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Council

Minutes of a Council meeting held at 6.00 pm on Monday, 9th December, 2024 in the Council Chamber - Derbyshire County Council, County Hall, Matlock, DE4 3AG.

PRESENT Councillor Lucy Peacock - In the Chair

Councillors: Dawn Greatorex, Robert Archer, Anthony Bates, John Bointon, Geoff Bond, Matt Buckler, Helen Froggatt, Sue Bull, Martin Burfoot, Sue Burfoot, Bob Butcher, Neil Buttle, David Chapman, Peter Dobbs, Nigel Norman Edwards-Walker, Steve Flitter, Marilyn Franks, Gareth Gee, Susan Hobson, David Hughes, Stuart Lees, Joanne Linthwaite, Laura Mellstrom, Peter O'Brien, Simon Ripton, Peter Slack, Nick Whitehead and Nick Wilton

Barbara Beardwell (Interim Director of Corporate and Customer Services), Robert Cogings (Director of Housing), Lucy Harrison (Democratic Services Team Leader) and Paul Wilson (Chief Executive).

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): David Burton, Dermot Murphy, Andy Nash, Roger Shelley and Steve Wain.

251/24 - PUBLIC PARTICIPATION

In accordance with Rule of Procedure 14.4, the following people attended the meeting to speak on Item 4 – Temporary Traveller Sites:

- Mr Victor Launert – Matlock Bath Local Resident
- Cllr Kevin Rowney – Rowsley Parish Council
- Mr Peter Baranek – Chair of Matlock Bath Parish Council
- Mr Stephen Walton – Local Resident

- Mr George Ashbrook – Ashbrook Roofing
- Mr Richard Bean – Natural Stone Sales Ltd
- Mr Keith Jennings – Matlock Local Resident
- Ms Kerry Andrews – Level Centre
- Ms Hannah Lister – Rowsley Local Resident
- Mr Jonathan Shaw – Matlock Local Resident
- Mr Tim Simcox – T C Harrison Group
- Mrs Karen Whittle – Matlock Local Resident
- Mr Richard Walsh – Local Resident
- Ms Judith Ashness – Matlock Local Resident
- Mr Andrew Bishop – Matlock Local Resident
- Ms Julie Bishop – Matlock Local Resident
- Mr Mike Walton – Matlock Local Resident

In accordance with Rule of Procedure 14.4 the following questions were also received:

Questions from Ms Jo Wildgoose, Rowsley Local Resident

1. Tommy Shaw sent an email to our chair saying that the gypsy and traveller working group would be submitting recommendations to the council after they had read the report following the consultation. However, according to Sue Hobson the Gypsy and traveller work group has not met since the 8th of November. Why were they not involved in making recommendations for this meeting?
2. Why was there no third-party visual evidence included in the report from submissions to the travellers@ email address, for example photographs, plans and aerial maps etc.?
3. Who compiled the list of stakeholders included in the equality impact assessment, and why was Rowsley primary School, Marston's plc on behalf of the Grouse and Claret and Derbyshire County Council omitted from this list?

Response:

1. Due to the significant public interest in the temporary Traveller sites public consultation exercise and in the interests of openness and transparency, the Leadership of the Progressive Alliance considered that it would be more appropriate for this matter to be considered at a meeting of full Council rather than the Gypsy and Traveller Working Group and/or Community & Environment Committee. This provides an opportunity for all members to contribute on this important subject.
2. The public consultation generated over 1500 responses and included several hundred emails and letters in addition to the survey consultation responses themselves. The report and appendices seek to bring all of this information together into a form that Council Members and the public can comprehend. The report with the appendices is already 156 pages long. Adding further material to the report will not assist the decision-making process.
3. Equality Impact Assessments (EIAs) are completed by the public authority bound to undertake them under the Equality Act 2010 – in this case, the District Council. The EIA was completed by the Council's officers who are considered best placed to assess the Equalities impacts due to their knowledge of the service, the community and the service users. The EIA will be further developed if any site options are progressed.

Question from Mr Tim Simcox, T.C.Harrison Group

For the proposed Rowsley site there appears to be an error in the Site Assessment Document that asserts that the site is not within an area of high flood risk which contradicts information sourced from the Environment Agency indicating that parts of the site fall within Flood Risk Zone 2, this issue does not appear to have been mentioned within Mr. Coggins the summary report. Given that avoiding the area of flood risk would further bring the area of the Rowsley site below the Council's minimum pitch size, have DDDC considered flood mitigation measures required and the cost of these measures to keep the vulnerable family members safe from harm given that provision of a traveller site within an area of high risk of flooding would be contrary to criteria F. of Policy HC6 of the Local Plan?

Response:

Para 2.1 of the report refers to the consultation responses which includes reference to flooding. Officers are aware of the flood zone status of the site, which is an acknowledged constraint which would be subject to appropriate assessment as part of any planning application process should the Rowsley site be progressed. Para 5.1 of the report clearly states, further technical support will be needed to finalise designs and seek pre application advice.

Mr Peter Baranek (Chair of Matlock Bath Parish Council) presented a petition calling on the council to urgently restore all of the Station Car and Coach Park to its proper use and take all possible precautions to ensure that the Station Car and Coach Park's future users would only be tourists, residents and rail passengers. This was formally accepted by the Chair and Petitions Officer.

252/24 - INTERESTS

There were no declarations of interest.

253/24 - TEMPORARY TRAVELLER SITES

The Director of Housing introduced a report which brought together the results of the consultation process that took place from late July to late September 2024 concerning 6 potential traveller sites and invited Council to consider which, if any, of the six potential sites previously identified are to be progressed as temporary sites(s) for use by Travellers.

The Community and Environment Committee on 22nd July 2024 approved seven recommendations relating to Travellers. One of the recommendations included undertaking a six-week consultation concerning the potential use of six sites in Council ownership for use as temporary traveller sites.

A public consultation exercise was initiated which included an online and hard-copy questionnaire and a series of public meetings. A dedicated traveller email inbox was established to provide a central point of contact. Significant volume of material was received through these channels. These emails, together with other individual emails sent to officers had also been documented and the results of these were set out within section 2 of the report. It was noted that the combined impact of the consultation exercise significantly stretched the Councils capacity and officer resources.

A total number of 1751 respondents participated in the survey. The University of Derby undertook the analysis of the responses received via the Council's online survey. Their report was attached at Appendix 1.

19:20 – Councillor Bob Butcher left the room and re-entered at 19:22.

19:26 – Councillor Simon Ripton left the room and re-entered at 19:28.

Members asked the Director of Housing a number of question on the report, which were answered.

The officer recommendations as set out in the report were then moved by Councillor Steve Flitter, and seconded by Councillor Neil Buttle in accordance with Rule of Procedure 16, together with an amendment to the recommendations as set out below:

1. That Council note the responses received to the public consultation exercise, has due regard to the responses, and consider which, if any, of the six potential sites previously identified are to be progressed as temporary site(s) for use by Travellers.
2. That in accordance with the 2024 – 2028 Derbyshire Dales Corporate Plan commitment to deliver permanent and temporary sites for Travellers, authority be delegated to the Director of Housing to progress the provision of a temporary site (subject to planning permission) on land at Matlock Station, Derwent Way, Matlock for a site occupation period of 2 years and just for named travellers for whom the Council has a homelessness obligation through their local connection. Such provision is to include necessary facilities and services to satisfy the human welfare needs of the site occupiers and to mitigate potential impacts identified through the consultation, on the surrounding environment, and on the host communities, as far as possible.
3. That subject to planning permission, further temporary site provision be made for a site occupation period of 2 years just for named travellers for whom the Council has a homelessness obligation through their local connection, at the following sites: at Station Yard Car Park, Matlock Bath (occupation annually restricted to 1st November – 28th February), land beyond the Car Park Old Station Close, Rowsley (occupation annually restricted to 1st March – 31st October), and Land to north-west of cemetery, New Road, Middleton (occupation annually restricted to 1st March –31st October), with a week's leeway allowed in each restriction. Such provision is to include necessary facilities and services to satisfy the human welfare needs of the site occupiers and measures to mitigate potential impacts identified through the consultation, on the surrounding environment, and on the host communities, as far as possible.
4. That authority be delegated to the Director of Housing to submit applications for planning permission in respect of the above sites.
5. That subject to (1) (2) (3) and (4) above an initial sum of £10,000 be included in the capital programme for a temporary traveller site, financed from the corporate plan priority reserve, and that authority be delegated to the Director of Housing to formulate proposals for further capital funding to enable the selected sites to be included in the capital programme in accordance with the council's financial regulations.
6. That sites at the ARC at Matlock and the land to the southwest of Hopton Rd Wirksworth be withdrawn on the grounds of location and environmental issues.

Members then debated the amended proposal in accordance with Procedure Rule 18.

At 20:29, it was moved by Councillor David Hughes, seconded by Councillor Peter Dobbs and

RESOLVED (Unanimously)

That in accordance with Rule of Procedure 13, the meeting continue for a further 30 minutes.

The Chair declared the motion **CARRIED**.

At 21:00, the Chair used their discretion to extend the meeting in order to conclude the business on the Agenda.

In accordance with Rule of Procedure 19 (d) a recorded vote was requested by Councillor Anthony Bates and seconded by Councillor Susan Hobson, this is detailed below:

For: 15 Councillors: Robert Archer, Matt Buckler, Sue Burfoot, Bob Butcher, Neil Buttle, Peter Dobbs, Steve Flitter, Marilyn Franks, David Hughes, Joanne Linthwaite, Laura Mellstrom, Peter O'Brien, Lucy Peacock, Simon Ripton and Nick Wilton

Against: 10 Councillors: Anthony Bates, John Bointon, Geoff Bond, Sue Bull, David Chapman, Nigel Edwards-Walker, Helen Froggatt, Gareth Gee, Susan Hobson and Stuart Lees.

Abstentions: 4 Councillors: Martin Burfoot, Dawn Greatorex, Peter Slack and Nick Whitehead.

The Chair declared the amendment **CARRIED**. The amendment then became the substantive motion.

The substantive motion was then put to a recorded vote and it was:

RESOLVED

1. That Council note the responses received to the public consultation exercise, has due regard to the responses, and consider which, if any, of the six potential sites previously identified are to be progressed as temporary site(s) for use by Travellers.
2. That in accordance with the 2024 – 2028 Derbyshire Dales Corporate Plan commitment to deliver permanent and temporary sites for Travellers, authority be delegated to the Director of Housing to progress the provision of a temporary site (subject to planning permission) on land at Matlock Station, Derwent Way, Matlock for a site occupation period of 2 years and just for named travellers for whom the Council has a homelessness obligation through their local connection. Such provision is to include necessary facilities and services to satisfy the human welfare needs of the site occupiers and to mitigate potential impacts identified through the consultation, on the surrounding environment, and on the host communities, as far as possible.
3. That subject to planning permission, further temporary site provision be made for a site occupation period of 2 years just for named travellers for whom the Council has a homelessness obligation through their local connection, at the following sites: at Station Yard Car Park, Matlock Bath (occupation annually restricted to 1st November – 28th February), land beyond the Car Park Old Station Close, Rowsley (occupation annually restricted to 1st March – 31st October), and Land to north-west of cemetery, New Road,

Middleton (occupation annually restricted to 1st March –31st October), with a week's leeway allowed in each restriction. Such provision is to include necessary facilities and services to satisfy the human welfare needs of the site occupiers and measures to mitigate potential impacts identified through the consultation, on the surrounding environment, and on the host communities, as far as possible.

4. That authority be delegated to the Director of Housing to submit applications for planning permission in respect of the above sites.
5. That subject to (1) (2) (3) and (4) above an initial sum of £10,000 be included in the capital programme for a temporary traveller site, financed from the corporate plan priority reserve, and that authority be delegated to the Director of Housing to formulate proposals for further capital funding to enable the selected sites to be included in the capital programme in accordance with the council's financial regulations.
6. That sites at the ARC at Matlock and the land to the southwest of Hopton Rd Wirksworth be withdrawn on the grounds of location and environmental issues.

As requested by Councillor Stuart Lees and seconded by Councillor Susan Hobson, the recorded vote is detailed below:

For: 15 Councillors: Robert Archer, Matt Buckler, Sue Burfoot, Bob Butcher, Neil Buttle, Peter Dobbs, Steve Flitter, Marilyn Franks, David Hughes, Joanne Linthwaite, Laura Mellstrom, Peter O'Brien, Lucy Peacock, Simon Ripton and Nick Wilton

Against: 10 Councillors: Anthony Bates, John Bointon, Geoff Bond, Sue Bull, David Chapman, Nigel Edwards-Walker, Helen Froggatt, Gareth Gee, Susan Hobson and Stuart Lees.

Abstentions: 4 Councillors: Martin Burfoot, Dawn Greatorex, Peter Slack and Nick Whitehead.

The Chair declared the substantive motion **CARRIED**.

Meeting Closed: 9.07 pm

Chair