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Community & Environment Committee

Minutes of a Community & Environment Committee meeting held at 6.00 pm on Monday, 22nd July, 2024 in the Council Chamber, Town Hall, Matlock, DE4 3NN.

PRESENT

Councillor Martin Burfoot - In the Chair

Councillors: Peter O'Brien, Kelda Boothroyd, Sue Bull, Marilyn Franks, Susan Hobson, Stuart Lees, Joanne Linthwaite, Dermot Murphy, Andy Nash, Peter Slack, Steve Wain, Nick Whitehead, Sue Burfoot, Neil Buttle, Gareth Gee and Roger Shelley

Robert Cogings (Director of Housing), Giles Dann (Regeneration and Place Manager), Jim Fearn (Communications & Marketing Manager), Kerry France (Legal Services Manager), Mike Galsworthy (Estates and Facilities Manager), Lucy Harrison (Democratic Services Assistant), Christie Limb (Principal Solicitor), Helen Mitchell (Director of Corporate and Customer Services (Monitoring Officer)) and Ashley Watts (Director of Community and Environmental Services)

Note:

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APOLOGIES

Apologies for absence were received from Councillor(s): Robert Archer, Matt Buckler, David Chapman and Peter Dobbs

72/24 - APPROVAL OF MINUTES OF PREVIOUS MEETING

It was moved by Councillor Peter O'Brien, seconded by Councillor Stuart Lees and

RESOLVED (unanimously)

That the minutes of the meeting of the Community and Environment Committee held on 16 05 2024 and 30 05 2024 be approved as a correct record.

The Chair declared the motion **CARRIED**.

73/24 - PUBLIC PARTICIPATION

In accordance with the procedure for public participation, the following people attended the meeting to speak on Item 7 – Report of Cllr Marilyn Franks, Chair of the Gypsy and Traveller Working Group:

- Councillor Kath Potter (Rowsley Parish Council (Peak District National Park representative))
- Councillor Jo Wildgoose (Local Resident and Rowsley Parish Council)
- Councillor Louise Moran (Matlock Bath Parish Council)
- Councillor Caroline Cooper (Ashbourne Town Council)
- Councillor Denise Brown (Ashbourne Town Council)
- Councillor Sandra Spencer (Ashbourne Town Council)
- Councillor Ann Smith (Ashbourne Town Council / Local Resident)
- Councillor Julie Bishop (Darley Dale Town Council)
- Victor Launert (Local Resident)
- George Ashbrook (Ashbrook Roofing Supplies)
- Richard Walsh (Local Resident)
- Richard Bean (Natural Stone Sales Ltd)
- I Thompson (TW Auto Engineers)
- Ines Hankinson (Forged Solutions)
- Erin Hankinson (Local Resident)
- Victoria Friend (Local Resident)
- Stephen Walton (Local Resident)
- Kerry Andrews (Level Centre)
- Amanda Heading (Local Resident)
- Paul Cottam (Local Resident)
- Stephen Maskrey (Local Resident)
- John Youatt (Local Resident)
- Mike Walton (Local Resident)
- Rupert Pugh (Heights of Abraham)
- Harry Burgess (T.C. Harrison Group Ltd)

In accordance with the procedure for public participation the following questions were received:

QUESTION from Victoria Friend, Local Resident - Item 7; report of Cllr Marilyn Franks, Chair of the Gypsy and Traveller Working Group

Why has a new tap and pipework been installed at Old Station Close in Rowsley when the decision has not yet been made to designate the site a temporary Travellers' site?

Response:

Our records show that the last works to the tap was undertaken in November 2019.

QUESTION from Beeley Parish Council - Item 7; report of Cllr Marilyn Franks, Chair of the Gypsy and Traveller Working Group

To whom it may concern,

I am emailing on behalf of Beeley Parish Council to express concern over the inclusion of Station Close car park in Rowsley in your consultation for a potential traveller site. This site was looked at by the previous administration and deemed unsuitable following discussions with local businesses, residents and the parish council. Why is it being looked at again? Nothing has changed so we don't understand why it is being re-examined. Will other sites deemed as being unsuitable be re-considered?

Could you also please explain why work has already been carried out at this site to make it suitable again? I believe a tap has been replaced. Surely if a true consultation was being carried out no public expenditure would be incurred on the site until this has been completed? Please could you tell me the reason for this work?

Please will you ensure the Parish Council's concerns are raised at the meeting?

Best wishes,
Sarah

Response:

The District Council has limited available land in its ownership. The Station Close car park has been included as a potential temporary site because it is one of only a few sites which are capable of being used as a temporary site as determined by the Traveller Working Group. The site has previously had planning consent for temporary use for 4 caravans for a period of 9 months, granted in March 2013. The Council has records for the site and the last works to the tap were undertaken in November 2019.

QUESTION from Ines Hankinson, Forged Solutions - Item 7; report of Cllr Marilyn Franks, Chair of the Gypsy and Traveller Working Group

1. Will the proposed code of conduct for those residing on temporary sites as well as an overview of how the council envisages to enforce compliance to such code be made available for review and comment considering the existing budget constraints?
2. How does the gypsy and traveller working group envisage the format of the referenced public consultation? No member of the gypsy and traveller working group has been in touch with key local businesses to understand the challenges faced as well as poor historic experience with such groups in the vicinity. This has not changed since the last meeting.
3. Will surrounding interested parties be directly consulted and included during the generation of local impact assessments for any proposed site, be it temporary or permanent before any revised recommendations are published?

Response:

1. The code of conduct has been developed by the Traveller working group. Following adoption by the Committee, the code will be issued to the two traveller families. Contraventions of the code will be recorded and the families notified by letter.
2. The detailed format of the consultation is being considered. Para 2.11 of the report sets out the format of the consultation.
3. Online surveys and public meetings will provide the opportunity for everyone to respond to the consultation.

Councillor Susan Hobson presented a petition on behalf of the residents of Morledge, Matlock, objecting to the Arc Car Park, Morledge, Matlock being used as a potential temporary Gypsy and Traveller site. The Chair and Petitions Officer formally accepted the petition.

Ms Victoria Friend presented a petition objecting to Old Station Road Car Park, Rowsley being used as a potential temporary Gypsy and Traveller site. The Chair and Petitions Officer formally accepted the petition.

19:24pm - the meeting adjourned.

19:33pm - the meeting reconvened.

74/24 - INTERESTS

Item 6 - Fishpond Meadow Car Park Ashbourne – Future Arrangements

Councillor Stuart Lees declared an interest in this item due to being a Member of the Shrovetide Committee and a Member on the Ashbourne Reborn Programme Board.

Item 7 - Report of Cllr Marilyn Franks, Chair of the Gypsy and Traveller Working Group

Councillor Joanne Linthwaite declared a non-pecuniary interest in this item due to teaching a member of one of the families who were residing on a District Council owned car park.

Councillors Steve Wain, Marilyn Franks and Sue Burfoot declared a non-pecuniary interest in this item due to being members of Matlock Town Council.

Councillor Peter Slack and Susan Hobson declared a non-pecuniary interest in this item due to having potential sites in their wards.

75/24 - QUESTIONS PURSUANT TO RULE OF PROCEDURE NUMBER 15

No questions were received.

76/24 - FISHPOND MEADOW CAR PARK ASHBOURNE - FUTURE ARRANGEMENTS

19:33 – Councillor Lees left the room during consideration of this item due to declaring an interest.

The Regeneration and Place Manager introduced a report which sought agreement for the temporary use of part of Fishpond Meadow car park as a site compound for contractors delivering the Levelling Up funded Ashbourne Reborn town centre regeneration scheme. The report recommended including an additional area in the lease of the adjacent fishpond to Ashbourne Shrovetide Committee for use as car parking.

It was noted that the Council was the Accountable Body for Ashbourne Reborn, a £15.22m programme aimed at transforming Ashbourne town centre through significant improvements to highways and public realm and the development of the Link Community Hub. The highways and public realm improvements were being led by Derbyshire County Council and Link Community Hub by Ashbourne Methodist Church.

Following a review of a number of options by the proposed contractor for the highways and public realm projects, a final shortlist of two site compound locations were identified, both on land owned by the Council. The pros and cons of these sites were detailed in Appendix 2 and considered further in section 3.

It was moved by Councillor Sue Bull, seconded by Councillor Steve Wain and

RESOLVED (unanimously)

1. To note the consideration of Ashbourne Reborn contractor compound options and consultation with Ward Members, the Ashbourne Reborn Highways and Public Realm Project Control Board and Chair of the Ashbourne Reborn Programme Board;
2. That the Estates & Facilities Manager be given delegated authority to agree terms with the proposed Ashbourne Reborn highways and public realm contractor to occupy part of the site as a contractor compound for a period of up to 18 months within the blue area on the indicative plan attached as Appendix 1;
3. That the Estates & Facilities Manager be given delegated authority to agree terms with the Ashbourne Shrovetide Committee to include an area of the site within the area shaded yellow on the indicative plan attached as Appendix 1 in their lease of the adjacent fishpond for use as car parking;
4. That on vacation of the site compound, the remainder of the site be returned to the District Council in its current condition or at a specification agreed with the contractor and the Environment Agency commensurate with its future use as an overspill car park.

The Chair declared the motion **CARRIED**.

77/24 - DURATION OF MEETINGS (MOTION TO CONTINUE)

At 20:30, it was moved by Councillor Nick Whitehead, seconded by Councillor Roger Shelley 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**.

78/24 - DURATION OF MEETINGS (MOTION TO CONTINUE)

At 21:08, it was moved by Councillor Stuart Lees, seconded by Councillor Nick Whitehead 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 Chair declared the motion **CARRIED**.

79/24 - REPORT OF CLLR MARILYN FRANKS, CHAIR OF THE GYPSY AND TRAVELLER WORKING GROUP

Councillor Marilyn Franks introduced a report which sought Member approval concerning a number of recommendations relating to the work undertaken by the Gypsy and Traveller Working Group covering governance arrangements, improvements to existing sites, consultation on future temporary sites and an update on the search for permanent sites.

It was noted that the Council continued to accommodate two Traveller families on car parks at Matlock Station and Matlock Bath Station. These were only proposed to be temporary arrangements but the health of some of the residents, the lack of other suitable temporary sites and the continuing search for a permanent site, had prevented the families from settling in suitable accommodation. It was noted that the G&TWG recognise this and had been working on measures to improve the opportunities for move on, introduce more regularised arrangements, and identify potential permanent sites. Whilst this work had been progressing, the Council continued to receive complaints and from time to time, other Travellers arrive on site for short periods.

At Council on 28 September 2023, Members agreed to undertake a minimum 6-week consultation on any proposals for future temporary or permanent sites. The report outlined six areas of questions to ask and public meetings to be held in locations where sites were to be proposed. These questions were detailed in section 2.11 of the report. Members were informed that the G&TWG recommended that 6 sites be considered as temporary sites and that consultation took place concerning these. The recommended sites, and their accompanying assessment was attached at Appendix 4 to the report, with maps of these sites detailed at Appendix 6.

It was moved by Councillor Neil Buttle, seconded by Councillor Peter Slack and

RESOLVED

1. That the terms of reference for the Gypsy and Traveller Working Group set out in Appendix 1 is adopted;

Voting

15 For

00 Against

02 Abstained

The Chair declared the motion **CARRIED**.

It was moved by Councillor Marilyn Franks, seconded by Councillor Linthwaite and

RESOLVED

2. That the code of conduct for Gypsies, Travellers and caravan occupiers set out in Appendix 2 are adopted;

Voting

13 For

03 Against

01 Abstained

The Chair declared the motion **CARRIED**.

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

RESOLVED

3. That in respect of Matlock Station Car Park;

- A temporary but solid separation be established between the site currently occupied by a Traveller family and the rest of the car park and;
- That the Local Highway Authority and Local Planning Authority be consulted regarding the possibility of lowering the curb to create a separate entrance for the traveller occupied section of the site.

Voting

12 For

02 Against

03 Abstained

The Chair declared the motion **CARRIED**.

21:01pm – The meeting adjourned.

21:01pm - Cllr Gee left the meeting.

21:07pm – The meeting reconvened.

It was moved by Councillor Nick Whitehead, seconded by Councillor Kelda Boothroyd and

RESOLVED

4. That the Committee note the update from Ark at Appendix 3 in respect of identifying permanent sites.

Voting

12 For

00 Against

04 Abstained

The Chair declared the motion **CARRIED**.

An amendment to recommendation 5 to change the length of consultation from six weeks to eight weeks was moved by Councillor Peter O'Brien and seconded by Councillor Peter Slack. It was then moved by Councillor Marilyn Franks that a recorded vote be taken, this was seconded by Councillor Peter Slack. The amended recommendation was put to a recorded vote as follows:

For: 10, Councillors: Kelda Boothroyd, Neil Buttle, Marilyn Franks, Joanne Linthwaite, Andy Nash, Peter O'Brien, Roger Shelley, Peter Slack, Steve Wain and Nick Whitehead.

Against: 4, Councillors: Sue Bull, Susan Hobson, Stuart Lees and Dermot Murphy

Abstention's: 2, Councillors: Martin Burfoot and Sue Burfoot.

It was therefore **RESOLVED**

5. That Committee endorse an eight week consultation for use of the following sites as temporary Gypsy and Traveller sites with the assessment enclosed at Appendix 4.

- a. Car Park, Old Station Close, Rowsley
- b. Land to South East of Hopton Works, Middleton Road, Wirksworth
- c. Arc Leisure Car Parks, Morledge, Matlock
- d. Station Yard Car Park, Dale Road, Matlock Bath
- e. Car Park, Derwent Way, Matlock
- f. Land to North West of Cemetery, New Road, Middleton

The Chair declared the motion **CARRIED**.

An amendment to recommendation 6 to insert 'to include length of stay' was moved by Councillor Nick Whitehead, seconded by Councillor Kelda Boothroyd and

RESOLVED

6. That Officers explore the feasibility of moving traveller families between sites on a more regularised basis, to include length of stay and report their findings back to the Gypsy and Traveller Working Group.

Voting

11 For
00 Against
05 Abstained

The Chair declared the motion **CARRIED**.

It was moved by Councillor Nick Whitehead, seconded by Peter Slack and

RESOLVED

7. That the Committee note Council's Commitments to consultation and agree to delegate responsibility to the Director of Corporate and Customer Services, in consultation with Cllr M. Franks (Chair, Gypsy and Traveller Working Group) to finalise consultation materials, oversee and deliver the programme of feedback meetings.

Voting

12 For
04 Against
00 Abstained

The Chair declared the motion **CARRIED**.

Meeting Closed: 10.30 pm

Chair

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