members, 95% of which are volunteers and come from all walks of life. They rely on fund raising events and donations to keep them afloat.*

*I’m sure most have already seen the press statement Jim has released.*

*The charity is of course the RNLI. In my view the 4th emergency service. I’m under no illusion as to how difficult it is in this present climate to raise funds for any charity what with the cost of living as it is.*

*However I am remaining positive and hope we can do them justice in our efforts to support them. A just giving page has been set up on the website.*

*I’ve also attended a number events as civic chair.*

*The first being on the 17th June at Castle View Primary School in Matlock where the Lord Lieutenant planted an apple tree donated by the Lieutenancy. Part of the Queens Green Canopy programme. That was followed by a short tour of the school and light refreshments. An interesting and enjoyable morning for all concerned.*

*On the 22nd June I was invited to attend Wirksworth Memorial Hall for the AGM of the Derwent and Dove Scout Council. I was amazed at the number of opportunities this hard working group of individuals provide for the scouting community. Much different to my day in the scouts. I was asked to pass on thanks to council for their support.*

*On June 30th I attended the home of Libby Lane in Duffield for a community and Civic gathering followed by a buffet meal in the garden. About 30 people attended from various districts of the county. Libby was installed as the Bishop of Derby at the Cathedral in 2019. Despite the pouring rain a pleasant evening was enjoyed by all.*

*With your permission chair I would like to call upon my deputy Cllr Atkin to comment on the events he attended in my absence”.*

Councillor Jason Atkin, Deputy Civic Chairman, made the following statement:

*“Thank you very much Chair and Councillor Elliott. I attended the handover of the together artwork in Hall Leys Park on the 30<sup>th</sup> June. I suggest if you haven’t gone and seen it, go and have a look, it’s a very good installation. On the 2<sup>nd</sup> July I attended the Buxton Tattoo in aid of the Royal British Legion which was a very lovely evening and raised lots of money. Thank you very much.”*

## **88/22 - COMMITTEES**

It was moved by Councillor Jason Atkin, seconded by Councillor Tom Donnelly and

**RESOLVED** That the non-exempt minutes of the Committees listed in the Minute  
(unanimously) book, for the period 24<sup>th</sup> March 2022 to 12<sup>th</sup> July 2022 be received.

The Chairman declared the motion **CARRIED**.

## **89/22 - QUESTIONS (RULE OF PROCEDURE 15)**

**Question from Councillor Peter Slack to Councillor Garry Purdy, Leader of the Council:**

*“Over the last number of years we have seen an increase in the Derbyshire Dales of small dwelling being acquired by people or companies that use as holiday lets and holiday Homes, which I believe fall into the category of second homes.*

*Also at the same time many local young people looking to acquire homes for the first time in their local area near to their families are being priced out of the market by people that are purchasing the dwellings as investment and also making a great deal of money out of continually letting property weekly at inflated rates well above normal rents.*

*Yes we do need tourists to visit to Derbyshire Dales and we have many good Hotels, B&B and Self Catering flats in the Derbyshire Dales.*

*But the great problems are that many young people have to move from the Derbyshire Dales to get onto the property ladder, in turn this leads to families being split and villages with less children to sustain schools and community spirit diminishing.*

*Recently in Whitby North Yorkshire, the council had a local referendum on this very issue of holiday homes and holiday lets, and the vote was overwhelming for controls to restrict holiday homes and lets.*

*Also I know that this is a problem in Wales, Cornwall and Devon and recently a national survey found in the last four years that holiday lets and second homes had increased by 40%.*

*Also, recently in the Queens speech at the opening of parliament there was references made about second homes and there use as holiday homes and lets, in regards to Council Tax to help control this issue.*

*Earlier in the year we did vote to use Council Tax to bring back Empty homes back into use again.*

*So would you agree with me on the need for controls on the second homes problem.”*

**Councillor Purdy provided the following response:**

The simple answer is that yes it would be good to see more controls to reduce the numbers of 2<sup>nd</sup> homes within the Dales and give local people more opportunity to buy such properties as their main home.

There are just under 1000 2<sup>nd</sup> homes in the Derbyshire Dales out of a total housing stock of approximately 34,000. The Derbyshire Dales has the 61<sup>st</sup> highest number of 2<sup>nd</sup> homes of all English local authorities.

There are very few controls available to councils to control the numbers of 2<sup>nd</sup> homes. The Government is currently taking the Levelling-Up and Regeneration Bill through Parliament and this includes provisions that both impact empty homes and 2<sup>nd</sup> homes. In relation to 2<sup>nd</sup> homes the Bill, it is likely any increase might only be in place by 2024-25. Any change in Council Tax policy would be subject to approval by Members, most likely in the next Council.

**Question from Councillor Peter Slack to Councillor Garry Purdy, Leader of the Council:**

*“Wirksworth looks to be the market town that is being left behind in regards to having only one EV charging points installed on the old market place car park provided by local authority. There is one other EV charging point which is provided by local co-op which is very well used.*

*A Number of residents have contacted me about the lack of EV charging points in Wirksworth and many residents around the centre of the town have no facility for installing EV charging.*

*So in Wirksworth we have DDDC free car park off Wood Street Canterbury Road carpark, it would be ideal car park for EV charging points to be installed on the car park and would allow residents to pay for charging, but being free car park it would be a big incentive for many residents to move over to electric vehicles.*

*The EV charging points could be installed at the lower end near the recycling bin, or at the top end near wood street, and in the next few years with the increasing move over to electric vehicles they could be develop along the car park.*

*Recent reviews have identified the shortage of fast charging EV points all-round the Country except in London. So this needs to be addressed quickly if we are going to encourage residents to invest in electric cars.*

*Please consider my proposal for Wirksworth.”*

**Councillor Purdy provided the following response:**

Nationally there is a huge challenge if, as a country, we are to meet the target of 300,000 public charge points by 2030. Locally we (DDDC and DDC) are working on developing the EV charging offer across the county.

DDDC are looking at submitting an application for funding to ORCS (on-Street Charge point Scheme) this year, which specifically looks at increasing the infrastructure for residents (7KW chargers). Looking at the criteria and geographical locations, we have shortlisted the following car parks to be assessed by the EV Charge point Operator once they have been appointed:

1. Cattle Market, Ashbourne
2. Artist Corner, Matlock
3. Granby Road, Bakewell
4. Oddfellows, Hathersage
5. Nether End, Baslow
6. Canterbury Road, Wirksworth
7. Market Place, Cromford
8. Town Hall Front, Matlock

(If the bid for ORCS funding is successful, those car parks which meet the criteria will be installed in 2023)

Further work has been carried out by DCC who are specifically looking at the provision of rapid chargers (22Kw) across the county and the following car parks have been shortlisted with a view to submitting a LEVI (Local Electric Vehicle Infrastructure) funding Bid. All locations will still need to be assessed and meet the relevant criteria before they can be progressed. They have shortlisted the following car parks within Derbyshire Dales:

1. Granby Road, Bakewell
2. Artist Corner, Matlock
3. Cattle Market, Ashbourne
4. Oddfellows Road, Hathersage
5. Nether End, Baslow

**Question from Councillor Peter Slack to Councillor Garry Purdy, Leader of the Council:**

*“Would the Leader and Council consider joining the (Councils for fair tax declaration) which many Councils of different political persuasion have joined.*

*In research conducted by Datalab for Fair Tax Federation found that from 2014 to 2019 a huge £37.5 Billion of public procurement contracts has been won by companies that add links to Tax Haven overseas.*

*Recent research shows a loss of £17 Billion in corporation tax revenues the result of shifting profits to Tax Havens.*

*Significant recent polling showed that 66% of the public believe that the government and local government council's should at least consider ethics alongside value for money and quality of service provide in awarding of contracts won to companies.*

*It is more important than ever in this time of financial hardship to our communities, that we consider joining with other Councils from all parts of the country in (Councils for Fair Tax Declaration).*

*It will show that the council are adhering to good ethics and procurement of contracts.”*

**Councillor Purdy provided the following response:**

Thank you for your question Councillor Slack.

This is ultimately a question of policy for the Council. I note that there is a template motion on the Fair Tax Mark website which has been used by other councils that have made the Fair Tax Declaration. You might want to bring this forward to a future Council meeting for debate if this is something that you support yourself, Councillor Slack.

In the meantime, I will commit to working with officers to understand the implications for the organisation of signing up to such a declaration. Given our limited resources we need to be careful about increasing the administrative burden on officers unless it is of value. I will be happy to write to you outside of the meeting once I have had the opportunity to full discuss the impact of this upon the Council.

**Question from Councillor Peter O'Brien to Councillor Garry Purdy, Leader of the Council:**

*"In an excellent interview that you gave last week to Radio 4's Today programme about housing issues in the Derbyshire Dales, you said that 'if you grow up in a village, it's your life blood. If you want to stay in the village when you grow up, you should be enabled to stay there'.*

*Families and young people in the villages of Eyam and Hathersage (and many other Peak District villages) are in that position, and have been pleading for more affordable housing for many years. I'm sure you will agree that it is heartbreaking to listen to their stories, and to hear how they are being forced to move away.*

*Can I count on your support, and that of the Majority Group, for our officers to enable them to bring forward schemes in Eyam and Hathersage at the earliest possible opportunity. And to join with me in urging the Peak District National Park Authority, through its Chair and Members, to be part of the solution rather than the problem."*

**Councillor Purdy gave the following response:**

As you know the provision of affordable housing has been a priority for both the Council and myself as Leader for many years. The Council has a good track record in the delivery of new affordable homes averaging 76 new affordable homes each year. The Council has also become a direct provider of Council housing again to further intervene in the housing market.

The Housing Team have the full support of the Council to enable and hopefully deliver new homes in Eyam and Hathersage as well as other villages across the Peak Park and our own Plan area. The development process can take time and the Peak District National Park have been working with the Housing Team to assess potential sites, a process that I understand you have also been part of as Ward Member.



## **90/22 - PROPOSAL OF A NOTICE OF MOTION (RULE OF PROCEDURE 16)**

The Council considered a motion submitted by Councillor Peter O'Brien in accordance with Rule of Procedure 16.

At the meeting the motion was moved by Councillor Peter O'Brien and seconded by Councillor Garry Purdy as follows:

"For over 10 years residents in the Upper and Nether Padley areas of Grindleford have suffered increasing disturbance and nuisance from the operations undertaken by Network Rail on the former sidings area at the train station. Network Rail use the site regularly as a base for 6 different engineering and maintenance teams, who work on the rail network between Topley and Hope and beyond. Virtually all operations take place at weekends throughout the nights.

Grindleford Station is within a natural amphitheatre such that any noise is amplified and transmitted significant distances away from its source. As well as being within the National Park, it is located in a Conservation Area.

Network Rail acknowledge the significant increase in their use of the area, and the fact that it causes disturbance. However they maintain that are unable to do anything further to mitigate this. They have confirmed that its use is planned to continue; in fact it may well increase following the upgrade of the Hope Valley line, with the additional track lengths and more frequent train services.

Numerous meetings have taken place over the years between residents and Network Rail, and with the current and previous MP's, but have resulted in no significant improvements to the situation. Network Rail also declined to take up an offer by the PDNPA to use their expertise to achieve a more appropriate layout and design of the operational area, including landscaping.

The Council's Environmental Health Service has also been involved over a long period of time, and continues to receive significant numbers of complaints; they acknowledge that the level of noise in particular is a cause for concern.

However Network Rail are exempt from the provisions of the Town and Country Planning legislation, and are not subject to the same controls as other businesses under Environmental Health related legislation. This severely limits the ability of the Council and other public authorities to impose conditions on their operations, or to take enforcement action similar to that which would apply in other circumstances.

The residents acknowledge that the station area should be used by Network Rail in genuine emergency situations, in particular with regard to the adjacent Topley Tunnel, but believe that the location is entirely inappropriate as a base for routine engineering and maintenance operations. They consider that there are other more suitable locations which Network Rail should be encouraged to explore.

I am therefore submitting the following motion to the Council:

1 a) "in view of the continued and increasing disturbance caused by the operations of Network Rail and its contractors to local residents in the environmentally sensitive and residential area in the vicinity of Grindleford Station, the Council uses its best efforts commensurate with resources available to secure the relocation of the engineering and maintenance facility to a more appropriate location"

1 b) "pending the relocation of the engineering and maintenance facility, the Council continues to explore with Network Rail all means possible to mitigate the disturbance caused to residents in the vicinity of Grindleford Station; as a last resort, appropriate statutory and/or legal powers be utilised"

The motion was put to the vote and

**RESOLVED**  
(unanimously)

1. In view of the continued and increasing disturbance caused by the operations of Network Rail and its contractors to local residents in the environmentally sensitive and residential area in the vicinity of Grindleford Station, the Council uses its best efforts to commensurate with resources available to secure the relocation of the engineering and maintenance facility to a more appropriate location.
2. Pending the relocation of the engineering and maintenance facility, the Council continues to explore with Network Rail all means possible to mitigate the disturbance caused to residents in the vicinity of Grindleford Station; as a last resort, appropriate statutory and/or legal powers be utilised.

The Chairman declared the motion **CARRIED**.

## **91/22 - PROVISIONAL REVENUE OUTTURN 2021/22**

The Director of Resources introduced a report which provided details of the provisional financial outturn for the District Council's Revenue spending for the year ended 31<sup>st</sup> March 2022 and significant variations from the revised budget.

The report informed Members of the role that the Council's Revenue Budget plays in assisting in delivering the priorities and targets within the Corporate Plan, by allocating budgets to specific projects. The Revenue Budget specifically addresses the following priority area: "People: Achieve a sustainable financial position by prudent management of resources and reviewing services".

The report also detailed how the provisional financial position as at 31<sup>st</sup> March 2022 would be reflected in an updated Medium-Term Financial Plan which would be presented in the Autumn.

Members were informed that the provisional outturn on the revenue account for 2021/22 was a surplus of £732,113 against revised estimates. Key reasons for the surplus were detailed in the report. Subject to the approval of the Officer recommendations included in the report, the provisional outturn was that Council increased its general fund balances from £1,999,839 to £2,423,560 at 31 March 2022 and reduced the earmarked reserves from £20,970,179 to £17,664,545 for the same period.

It was moved by Councillor Garry Purdy, seconded by Councillor Mike Ratcliffe and

**RESOLVED**  
(unanimously)

1. That the following transfers to reserves for 2021/22 be approved:
  1. A budgeted transfer of £30,000 to the Elections Reserve.
  2. A budgeted transfer of £50,000 to the Local Plan Reserve.
  3. A budgeted transfer of £150,000 to the Vehicle Renewals Reserve.
  4. A budgeted transfer of £142,000 to the Waste Vehicle Reserve.
  5. A transfer of £4,129,079 of Revenue Grants received in the year to Revenue Grants Unapplied Reserve.
  6. A transfer of £604,625 Capital Receipts received during the year to Capital Receipts Reserve.
  7. A transfer of £1,224,185 Capital Grants Received during the year to Capital Grants Unapplied Reserve.
  8. A transfer of £8,613,380 from Reserves to cover Revenue expenditure within the year.
  9. A transfer of £2,340,689 from Reserves to cover Capital expenditure within the year.
  10. The surplus of £732,113 be transferred to Reserves as follows:
    - (i) A transfer of £200,161 to General Reserve to top-up this reserve to £1.2m.
    - (ii) A transfer of £108,392 to Committed Expenditure Reserve.
    - (iii) A transfer of £200,000 to Customer Innovation Reserve.
    - (iv) A transfer of £223,560 to General Reserve to fund inflationary pressures in 2022/23 onwards.
2. That it be noted that the revenue account for 2021/22 is balanced.

The Chairman declared the motion **CARRIED**.

## **92/22 - CAPITAL PROGRAMME OUT-TURN 2021-22 & REVISED CAPITAL PROGRAMME 2022-23 TO 2024-25**

The Director of Resources introduced a report outlining the out-turn position for 2021/22 and the revised Capital Programme for 2022/23 to 2024/25. A number of new projects were proposed for inclusion, subject to successful funding bids.

At a Meeting of Council on 25<sup>th</sup> March 2022, a revised capital budget of £5,167,703 was approved. During April 2022, delegated approval was given by the Chair of Community and Environment to add a project for the inclusion in the 2021/22 Capital Programme. This project was to complete an Energy Efficiency Upgrade to social and private housing. The project bought the Revised Capital Programme for 2021/22 value to £5,937,504.

The report informed Members that the total spend for 2021/22 was £4,451,000 therefore there was an overall underspend of £1,486,504. Generally, where projects were still continuing budget underspends have been carried forward and added to Original 2022/23 capital budget.

The additional requests and changes for Inclusion in the Capital Programme were also detailed in the report for Members information.

It was noted that there was considerable change to Capital Programme as the Council had been successful in obtaining further funding from a variety of sources to commence new projects. The proposed Capital Programme for 2022/23 to 2024/25 was shown in Appendix B.

It was moved by Councillor Tom Donnelly, seconded by Councillor Mark Wakeman and

**RESOLVED**  
(unanimously)

1. That the provisional Capital Out-turn, as detailed in Appendix A, and financing arrangements for 2021/22, in the sum of £4,451,000 be approved.
2. That the explanations regarding significant variances in planned and actual capital expenditure for 2021/22 be noted.
3. That the revised Capital Programme as detailed in Appendix B and financing arrangements for 2022/23 to 2024/25, in the sum of £12,578,885 be approved, including new projects totalling £1,515,668 as outlined at paragraph 1.7 plus additional allocations for future year Disabled Facilities totalling £1,203,472.
4. That in respect of the UK Shared Growth Prosperity Fund, delegated authority be given to the Director of Regeneration in consultation with the Director of Resources to revise Revenue and Capital allocations and the budget each year, subject to meeting the government funding conditions.
5. That the balance of funds available over the 3-year programme, shown at Appendix C, be noted.

The Chairman declared the motion **CARRIED**.

## 93/22 - FINANCIAL MANAGEMENT SYSTEM

The Director of Resources introduced a report seeking approval for a supplementary revenue budget of £39,778 a year from 2022/23 to allow for the increased annual costs for the Council's Financial Management System.

The report addressed that the Council uses Unit's "Agresso Business World" as its corporate Financial Management System. The servers that host Agresso use SQL 2012 as an operating system. The report informed Members that the Council had been notified that the support agreement for SQL 2012 would expire in July 2022. It was noted that arrangements were being made to extend this, but it could only be achieved for a temporary period. Members were informed that the running of an unsupported system was a risk.

As well as providing management information, such as for budget monitoring, Agresso is used to pay suppliers, to raise invoices for trade waste, rents and other fees and charges and account for VAT. If the service was not available, such transactions would be delayed resulting in service disruption for our suppliers and customers: there would also be the risk of a financial penalty for late submission of VAT claims.

The report noted that moving to a cloud-based version seemed inevitable, therefore it would be inefficient to upgrade on premise at present time and have to upgrade to the cloud later.

Based on a 3 year contract, the cost of the recommended option was £19,733 more than the annualised current cost and £39,778 above the amount included in the 2022/23 revenue budget.

It was moved by Councillor Chris Furness, seconded by Councillor David Chapman and

**RESOLVED** That approval be given to a supplementary revenue budget of (unanimously) £39,778 a year from 2022/23 to allow for the increased annual costs for the Council's Financial Management System (Agresso Business World), to be financed from the General Reserve.

The Chairman declared the motion **CARRIED**.

The meeting was briefly adjourned from 7:41pm to 7:50pm.

## 94/22 - DURATION OF MEETINGS (MOTION TO CONTINUE)

At **8.25pm**, during the discussion of **Item 13 – Gypsies and Travellers – Provision of Temporary Sites**.

It was moved by Councillor Jason Atkin, seconded by Councillor Stuart Lees and

**RESOLVED** That, in accordance with Rule of Procedure 13, the meeting continue beyond 2 hours 30 minutes to enable the business on the agenda to be concluded.

### Voting:

<b>For</b>	25
<b>Against</b>	1
<b>Abstention</b>	1

## **95/22 - GYPSIES AND TRAVELLERS - PROVISION OF TEMPORARY SITES**

The Director of Regulatory Services introduced a report to formally identify one or more sites within the District Council's control as suitable temporary Traveller sites for occupation by members of two Gypsy and Traveller families who had presented themselves as homeless.

The report detailed that it was the latest in a series that had been brought before Members since September 2016, in which the Council had recognised and accepted its duties towards Gypsies and Travellers under housing and planning legislation. It was noted that in particular the Council had specifically recognised its Homelessness duties towards two specific Traveller families who had been residents within the district for many years, on no less than seven occasions since September 2016. It was recognised that to date, those Traveller families to whom the Council owes a legal duty, had no temporary or permanent site on which they could legally place their caravans.

Members were informed that the Council had recognised that it had a duty to provide one or more permanent sites for these specific Traveller families and that it had a duty to provide on or more suitable temporary sites for the families whilst so ever a permanent site was not available for occupation.

The report highlighted that at the present time Officers had no delegated authority to direct members of the two specific families to suitable temporary sites, which prevents them from being able to take action to evict them if they should set up an encampment on an unsuitable site. It was noted that this was not a sustainable position for the Council to be in.

In considering the report and appendices, the Chairman invited those Members present to provide their own commentary in relation to Council owned land detailed in Appendix 1 and their view on its suitability for use as potential temporary sites for Gypsies and Travellers.

An amendment was proposed by Councillor Clare Gamble and seconded by Councillor David Hughes. This amendment was put to the vote

1. That the Council reiterates its commitment to identifying suitable sites for use as Gypsy and Traveller sites by those families to whom the authority has a homelessness duty.
2. That, in doing so, a working group comprising of one Member from each political group be established to work with officers to investigate the most appropriate options with the District for development as a temporary tolerated site(s) or a permanent site(s) for use by Gypsies and Travellers, according to the following approach:

(A) Determine a criteria for the assessment of potential sites, which would include consideration of:

- The viability of Council owned assets; privately owned sites volunteered by individuals or organisations; and privately owned sites that could be selected for compulsory purchase – including the development of site services and facilities.
- The needs and wishes of the Gypsy and Traveller families in respect of potential site location.
- The proximity, relationship to existing land use and impact upon

amenities and settled communities of any potential site locations.

3. That the working group provide a report and recommendations to Council in respect of potential locations for use as Gypsy and Traveller sites.

**Voting:**

<b>For</b>	11
<b>Against</b>	11
<b>Abstention</b>	1

As there was equality of votes, the Chairman was entitled to use a casting vote in accordance with Procedure Rule 19.2. The Chairman declined to use the casting vote and as a result, the Chairman declared that the motion had automatically **FALLEN**.

An amendment was proposed by Councillor Richard FitzHerbert and seconded by Councillor Peter O'Brien. The amendment was put to vote and

**RESOLVED** That Officers be tasked to use the feedback that has been provided by Ward Members on the sites discussed in Appendix 1 and develop further proposals based on that feedback for future consideration by Council.

**Voting:**

<b>For</b>	19
<b>Against</b>	3
<b>Abstention</b>	2

The Chairman declared the motion **CARRIED**.

Councillor Chris Furness left the meeting at 8:25pm during consideration of this item.

Councillor Jacqueline Allison left the meeting at 8:59pm during consideration of this item.

Councillor Helen Froggatt left the meeting at 9:08pm during consideration of this item.

## **96/22 - SEALING OF DOCUMENTS**

It was moved by Councillor Jason Atkin, seconded by Councillor Tom Donnelly

**RESOLVED** (unanimously) That the common seal of the Council be affixed to those documents, if any required to complete transactions undertaken by committees or by way of delegated authority to officers since the last meeting of the Council.

The Chairman declared the motion **CARRIED**.

**Meeting Closed: 9.32 pm**

**Chairman**

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## Planning Committee

**Minutes of a Planning Committee meeting held at 6.00 pm on Tuesday, 16th August, 2022 in the Council Chamber, Town Hall, Matlock, DE4 3NN.**

**PRESENT** Councillor Jason Atkin - In the Chair

Councillors: Sue Burfoot, Neil Buttle, Tom Donnelly, Graham Elliott, Helen Froggatt, David Hughes, Stuart Lees, Peter O'Brien and Peter Slack

Present as Substitute – Councillor(s): Chris Furness

Chris Whitmore (Development Control Manager), Adam Maxwell (Principal Planning Officer), Tommy Shaw (Democratic Services Team Leader) and Angela Gratton (Democratic Services Officer)

Members of the Public – 46

### **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): Jacqueline Allison, Robert Archer, Richard FitzHerbert and Garry Purdy

### **102/22 - APPROVAL OF MINUTES OF PREVIOUS MEETING**

It was moved by Councillor Jason Atkin, Seconded by Councillor Tom Donnelly and

**RESOLVED** (Unanimously)

That the minutes of the meeting of the Planning Committee held on 12 July 2022 be approved as a correct record.

The Chairman declared the motion **CARRIED**.

### **103/22 - INTERESTS**

There were no declarations of interest.

### **104/22 - APPLICATION NO. 22/00590/FUL**

The Development Manager gave a presentation showing details of the application and photographs of the site and surroundings.

The Committee visited the site prior to the meeting to allow Members to appreciate the proposal in the context of its surroundings.

In accordance with the procedure for public participation, Mr Peter Sewell (Applicant) spoke in support of the application. Mrs June Holden, (Local Resident), Mr John Fell (Local Resident), Mr Roy Starbuck (Local Resident and Mr Simon Dutton (Local Resident) spoke against the application.

Consultation responses were set out in section 5 of the report.

Correspondence received after publication of the agenda was distributed at the meeting. This comprised of comments received from the County Councillor Dermot Murphy and further background information provided by a local resident.

It was moved by Councillor Peter O'Brien to defer, seconded by Councillor Tom Donnelly and

### **RESOLVED** (Unanimously)

That consideration of the item be deferred to a future meeting of the Committee in order for further details of the planned construction to be gathered and a to allow for further investigation of the planned access to be undertaken by the Highways authority.

The Chairman declared the motion **CARRIED**.

### **105/22 - APPLICATION NO. 22/00398/FUL**

The Principal Planning Officer gave a presentation showing details of the application and photographs of the site and surroundings.

The Committee visited the site prior to the meeting to allow Members to appreciate the proposal in the context of its surroundings.

In accordance with the procedure for public participation, Ms Diane Macarther (Local Resident), Ms Hannah Shakespeare (Local Resident), Ms Anne Toler (Local Resident), Councillor Colin Swindell (Ward Member) and Mr Mike Andrews (Local Resident) spoke against the application.

Consultation responses were set out in section 5 of the report.

Correspondence received after publication of the agenda was distributed at the meeting. This comprised of further representations received from the occupants of 22 Eversleigh Rise, 24 Eversleigh Rise and 26 Eversleigh Rise.

It was moved by Councillor Peter O'Brien, seconded by Councillor Sue Burfoot and

**RESOLVED**

That the application be refused for the following reasons:

The siting, scale, and massing of the proposed building and location of the associated car parking area would result in unacceptable overbearing and overshadowing effects, a loss of privacy, light intrusion and noise nuisance to the detriment of the residential amenity of the occupants of nearby dwellings contrary to the requirements of Policies PD1 and PD9 of the Adopted Derbyshire Dales Local Plan (2017).

**Voting**

**10 For**

**1 Against**

**0 Abstentions**

The Chairman declared the motion **CARRIED**.

There followed a short adjournment at **7.30pm**, returning at **7.40pm**.

**106/22 - APPLICATION NO. 22/00409/FUL**

The Development Manager gave a presentation showing details of the application and photographs of the site and surroundings.

The Committee visited the site prior to the meeting to allow Members to appreciate the proposal in the context of its surroundings.

In accordance with the procedure for public participation, Mr David Oulsnam (Agent) spoke in support of the application.

Consultation responses were set out in section 5 of the report.

Correspondence received after publication of the agenda was distributed at the meeting. This comprised of Further information from the Business Delivery Co-ordinator at Chesterfield Royal Hospital NHS Foundation Trust have been received to justify the need for a health care contribution should the application be approved.

It was moved by Councillor Tom Donnelly, seconded by Councillor Peter Slack and

**RESOLVED** (unanimously)

That planning permission be refused for the reasons set out in the report.

The Chairman declared the motion **CARRIED**.

### **107/22 - APPLICATION NO. 22/00575/FUL**

The Development Manager gave a presentation showing details of the application and photographs of the site and surroundings.

The Committee visited the site prior to the meeting to allow Members to appreciate the proposal in the context of its surroundings.

Consultation responses were set out in section 5 of the report.

It was moved by Councillor Tom Donnelly, seconded by Councillor Peter Slack and

**RESOLVED** (unanimously)

That Planning permission be granted subject to conditions with regard to highway and amenity matters.

The Chairman declared the motion **CARRIED**.

### **108/22 - DURATION OF MEETING (MOTION TO CONTINUE)**

At **8.30pm** it was moved to extend the meeting by 30 minutes by Councillor Jason Atkin, seconded by Councillor Tom Donnelly and

**RESOLVED** (Unanimously)

That, in accordance with Rule of Procedure 13, the meeting continue to enable the business on the agenda to be concluded.

The Chairman declared the motion **CARRIED**.

### **109/22 - APPLICATION NO. 22/00610/OUT**

The Principal Planning Officer gave a presentation showing details of the application and photographs of the site and surroundings.

The Committee visited the site prior to the meeting to allow Members to appreciate the proposal in the context of its surroundings.

In accordance with the procedure for public participation, Mr Tony Sharpe (Local Resident), Mr Pat Carlin (Local Resident), Councillor Janet Rose (Ward Member), Councillor Richard FitzHerbert (statement read by Democratic Services Officer) and Mr Daniel Smith (Applicant) spoke in support of the application.

Consultation responses were set out in section 5 of the report.

It was moved by Councillor Peter Slack, seconded by Councillor Sue Burfoot and

**RESOLVED**

That planning permission be approved subject to conditions, including the approval of reserved matters and related highway safety considerations (as recommended by the Local Highway Authority).

## **Voting**

**6 For**  
**2 Against**  
**2 Abstentions**

The Chairman declared the motion **CARRIED**.

### **110/22 - DURATION OF MEETING (MOTION TO CONTINUE)**

At **8.53pm** it was moved to extend the meeting by 30 minutes by Councillor Jason Atkin, seconded by Councillor Tom Donnelly and

**RESOLVED** (unanimously)

That, in accordance with Rule of Procedure 13, the meeting continue to enable the business on the agenda to be concluded.

The Chairman declared the motion **CARRIED**.

**8.55** Councillor Chris Furness left the meeting.

### **111/22 - APPLICATION NO. 22/00616/FUL**

The Development Officer gave a presentation showing details of the application and photographs of the site and surroundings.

The Committee visited the site prior to the meeting to allow Members to appreciate the proposal in the context of its surroundings.

In accordance with the procedure for public participation, Ms Rachel Summerfield (Applicant) spoke in support of the application. Mr Phillip Johnson (Local Resident), Mrs Judith Ward (Local Resident), Mr Pat Carlin (Local Resident), Ms Annie Haigh (Local Resident – statement read out by Democratic Services Officer), and Councillor Janet Rose (Ward Member) spoke against the application.

Consultation responses were set out in section 5 of the report.

Correspondence received after publication of the agenda was distributed at the meeting. This comprised of further representations were received from Phillip Johnson (Shellboards Farm).

It was moved to defer by Councillor Sue Burfoot, seconded by Councillor Peter Slack and

**RESOLVED**

That consideration of the application be deferred to allow consultation with the Local Highway Authority and Environmental Health, to consider parking and manoeuvring within the site, access and noise.

## **Voting**

**9 For**  
**1 Against**  
**0 Abstentions**

The Chairman declared the motion **CARRIED**.

#### **112/22 - APPLICATION NO. 22/00640/FUL**

The Principal Planning Officer gave a presentation showing details of the application and photographs of the site and surroundings.

The Committee visited the site prior to the meeting to allow Members to appreciate the proposal in the context of its surroundings.

In accordance with the procedure for public participation, Mr Andrew Stock (Agent) spoke in support of the application.

Consultation responses were set out in section 5 of the report.

It was moved by Councillor Peter Slack, seconded by Councillor Tom Donnelly and

**RESOLVED** (unanimously)

That planning permission be approved subject to the applicant entering into a Section 106 Agreement to provide for all dwellings on the site being principal residences, the provision of 3 dwellings as on-site affordable housing and a financial contribution towards part of an off-site affordable dwelling.

The Chairman declared the motion **CARRIED**.

**9.00pm** Councillor Graham Elliott left the meeting.

#### **113/22 - DURATION OF MEETING (MOTION TO CONTINUE)**

At **8.25pm** it was moved to extend the meeting by 15 minutes by Councillor Jason Atkin, seconded by Councillor Tom Donnelly and

**RESOLVED** (Unanimously)

That, in accordance with Rule of Procedure 13, the meeting continue to enable the business on the agenda to be concluded.

The Chairman declared the motion **CARRIED**.

#### **114/22 - APPLICATION NO. 22/00651/FUL**

The Development Manager gave a presentation showing details of the application and photographs of the site and surroundings.

The Committee visited the site prior to the meeting to allow Members to appreciate the proposal in the context of its surroundings.

In accordance with the procedure for public participation, Mr Ian McHugh (Agent) spoke in support of the application.

Consultation responses were set out in section 5 of the report.

It was moved by Councillor Stuart Lees, seconded by Councillor Tom Donnelly and

**RESOLVED**

That planning permission be granted subject to conditions with regard to highway matters and hours of operation.

**Voting**

**8 For**

**1 Against**

**0 Abstentions**

The Chairman declared the motion **CARRIED**.

**115/22 - APPEALS PROGRESS REPORT**

It was moved by Councillor Jason Atkin seconded by Councillor Tom Donnelly and

**RESOLVED** (unanimously)

That the report be noted.

The Chairman declared the motion **CARRIED**.

**Meeting Closed: 9.37 pm**

**Chairman**

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## Community & Environment Committee

**Minutes of a Community & Environment Committee meeting held at 6.00 pm on Thursday, 8th September, 2022 in the Council Chamber, Town Hall, Matlock, DE4 3NN.**

### PRESENT

Councillor Helen Froggatt - In the Chair

Councillors: Chris Furness, Tony Morley, Dermot Murphy, Garry Purdy, Janet Rose, Andrew Statham, Alasdair Sutton, Susan Hobson, Martin Burfoot, David Hughes, Matt Buckler, Neil Buttle and Mike Ratcliffe

Present as substitute – Councillor(s): Robert Archer

Tim Braund (Director of Regulatory Services), David Cowley (Principal Environmental Health Officer), Amanda Goodwill (Environmental Health Manager), Mike Hase (Planning Policy Manager) and Tommy Shaw (Democratic Services Team Leader)

### Note:

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### APOLOGIES

Apologies for absence were received from Councillor(s): Sue Bull, Steve Wain and Peter O'Brien

### 116/22 - PUBLIC PARTICIPATION

In accordance with the procedure for public participation, Mr Peter Dobbs made a statement and asked questions regarding the air quality management action plan (AQMA) for Ashbourne. A full response was published to the District Council website.

**Note:**

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**117/22 - APPROVAL OF MINUTES OF PREVIOUS MEETING**

It was moved by Councillor Susan Hobson, seconded by Councillor Tony Morley and

**RESOLVED** (Unanimously)

That the minutes of the meeting of the Community and Environment Committee held on 29 June 2022 be approved as a correct record.

The Chairman declared the motion **CARRIED**.

**118/22 - INTERESTS**

There were no declarations of interest.

**119/22 - ENVIRONMENTAL HEALTH COMMERCIAL TEAM SERVICE PLAN - FOOD HYGIENE AND HEALTH AND SAFETY AT WORK**

The Director of Regulatory Services introduced a report informing Members 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 predictions of service demands for 2022/23.

The Environmental Health Manager informed Members that the 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. It was also noted that the plan must set out how the Competent Authority intends to deliver and resource official food controls and other official activities in its area.

Service plans are an important part of the process to ensure that national priorities and standards are addressed and delivered locally. It was addressed that the service plan was required to review the qualitative and quantitative performance of delivery against the plan, at least once a year. However, in line with the Food Standards Agency recovery plan, it was noted that 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.

Appendix one detailed the Commercial Team Service Plan for 2022/23. The plan confirmed the key activities of the Authority during the Covid 19 pandemic and its plans for the future in line with Food Standards Agency criteria.

During consideration of this item, the death of Her Majesty Queen Elizabeth II was sadly announced. The Committee adjourned at 6:31pm, the Committee reconvened at 6:38pm to complete consideration of this item before ending the meeting.

It was moved by Councillor Mike Ratcliffe, seconded by Councillor Susan Hobson and

**RESOLVED** (Unanimously)

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.

The Chairman declared the motion **CARRIED**.

**Meeting Closed: 6.40 pm**

**Chairman**

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