

MINUTE BOOK

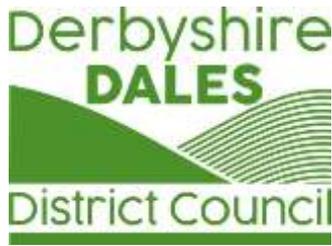
24 March 2022 to 12 July 2022



MINUTE BOOK INDEX

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COUNCIL

Minutes of the Council meeting held at 6.00pm on Thursday 24th March 2022 in the Council Chamber, Town Hall, Matlock DE4 3NN.

PRESENT

Councillor Sue Bull - In the Chair

Councillors: Jacqueline Allison, Robert Archer, Jason Atkin, Richard Bright, Matthew Buckler, Martin Burfoot, Sue Burfoot, Neil Buttle, Paul Cruise, Tom Donnelly, Helen Froggatt, Chris Furness, Clare Gamble, Alyson Hill, Stuart Lees, Peter O'Brien, Mike Ratcliffe, Mark Salt, Andrew Shirley, Peter Slack, Andrew Statham, Alasdair Sutton, Colin Swindell and Steve Wain.

Paul Wilson (Chief Executive), Tim Braund (Director of Regulatory Services), Steve Capes (Director of Regeneration & Policy), Karen Henriksen (Director of Resources), Mike Hase (Planning Policy Manager), Lee Gardner (Legal Services Manager), Jim Fearn (Communications & Marketing Manager), Tommy Shaw (Democratic Services Team Leader) and Lucy Harrison (Democratic Services Assistant)

APOLOGIES

Apologies for absence were received from Councillors: David Hughes, Susan Hobson, Steve Flitter, Garry Purdy, Mark Wakeman, Richard FitzHerbert, Michele Morley, Dawn Greatorex, Dermot Murphy, David Chapman and Tony Morley.

334/21 - MINUTES

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

RESOLVED

(Unanimously)

That the minutes of the meeting of Council held on 3rd March 2022 be approved as a correct record.

The Chairman declared the motion **CARRIED**.

335/21 - 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 14 – DERBYSHIRE DALES LOCAL PLAN – NEXT STEPS

The following questions and statements were submitted in writing:

STATEMENT and QUESTIONS from Ms Sharon Briddon, Matlock Local Resident

“I have noted from the agenda that you are proposing to opt for the higher volume of housing option. Bearing in mind that Matlock Town has once again flooded since that proposal was put forth, due once again to overload in the existing local drainage system, please can you confirm what consultation has taken place with consultees such as Lead Local Flood authority and the Highway Authority given the cumulative impacts of development from planning applications which have been submitted for the area, and has the council considered the concerns of local residents in this proposal?”

RESPONSE:

At this time no decision has been made on what the future housing target for the period to 2040 will be. The report seeks to indicate what the range of future housing requirements could be and the extent to which the current evidence suggests that there is an available supply of land to meet the potential targets. Initial consultations have already taken place with the County Council as Lead Local Flood Authority, and Highways Authority. These discussions will continue as further work is undertaken on the Local Plan.

“In addition, should sites that have so far proved to be undeliverable (financially, environmentally and practically) be urgently re-examined? It is especially important, in view of the current climate emergency and the councils environmental and carbon goals, that they ensure every site is at the very least fully complicit with the Town and Country Planning (Environmental Impact Assessment) Regulation 2017, and indeed go further than that to ensure that all possible sustainable building and energy provisions are used. At the moment, many proposed plans do not comply with even the minimum standards required.”

RESPONSE:

The District Council declared a Climate Change Emergency in 2019 and has subsequently adopted a Climate Change Action Plan and a Climate Change Supplementary Planning Document. The District Council is fully committed to ensuring that the Local Plan includes policies which require new developments to take a much more proactive approach to mitigating climate change.

“How does the council plan to achieve biodiversity net gain with this higher housing number, including continuing to build on greenfield sites, when in fact other councils are choosing to opt for the lower housing number to enable protection of these green sites and landscapes?”

RESPONSE:

The District Council is working with Derbyshire County Council and the other local planning authorities in Derbyshire to ensure that the mechanisms are in place to meet the legal obligations with regards to Biodiversity Net Gain. This will include new policies in the Local Plan as set out to Council on 19th January 2022.

“It feels that the policies are in direct contradiction of one another by considering increasing the amount of building and thereby increasing the amount of environmental damage, in areas that are already plagued with regular flooding events and increased traffic as a result of the continuing volume of development in a small area. There is far too high a concentration of development in small towns that do not have the appropriate infrastructure in place due to 50% of the district being in the Peak Park - that has to be taken into consideration and the proposed development numbers appropriately adjusted to account for this.

I look forward to hearing the council's responses to these questions.”

RESPONSE:

The District Council has an obligation to prepare policies and proposals for the future use and development of land through the Local Plan. The current Local Plan review will set the future development needs for the period up to 2040. This includes policies related to the future housing requirements, climate change and biodiversity net gain. In taking the Local Plan forward the District Council will seek to ensure that it is able to reconcile these three important issues and deliver a sound plan as assessed by an independent Planning Inspector.

STATEMENT and QUESTION from Wolds Community

*“With reference to the very disturbing fact that the target housing number has been selected without any public consultation with the Derbyshire Dales communities; we would now like a clear explanation of:
When will public consultation take place and what will be the topics?”*

RESPONSE:

At this time public consultation is envisaged to take place on the revised modifications to the Local Plan as set out in the report in October 2023. The revised modifications to the Local Plan i.e. changes to the policies and text required to address the areas identified in the report to Council on 19th January 2022. To ensure that the Local Plan is sound public consultation will be undertaken in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 and the Statement of Community Involvement.

STATEMENT and QUESTION from Ms Laura Stevens, on behalf of Dales Climate Hub

“I write on behalf of Dales Climate Hub with regard to the Local Plan. We would like to submit a question to Committee. We are very disappointed to be hearing about this Council Meeting just one day beforehand. With busy lives this gives little time to study the 181 pages of said Plan but pages 129 and 124 are pertinent to our question. It seems DDDC already knows that such planned developments would be unsustainable and thinks that off-setting will do. It will not do.

How does the Council plan to avoid sacrificing the environment, our green spaces and local biodiversity if the Higher Growth Scenario is to be adopted and over 300 houses built p/a till 2040 (referring to p129 the Council has never before managed to "design 'in' the measures such as low carbon infrastructure and enhanced biodiversity net gain")?"

RESPONSE:

The District Council has an obligation to prepare policies and proposals for the future use and development of land through the Local Plan. The current Local Plan review will set the future development needs for the period up to 2040. This includes policies related to the future housing requirements, climate change and biodiversity net gain. In taking the Local Plan forward the District Council will seek to ensure that it is able to reconcile these three important issues and deliver a sound plan as assessed by an independent Planning Inspector.

STATEMENT and QUESTIONS from Mr John Youatt, Local Resident

"Q1. Was the public consulted on the 2021 comprehensive and deeply relevant sustainability report by Clearlead, including annex A?

Q2. In fond memory of Freddie, who led on this subject during the Local Plan:-

We said then that the SDNP's plan included a substantial reduction of its housing target, on account of the fact that the Housing Authority area is half in the Park. The local plans there are also under review. The same topic is being pursued again.

Will the Council please ask our MP to compare notes with their MP with a view to a common approach?"

RESPONSE:

Q1 The Scoping Report prepared by Clearlead Consultants was subject to consultation with the Statutory Bodies – the Environment Agency, Historic England and Natural England. There is no obligation to undertake public consultation on the Scoping report. More detailed Sustainability Appraisal work will be made available on the District Council's website in due course.

Q2 The circumstances surrounding housing development in the South Downs National Park has changed in recent years. The particular circumstances that Mr Youatt refers to relate to the East Hampshire Core Strategy where the level of housing was reduced in the National Park area of the Joint Core Strategy Area. The situation now is that the South Downs National Park now have their own adopted Local Plan. The Plan includes a reduced housing requirement with the shortfall being met through the Duty to Cooperate being engaged with neighbouring authorities. In relation to Derbyshire Dales and the Peak District National Park, the District Council will continue to work with the National Park Authority to identify and agree a potential capacity of additional housing for the National Park to accommodate as part of the overall requirement for Derbyshire Dales. At this time it is still envisaged that the National park will only be able to accommodate 20 dwellings per annum.

336/21 - INTERESTS

None

337/21 - LEADERS' ANNOUNCEMENTS

No announcements were made as Councillor Garry Purdy, Leader of the Council gave his apologies for the meeting.

338/21 - CHAIRMAN'S ANNOUNCEMENTS

Councillor Steve Wain, Civic Chairman, made the following statement:

“On the 6th of February 2022 I attended choral evensong the Queens Platinum Jubilee Derby Cathedral.

On the 26th and 27th of February 2022 I attended the Derbyshire Amateur Swimming Championships at the Arc in Matlock. This very well organised event enabled hundreds of young swimmers showcase their talents. It also portrayed the Arc Leisure Centre in a very positive light.

On 2 March, I attended the Ashbourne Shrovetide Luncheon at Ashbourne Leisure Centre, where I introduced the 'turner upper' Roger Jones. Thanks to Councillors Sue Bull and Stuart Lees for their help on the day. I truly enjoyed the experience and it was the first time I had attended the event and not been involved in the actual game.

On 17 March, I attended Bakewell, Brassington and Steeple Arch cemeteries and took part in the consecration of new areas of ground. The services were conducted by the Bishop of Repton. Thank you to those Councillors who attended the respective services.”

339/21 - COMMITTEES

It was moved by Councillor Jason Atkin seconded by Councillor Chris Furness and

RESOLVED That the non-exempt minutes of the Committees listed in the Minute book, for the period 27th January 2022 to 23rd February 2022, with the exception of the Community & Environment Committee meeting held on 23rd February 2022, be received.

Voting:

| | |
|-------------------|----|
| For | 24 |
| Against | 0 |
| Abstention | 1 |

The Chairman declared the motion **CARRIED**.

It was moved by Councillor Jason Atkin seconded by Councillor Chris Furness and

RESOLVED That the minutes of the Community & Environment Committee meeting held on 23rd February 2022 be received.

Voting:

| | |
|-------------------|----|
| For | 17 |
| Against | 2 |
| Abstention | 6 |

The Chairman declared the motion **CARRIED**.

Councillor O'Brien asked that his vote against the minutes of the Community & Environment Committee meeting held on 23rd February 2022 be recorded, as he believed that minute decision 292/21 should have been reserved for Full Council.

340/21 – THREE-YEARLY REVIEW OF GAMBLING LICENSING POLICY: STATEMENT OF PRINCIPLES

The Director of Regulatory Services introduced a report informing the Council of the requirement to carry out a formal review of its current Gambling Statement of Principles (Policy). Approval was therefore sought of the revised Policy document shown in Appendix 1 of the report, for its adoption and re-publishing. The report explained the requirement for the policy to be reviewed and approved by the Council at least once every three years. The benefits of a clear statement of policy were also detailed, which included providing greater scope for licensing authorities to work in partnership with local businesses, communities and responsible authorities to identify and mitigate local risks to the licensing objectives.

The report noted that under the Gambling Act 2005, the Council is responsible for issuing premises licences for casinos, bingo halls, betting offices, adult gaming centres and licensed family entertainment centres. It was detailed that the act also included the issuing of permits for gaming machines in pubs, clubs and other alcohol licensed premises. The report stated that since the introduction of the Act in 2007, no licence applications for casinos or bingo halls had been received.

The report stated that in practice, it had been considered that the Council's policy had worked well; this was reflected by all applications/renewals for licences and permits being granted without any referral to a Committee hearing. It was noted there had not been any new applications for premises licences since 2011.

The Gambling Act 2005 also imposed a statutory requirement on the Council, to prepare a Statement of Principles, functioning as a tool for regulating gambling in the District. This set out the Council's expectations of operators and aimed to ensure that the general public and the Responsible Authorities, specified in the legislation, were aware of the Council's regulatory approach to gambling activities.

It was also noted within the report that the Gambling Commission had recently undertaken consultation on updates to its own Licensing, Compliance, and Enforcement Policy. This consultation ended on 9th February 2022 and the outcomes had not yet been published. Depending on these outcomes, it was noted that it may be necessary for all Licensing Authorities to review their own Licensing Policy Statement of Principles again before the next formal review date of 2025. The Council were informed that officers would monitor the situation, and submit reports/updates to the licensing and Appeals Committee as necessary.

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

RESOLVED That Council approves the revised Gambling Statement of Principles (Policy) for re-publishing for a further 3 years, to expire 31st January 2025.

Voting:

| | |
|-------------------|----|
| For | 24 |
| Against | 0 |
| Abstention | 1 |

The Chairman declared the motion **CARRIED**.

341/21 – CAPITAL STRATEGY REPORT FOR 2022/23

The Director of Resources introduced a report which sought approval for the Council’s Capital Strategy, Minimum Revenue Provision policy and the Corporate Investment Strategy for 2022/23.

The report gave a high-level overview of how capital expenditure, capital financing and treasury management activity contributed to the provision of local public services, along with an overview of how associated risk is managed and the implications for future financial sustainability. It was discussed within the report how the decisions made in the current year on capital and treasury management would have financial consequences for the Authority for many years into the future. They were therefore subject to both a national regulatory framework and to a local policy framework, both summarised within the report.

The two main changes impacting upon the Capital Strategy were the revisions to the prudential code and the implementation of Accounting Standard IFR16 for Leases. It was noted that the Prudential Code now stipulated that it was not prudent for local authorities to make any investment or spending decision that would increase the Capital Financing Requirement and so may lead to new borrowing, unless directly and primarily related to the functions of the authority and where any commercial returns are related to the financial viability of the project in question. The report also informed Members that the Accounting Standard removed the previous lease classifications of operating and finance leases, and required that a right-of-use asset be recognised for all leases with a corresponding lease liability representing the lessee’s obligation to make lease payments for the asset. It was also discussed within the report that currently operation lease payments are charged to net cost of services in the revenue account. Implementation of the standard would mean that a charge for depreciation and interest would be charged to the net cost of services. These changes would impact upon the setting and reporting of Prudential Indicators.

The recommendations, as set out by Officers in the report, were moved by Councillor Tom Donnelly and seconded by Councillor Paul Cruise.

During debate, an amendment was proposed by Councillor Peter O’Brien and seconded by Councillor Paul Cruise. This amendment was put to the vote and

RESOLVED That the following recommendation be added: “That in proposing a revised Capital Strategy for 23/24, consideration be given to the means and priority of financing used.”

Voting:

| | |
|-------------------|----|
| For | 19 |
| Against | 6 |
| Abstention | 0 |

The Chairman declared the amendment **CARRIED**.

The original motion, with the added amendment was then put to the vote and

RESOLVED

1. That the capital strategy, Minimum Revenue Provision policy and the Corporate Investment Strategy for 2022/23 be approved.
2. That in proposing a revised Capital Strategy for 23/24, consideration be given to the means and priority of financing used

Voting:

| | |
|-------------------|----|
| For | 19 |
| Against | 6 |
| Abstention | 0 |

The Chairman declared the motion **CARRIED**.

342/21 – TREASURY MANAGEMENT STRATEGY STATEMENT 2022/23

The Director of Resources introduced a report determining the Treasury Management Strategy Statement for 2022/23.

The report explained that treasury management is the management of the Council's cash flows, borrowing and investments, and the associated risks. The Authority borrows and invests substantial sums of money and is therefore exposed to financial risks including the loss of invested funds and the revenue effect of changing interest rates. The successful identification, monitoring and control of financial risk are therefore central to the Councils prudent financial management.

The report detailed that the Council's Treasury Risk Management is conducted within the framework of the Chartered Institute of Public Finance and Accountancy's Treasury Management in the Public Service: Code of practice 2021 Edition which requires the Authority to approve a treasury management strategy before the start of each financial year. The report fulfilled the Council's legal obligation under the Local Government Act 2003 to have regard to the CIPA code.

The report noted that as of 2nd March 2022, the Council held £5.5m of borrowing and £29m of investments. It was also noted that the underlying need to borrow for capital purposes was measured by the Capital Financing Requirement (CFR), while usable reserves and working capital were the underlying resources available for investment.

It was discussed that CIPFA's Prudential Code for Capital Finance in Local Authorities recommended that the Council's total debt should be lower than its highest CFR over the next three years. The report noted that the Council borrowed 5.45m as a maturity loan but this was not due for repayment until 2056. Furthermore, the Council also had internal borrowing of £849k for the purchase of wheeled bins. In accordance with sound accounting practice the Council had annually set aside amounts for the repayment of debt called the Minimum Revenue Provision. The Councils expenditure plans did not imply any need to borrow over the forecast period.

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

RESOLVED

(unanimously)

That the Treasury Management Strategy Statement for 2022/23 and the Treasury Management Prudential Indicators contained within be approved.

The Chairman declared the motion **CARRIED**.

343/21 – LOCALISM ACT – PAY POLICY STATEMENT

The Chief Executive introduced a report meeting the requirement to publish the Council's Annual Pay Policy Statement.

The report informed Members of the requirement within the Localism Act, November, 2011, for relevant authorities to prepare and publish an annual pay policy statement for the coming financial year. The relevant provisions came into force on 15 January 2012 and the Council agreed the first Pay Policy Statement on 2 February 2012. It was detailed that there was a continuing need to review the policy on an annual basis.

The provisions added to the range of transparency obligations already placed upon local authorities i.e. the Accounts and Audit Regulations already required historic expenditure on chief officers within specified pay bands to be disclosed in the accounts.

The Localism Act specifically referred adoption of the Pay Statement to the Council as a responsibility it cannot discharge. It required the statement to be approved before the end of the March immediately preceding the financial year to which it relates i.e. it must be approved by a resolution of the authority before it comes into force. It was noted that this is however not always possible as it is dependent on the timing of settlement of the national Local Government pay awards.

It was moved by Councillor Chris Furness, seconded by Councillor Tom Donnelly and

RESOLVED

1. That the annual Pay Policy Statement 2021-22 is approved.
2. That a revised Pay Policy Statement for 2022-23 be published when the Local Government Pay award for 2022-23 is settled.

Voting:

| | |
|-------------------|----|
| For | 23 |
| Against | 0 |
| Abstention | 2 |

The Chairman declared the motion **CARRIED**.

344/21 – VISION DERBYSHIRE CLIMATE CHANGE STRATEGY: 2022 - 2025

The Director of Regulatory Services introduced a report presenting the final draft of the Vision Derbyshire Climate Change Strategy: 2022-2025, seeking approval of the Strategy so that officers can continue to contribute to discussions intended to help reduce carbon emissions throughout the county.

The report noted that at a meeting of Vision Derbyshire Leaders and Chief Executives in February 2021 it was agreed that a countywide strategic group should be formed to give oversight and direction for the delivery of climate change activities across the boroughs and districts of Derbyshire. This group first met in July 2021 and the Council is represented on it by the Director of Regulatory Services.

The report detailed that a separate group consisting of climate change portfolio holders/lead members had also been formed and Derbyshire Dales District Council was represented on this group by the Chair of the Council's Climate Change Working Group.

The report noted that whilst the purpose of the officer group was clear – to work towards a net zero county – it required a strategic framework in order to concentrate its work and ensure that its efforts were neither duplicating or frustrating work that was already being undertaken by partners or in other associated groups. As such it was agreed that one of the early tasks for the Vision Derbyshire Climate Group was to produce its own strategy.

The Vision Derbyshire Climate Change Strategy 2022-2025 was noted to be in final draft form. The Strategy was not intended to replace the individual plans held by individual Derbyshire authorities to reduce their own carbon footprints, but instead concentrated on the influence that these authorities can have in reducing emissions in the wider county, whilst recognizing issues relating to estates, operations and services. It was noted that it identified a number of priority areas in which joint working is expected to add value.

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

RESOLVED That the Vision Derbyshire Climate Change Strategy: 2022-2025 is
(unanimously) approved.

The Chairman declared the motion **CARRIED**.

Councillor Helen Froggatt left the meeting at 19:34.

Councillor Andrew Statham left the meeting at 20:12

345/21 - DURATION OF MEETINGS (MOTION TO CONTINUE)

At **8:29pm**, during the discussion of **Item 14 – DERBYSHIRE DALES LOCAL PLAN – NEXT STEPS**

It was moved by Councillor Chris Furness, seconded by Councillor Andrew Shirley 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:

| | |
|-------------------|----|
| For | 22 |
| Against | 0 |
| Abstention | 1 |

The Chairman declared the motion **CARRIED**.

Councillor Alasdair Sutton left the meeting at 20:31.

Councillor Robert Archer left the meeting at 20:36.

346/21 - DURATION OF MEETINGS (MOTION TO CONTINUE)

At **8:58pm**, during the discussion of **Item 14 – DERBYSHIRE DALES LOCAL PLAN – NEXT STEPS**

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

| | |
|-------------------|----|
| For | 13 |
| Against | 2 |
| Abstention | 6 |

The Chairman declared the motion **CARRIED**.

Councillor Chris Furness left the meeting at 21:15.

347/21 – DERBYSHIRE DALES LOCAL PLAN – NEXT STEPS

The Planning Policy Manager introduced a report setting out the deliberations of the Local Plan Working Group in relation to meeting housing needs for the period 2017-2040. The report set out the work undertaken in respect of the identification of additional housing sites, and the extent to which those sites are capable of meeting future housing needs. Finally, the report set out proposals for future work to finalise the Local Plan following completion of the Local Plan review by the Council at an Extraordinary Council meeting on 19 January 2022.

The report noted that the Council is the local planning authority for the part of its area that sits outside of the Peak District National Park. It was explained that the Derbyshire Dales Local Plan had set out the policies and proposals for the use and development of land for the period 2013-2033. The report highlighted that regulation 10A of The Town and Country Planning Regulations 2012 requires local planning authorities to review Local Plans at least once every five years from their adoption date to ensure that policies remain relevant and effectively address the needs of the local community.

A meeting of the Local Plan Working Group was held on 13th October 2021 to discuss the Housing and Employment Land requirements and options for the Local Plan. The group were advised about the initial findings of the Sustainability Appraisal of the Housing and Employment Growth Options, as well as the need for Members to take into account the Corporate Plan, the District Council's Economic Plan and it's Covid-19 Economic Recovery Plan at the time when a decision is required by Council on which of the housing options to take forward for the period up to 2040.

A 'call for sites' as part of the Strategic Housing Land Availability Assessment process was undertaken between 26th May and 7th July 2021. This allowed developers, landowners and members of the public to nominate potential development sites for allocation in the Derbyshire Dales Local Plan for the period up to 2040. As a result of this 106 sites were put forward for consideration.

Following completion of the Strategic Housing Land Availability Assessment the Local Plan

Working Group met on 21st February 2022 to discuss the future housing needs requirements for the period 2017-2040 and the extent to which the potential housing supply could meet the future housing needs. The direction of travel from Members at that meeting of the Local Plan Working Group formed the basis of this report.

The recommendations, as set out by Officers in the report, were moved by Councillor Andrew Shirley and seconded by Councillor Richard Bright.

During debate, an amendment was proposed by Councillor Peter O'Brien and seconded by Councillor Steve Wain. This amendment was put to the vote and

RESOLVED That the following recommendation be added: "A programme of public consultation and engagement be developed in collaboration with the work of the Local Plan Working Group relating to the next phase of the local plan for incorporation in the project timetable."

Voting:

| | |
|-------------------|---|
| For | 9 |
| Against | 7 |
| Abstention | 4 |

The Chairman declared the amendment **CARRIED**.

The original motion, with the added amendment was then put to the vote and

RESOLVED

1. That the work undertaken the identification of Housing Needs for 2017-2040 and the work undertaken on the Strategic Housing Land Availability Assessment be noted.
2. That delegated authority be given to the Director of Regeneration and Policy to commission consultants to undertake a more detailed assessment of options for the delivery of a sustainable Derbyshire Dales that meets its agreed aspirations, as set out in Option 5 in paragraphs 4.15 and 4.16.
3. That, subject to recommendation 2 above being agreed, approval is given for a supplementary revenue estimate of £60,000 in 2022/23 to be financed from the Local Plan Reserve.
4. That the timetable for the ongoing modification of the Derbyshire Dales Local Plan as set out in Paragraph 5.12 be approved.
5. That a programme of public consultation and engagement be developed in collaboration with the work of the Local Plan Working Group relating to the next phase of the local plan for incorporation in the project timetable.

Voting:

| | |
|-------------------|----|
| For | 10 |
| Against | 6 |
| Abstention | 4 |

The Chairman declared the motion **CARRIED**.

Meeting Closed: 9:20pm

Chairman



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COMMUNITY AND ENVIRONMENT COMMITTEE

Minutes of a meeting of the Community and Environment Committee held on Wednesday 6 April 2022 in the Council Chamber, Town Hall, Matlock, DE4 3NN at 6.00pm.

PRESENT Councillor Chris Furness - In the Chair

Councillors: Matthew Buckler, Sue Bull, Martin Burfoot, Neil Buttle, Helen Froggatt, Susan Hobson, David Hughes, Tony Morley, Dermot Murphy, Peter O'Brien, Garry Purdy, Steve Wain and Mark Wakeman.

Paul Wilson (Chief Executive), James McLaughlin (Director of Corporate and Customer Services), Steve Capes (Director of Regeneration and Policy), Rob Cogings (Director of Housing), Ashley Watts (Director of Community and Environmental Services), Mike Hase (Planning Policy Manager) Vikki Hatfield (Neighbourhoods Manager), Ros Hession (Neighbourhoods Liaison Officer), Jason Spencer (Electoral and Democratic Services Manager), Lucy Harrison (Democratic Services Assistant).

APOLOGIES

Apologies for absence were received from Councillors Alasdair Sutton, Andrew Statham and Mike Ratcliffe.

348/21 – MINUTES

It was moved by Councillor Helen Froggatt, Seconded by Councillor Neil Buttle and

RESOLVED That the minutes of the meeting of the Community and Environment Committee held on 1 March 2022 be approved as a correct record.
(Unanimously)

349/21 – PUBLIC PARTICIPATION

In accordance with the procedure for public participation Mr Peter Dobbs Local Resident of Ashbourne spoke regarding the action plan for Ashbourne's Air Quality Management Area.

QUESTION from Peter Dobbs, Local Resident of Ashbourne, regarding the action plan for Ashbourne's Air Quality Management Area –

Does this council believe that a suitably quantified and scientifically rigorous Action Plan for Ashbourne's Air Quality Management Area can be produced by November this year (18 months after the AQMA was declared), given the constraints of the Marsden Report?

RESPONSE -

Following the declaration of an AQMA in Ashbourne the District Council is required to produce an Action Plan for submission to Defra on how it intends to address the exceedance of the NO2 air quality objective in Ashbourne. As the responsible authority for highways, Derbyshire County Council is legally required to work alongside Derbyshire Dales District Council to implement an action plan. This report was put forward to the relevant cabinet department at Derbyshire County Council and made public in February. This will form the basis of the submission. It should be noted that this must be agreed with Defra prior to being adopted. Working in this way we certainly hope that a suitable action can be produced and agreed in the necessary timescale.

STATEMENT from Janet Treacher, Local Resident of Bamford, regarding the Public Spaces Protection Orders – Consultation Results and Proposed New Orders:

With regard to the proposals to be discussed this week, may I urge you to follow the example of High Peak who introduced a 'wildfires' PSPO in 2021 and ban open fires and especially disposable BBQ's. The damage caused to Bamford Edge in May 2020, with the loss of vegetation and wildlife in the nesting season was heart-breaking and meant that emergency services had to be diverted to deal with what is an easily avoidable problem.

STATEMENT from Dave Treacher, Local Resident of Bamford, regarding the Public Spaces Protection Orders – Consultation Results and Proposed New Orders:

With regard to the proposals to be discussed this week, may I urge you to follow the example of High Peak who introduced a 'wildfires' PSPO in 2021 and ban open fires and especially disposable BBQ's. I don't live in the Dales but I do live close enough to witness the damage caused by the careless use of these polluting, disposable products.

STATEMENT from Ann Hodgson, Keith Hodgson, Mary Hodgson Frost and Marcus Hodgson Frost, Local Residents of Bakewell, regarding the Public Spaces Protection Orders – Consultation Results and Proposed New Orders:

We consider allowing barbeques in The Peak District to be totally inappropriate and antisocial. It will result in a scarred landscape and a severe fire hazard on a supposedly protected environment. Peat and heather moors are very special and very fragile. Having tried it out at places like Carsington, they have now banned barbeques which were antisocial for other users of the area. This applies importantly also to Bakewell park, where the use of the park and play area would be totally destroyed. Picnics are one thing. Barbeques are wholly unacceptable.

STATEMENT from Nicky Loveday, Local Resident of Great Longstone, regarding the Public Spaces Protection Orders – Consultation Results and Proposed New Orders:

The devastation caused to our countryside, land and wildlife and consequential loss to landowners and businesses from the irresponsible use of BBQs and Open Fires in the Dales could be mitigated by a PSPO making them illegal.

Whilst it will further reduce any risk of wildfires on our moorland, it would also reduce the damage to land and property, reduce the amount of harmful litter to locals, visitors, livestock and wildlife, reduce the damage to our climate and allow the Dales to be seen in all their beauty.

The use of disposable BBQs and Open Fires in our tourist hotpots such as Monsal Dale is simply out of control and landowners need the support of the District Council to reinforce their attempts to prevent them being used on their land.

The patchwork of areas within the Dales where BBQs and Open Fires are banned is unhelpful and confusing to both locals and visitors and the public would be better informed and educated by a total ban in the public spaces throughout the Derbyshire Dales.

Whilst I fail to understand why the District Council has not acted to date, I would ask the Committee to reconsider its objections to such a beneficial and positive step to protect our Dales and surrounding areas.

STATEMENT from Suzanne Howard, Local Resident of Hathersage, regarding the Public Spaces Protection Orders – Consultation Results and Proposed New Orders:

I'm writing to urge you to issue a PSPO for the Derbyshire Dales area, to help protect our precious wild spaces from the destruction caused by barbecues and open fires.

As a resident of Hathersage, I spend every summer watching plumes of smoke rising from Stanage Edge or Padley Gorge, and my heart sinks with every siren from yet another fire engine heading out. We are so blessed to be surrounded by such beauty, from the high heather moorlands to the deep wooded valleys, with curlews and ring ouzels calling above. We owe it to our wildlife and landscape to do everything within our power to protect it as far as we possibly can.

Of course I understand that a PSPO is not a magic cure, but it would give much needed weight to the arguments of residents and authorities if we could explain to people heading out with bags of charcoal that, actually, barbecues and fires are banned on the moors here, and that they could face prosecution if they don't turn around and go elsewhere.

The place for barbecues is in a back garden or a public park. If you don't have a back garden or a park, and still want to eat al fresco in the Peak District countryside, take a picnic that doesn't require you to set fire to anything. It's not difficult. Someone's desire to eat a charred burger is simply not sufficient justification to risk the destruction of acres of moorland or woodland, the death of countless birds and mammals, and the public money spent on fighting fires.

Please, this is YOUR chance to help the community that you're here to serve, and to make a real difference to the protection of the countryside that you're surrounded by.

STATEMENT from Phil Sproson, Local Resident, regarding the Public Spaces Protection Orders – Consultation Results and Proposed New Orders:

I'm writing to urge you to issue a PSPO for the Derbyshire Dales area, to help protect our precious landscapes from the destruction caused by barbecues and open fires. Each year, and as a resident, the correlation between good weather, weekends and moorland fires is getting stronger and stronger year on year. Tools to help stop this annual avoidable destruction will all help, and help the environment and wildlife of the National Park and Derbyshire.

STATEMENT from Christopher Thirtle, Local Resident of Great Longstone, regarding the Public Spaces Protection Orders – Consultation Results and Proposed New Orders:

I understand that on Wednesday 6 April the Community and Environment Committee will consider proposals for new and revised PSPO's but as yet they don't propose to take the opportunity to make unauthorised BBQs and Open Fires illegal in the Derbyshire Dales. Failure to do this would be a travesty and, I believe, be contrary to the mood of local communities and landowners who are fed up with the devastation caused to our countryside, grazed land, and wildlife by the irresponsible use of BBQs and Open Fires.

The issue goes far beyond wildfires on moorland. BBQs and Open Fires damage the land and destroy the visual amenity of some of our most iconic vistas in the Derbyshire Dales. In addition, the litter that is so often associated with such BBQs and Open Fires, such as foil trays, food waste, bottles, cans and broken glass, poses a significant risk to wildlife and grazing farmed animals. Every summer there are burnt squares of grass and bare patches of scorched earth left by BBQ's and Open Fires in some of the most picturesque places in the Derbyshire Dales and there would be many, many more were it not for the intervention of local land managers and agents in places such as Monsal Dale. The damage caused is not only unsightly but demonstrates the real risk that a fire could easily spread into the surrounding Ash woodlands which now have an ever-increasing fuel load of dead wood due to the prevalence of Ash Dieback. One carelessly discarded tray of hot charcoal and a serious woodland fire threatening homes and livelihoods is not a fanciful idea but a real possibility.

Local supermarkets and shops have elected to ban the sale of disposable BBQs and this suggests that the commercial sector is more alive to these very real concerns of their local communities than public bodies such as our own District Council. This cannot be right! The Peak District National Park Authority has adopted a position, agreed with landowners, that BBQs and Open Fires are banned within the National Park unless the landowner has given their express permission. What is now needed is the legal framework to support the landowners and reinforce their ability to get this message across.

A clear, united, coherent, and unequivocal message that unauthorised BBQ's and Open Fires are illegal within Derbyshire Dales makes sense and empowers those of us on the ground trying to manage the behaviour of visitors to the area. I fail to understand why the District Council has not acted to date on this issue and ask the Committee to reconsider its objections to such a beneficial and positive step to protect a beautiful and special part of the

National Park. Please act now. Please make all unauthorised BBQs and Open Fires illegal in the Derbyshire Dales and support the wishes of your local communities.

STATEMENT from Alison Sizer and Tim Sizer, Local Residents of Bakewell, regarding the Public Spaces Protection Orders – Consultation Results and Proposed New Orders:

We would be grateful if you would consider our comments regarding barbecues at the meeting considering new and revised PSPOs in Matlock this evening.

Barbecues and open fires should be made illegal on our moorlands and public open spaces.

1. We should NOT be encouraging single use culture at a time when a commitment to stopping climate change is essential.
2. Single use barbecues are thrown away (sometimes!), resulting in massive use of card and paper labelling and shrink wrap plastic. Cooking grills ultimately ending up in land-fill as they can't be recycled or composted.
3. There are peat moorlands in the Derbyshire Dales and it is irresponsible to allow the use of barbecues in these areas. Wildfires put a strain on emergency services and have a devastating impact on the environment, flora and fauna. We should be endeavouring to protect and preserve the peat moorlands not put them at risk of burning.
4. Single use barbecues contain charcoal which is unsustainably sourced, decimating forests at a time when we should be reducing the use of fossil fuels and nurturing our forests.
5. People inevitably leave single use barbecues behind, as they are too hot to dispose of. This litter is left behind them, scorching the ground and leaving a danger to wildlife and dogs. This has been the case In Bakewell Rutland Recreation Ground and Scott's Garden.

PLEASE DEMONSTRATE A COMMITMENT TO GREEN AND CLIMATE ISSUES BY BANNING THE USE OF SINGLE USE BARBECUES.

STATEMENT from Andrew Critchlow, Derbyshire NFU County Adviser, regarding the Public Spaces Protection Orders – Consultation Results and Proposed New Orders:

As a representative of most farmers in the Derbyshire Dales area I'm disappointed the proposed PSPO does not cover all land with access in the Peak National Park area. As is the case with a similar High Peak Borough Council PSPO that was introduced last year. My understanding is this wording has been used with success elsewhere in the country.

From personal experience of managing moorland in the High Peak area and speaking with fellow land managers, it is very useful to be able to say when we come across people with fires or BBQs etc that it is against the law. It takes the pressure off us and stops us looking like whinging farmers. 9 out of 10 we approach accept the point. It also allows signs to be put in vulnerable places that have a bit of power behind them rather than just requesting.

I'm very surprised that in paragraph 8.2.4 of the officers report it states: *In other areas of Derbyshire Dales where wildfires are not a major issue, PDNPA feel that existing legislation can be used effectively to control unauthorised or dangerous wildfires, rather than the use*

of a PSPO in these other areas. I'm not sure why it is believed wildfires are *not a major issue*. With moorland fires it is not the frequency it is the severity and size that is the issue. DDDC area includes Stanage Edge, The Eastern Moors & Chatsworth moorland. People involved in managing those areas are repeatedly asking people to put BBQ's and even open fires out. Most of these incidences don't get reported to the police or Fire Brigade. Millions of pounds have been spent on restoring the Peak District moorlands and some is within the DDDC area, we mustn't see that undone by avoidable wildfires.

After correspondence with various Councillors and Vikki Hatfield, Neighbourhoods Manager, I have come to the conclusion, the lack of official evidence does seem to be the stumbling block to widening the proposed PSPO to cover all land with access as is the case in the HPBC area. Regrettably I have decided it would be counterproductive to oppose the proposed order and futile at this stage to propose it is widened to include all access land within the PDNPA area and at the same time within the DDDC boundary, without sufficient evidence in a verifiable format.

I would ask the effectiveness of the PSPO is kept under review and the dialogue is kept open between the NFU/ land managers and DDDC whilst further work is done particularly by ourselves to collect what I think is compelling evidence for the PSPO to be broadened and if necessary the PSPO can be reviewed within the three cycle.

350/21 – INTERESTS

Councillor Martin Burfoot declared a non-pecuniary interest in Agenda Item 7 – Levelling Up Fund Round 2 Bid, due to being a member of Matlock Community Vision.

351/21 – PUBLIC SPACES PROTECTION ORDERS – CONSULTATION RESULTS AND PROPOSED NEW ORDERS

The Director of Community and Environmental Services introduced a report which informed Members that the Council's Public Spaces Protection Order (PSPO) had expired on 31st October 2021. It was noted that before introducing, extending, varying or discharging a PSPO, there are requirements under the Anti-Social Behaviour, Crime & Policing Act 2014 with regard to consultation, publicity and notification. The report presented the findings of the consultation exercise, which took place 4th October 2021 – 22nd November 2021, and sought to propose options for consideration to be included in the new Order.

The report noted that in the Anti-Social Behaviour, Crime & Policing Act 2014 (S59-75), PSPOs were introduced nationally for the first time. The Act introduced simpler, more effective powers to tackle localised anti-social behaviour and provided better protection for victims and communities.

The report informed Members that the Council's initial PSPO was introduced in 2015 and replaced the former Dog Control Orders. It was noted that the most recent PSPO was adopted on 1st November 2018 and ran until 31st October 2021, covering dog control, alcohol consumption, fires and BBQs and Driving and Parking. That PSPO covered a total of 107 sites, 60% of these sites were under the Council's ownership, the others within Town/Parish's remit and responsibility.

It was previously planned for consultation exercise proposals (scheduled to be carried out from 28th June – 8th August 2021) to be presented during the meeting of the Community and

Environment Committee on 23rd June 2021. This would have given officers adequate time to analyse the responses and provide options for Members to consider at the September meeting of Community and Environment. Officers would have had five weeks to produce and advertise the Order and install any relevant signage before the existing Order expired on 31st October 2021.

Unfortunately, the planned timescale was not achieved due to the rescheduling of the meeting and the deferment of consideration of the item. Due to these delays, there was not sufficient time to carry out the required consultation and feed back to the Community and Environment Committee before the expiration of the current Public Spaces Protection Order on the 31st October 2021. This resulted in a period of time in which no enforcement could be carried out for any breaches of the Order.

The Officer recommendations 1 to 12 as set out in the report were moved by Councillor Susan Hobson and seconded by Councillor Peter O'Brien subject to the following amendments:

Recommendation 1

1. That the Alcohol Orders be retained in the following parks/recreational grounds and included in the Public Spaces Protection Order 2022-2025:

- Ashbourne Recreational Ground, Memorial Gardens and Fishpond Meadow
- Bakewell Recreational Ground and Scott's Garden
- Matlock Hall Leys Park
- Matlock Bath Derwent Gardens, Lovers Walk, Pavilion Park
- Wirksworth Fanny Shaws Playing Field

Recommendation 2

2. That, in respect of barbecues and open fires

- a) The PSPO cover Stanton Moor and the five main parks/recreational grounds:
 - Ashbourne Recreational Ground, Memorial Gardens and Fishpond Meadow
 - Bakewell Recreational Ground and Scott's Garden
 - Matlock Hall Leys Park
 - Matlock Bath Derwent Gardens, Lovers Walk, Pavilion Park
 - Wirksworth Fanny Shaw's Playing Field.
- b) That Officers work with partners, including representatives of the National Farmers Union, to monitor and record the number of open fires and barbecue incidents on moorland in the district over a 6 month period and report back to this Committee on feedback received at the end of that period.
- c) That the data collected in respect of barbecues and open fires be used as the evidential basis for future consultations on and consideration of a PSPO for moorland in the district.
- d) That the Leader of the Council write to the Secretary of State to lobby for legislations to ban the sale and use of disposable barbecues across the UK.

Recommendation 12

That authority be delegated to the Legal Services Manager to draft the approved PSPO and give effect to the decisions of this committee on the provisions to be included, following consultation with the Chairman of the Community and Environment Committee, and that the Order comes into force as soon as is practicable.

Councillor Wain suggested an amendment to item 65 in the site list schedule, to permit dogs on a lead in Smedley Street Park/ Sparrow Park. The mover of the motion and the seconder agreed to include this amendment in their proposal.

RESOLVED
(unanimously)

1. That the Alcohol Orders be retained in the following parks/recreational grounds and included in the Public Spaces Protection Order 2022-2025:
 - Ashbourne Recreational Ground, Memorial Gardens and Fishpond Meadow
 - Bakewell Recreational Ground and Scott's Garden
 - Matlock Hall Leys Park
 - Matlock Bath Derwent Gardens, Lovers Walk, Pavilion Park
 - Wirksworth Fanny Shaws Playing Field
2. That, in respect of barbecues and open fires:
 - a) The Protection Order 2022-2025 cover Stanton Moor and the five main parks/recreational grounds:
 - Ashbourne Recreational Ground, Memorial Gardens and Fishpond Meadow
 - Bakewell Recreational Ground and Scott's Garden
 - Matlock Hall Leys Park
 - Matlock Bath Derwent Gardens, Lovers Walk, Pavilion Park
 - Wirksworth Fanny Shaw's Playing Field.
 - b) That Officers work with partners, including representatives of the National Farmers Union, to monitor and record the number of open fires and barbecue incidents on moorland in the district over a 6 month period and report back to this Committee on feedback received at the end of that period.
 - c) That the data collected in respect of barbecues and open fires be used as the evidential basis for future consultations on and consideration of a PSPO for moorland in the district.
 - d) That the Leader of the Council write to the Secretary of State to lobby for legislations to ban the sale and use of disposable barbecues across the UK.

3. That the proposals for No parking restrictions outlined in paragraph 8.3.3 be approved for exclusion from the Public Spaces Protection Order 2022-2025.
4. That the proposals for Dog Control Orders (Dog Fouling) outlined in paragraph 8.4.13 point a) be approved for inclusion in the Public Spaces Protection Order.
5. That the proposals for Dog Control Orders (Various) outlined in paragraph 8.4.13 Appendix B be approved for exclusion from the Public Spaces Protections Order 2022-2025.
6. That the proposals for Dog Control Orders (Various) outlined in paragraph 8.4.13 Appendix C, be approved for inclusion in the Public Spaces Protection Order 2022-2025.
7. That the proposals for Dog Control Orders (cemeteries, churchyards and burial grounds) outlined in paragraph 8.4.13 point d) be approved for exclusion from the Public Spaces Protection Order 2022-2025.
8. That the proposals for Dog Control Orders (Exclusion) outlined in paragraph 8.4.13 point e) and the site list be approved for inclusion in the Public Spaces Protection Order 2022-2025, subject item 65 in the site list relating to Smedley Street Park/ Sparrow Park permitting dogs on a lead.
9. That the proposals for Dog Control Orders (Lead by Direction) outlined in paragraph 8.4.13 point f) be approved for inclusion in the Public Spaces Protection Order 2022-2025.
10. That the proposals for Dog Control Orders (Lead by Direction at certain times) outlined in paragraph 8.4.13 point g) be approved for inclusion in the Public Spaces Protection Order 2022-2025.
11. That authority be delegated to the Neighbourhoods Manager to resolve any minor site issues which may arise with relevant Town/Parish Council and Ward Members.
12. That authority be delegated to the Legal Services Manager to draft the approved PSPO and give effect to the decisions of this committee on the provisions to be included, following consultation with the Chairman of the Community and Environment Committee, and that the Order comes into force as soon as is practicable.

The Chairman declared the motion CARRIED.

352/21 – LANDSCAPES REVIEW NATIONAL PARK AND AONBS: CONSULTATION ON THE GOVERNMENT RESPONSE

The Planning Policy Manager introduced a report which presented Members with the details of the Government Response to the Landscapes Review, (also known as the Glover Report). The report set out a proposed set of responses to the consultation questionnaire for submission to the Secretary of State by the deadline of 9th April 2022.

The Landscapes Review led by Julian Glover and panel was published in 2019. This was a comprehensive review of designated landscapes, including the National Parks, commissioned by the Government in 2018 in response to the Governments 'A Green Future: Our 25 Year Plan to Improve the Environment'. This was a 25 year plan which set out a comprehensive and long-term approach to protecting and enhancing landscapes in England for the next generation.

One of the key conclusions of the Glover Report was that despite the merit in designated landscapes, the founding mission for landscape protection had been eroded and there had not been an adequate response to changes in society, culture or diversity of the natural environment. It was determined that changes to all aspects of society, including technology and social shifts had resulted in an altered relationship between people and the countryside, and left nature and our climate in crisis. The Glover Report investigated methods to protect and improve landscapes in response to these changes and aimed to determine what society needs from these places today.

The review also concluded that key structural changes were needed, in particular bringing the 10 National Parks and 34 AONBs together under one organisation, the National Landscapes Service (NLS). The aim of this organisation would be to minimise duplication of resources, enable a bigger voice, increase ambition, and provide a new way of working to meet new challenges. It was proposed that National Parks maintain their current levels of funding and autonomy over planning. The Glover Report also addressed the diversity of the National Parks governance and the Boards. It was also proposed that AONBs would be renamed National Landscapes and there would be a wider range of non-designated systems of landscape protection that would come under the NLA.

In January 2022 the Government published a response to the Glover Report and its 27 proposals. Authorities were then invited to comment on the Government position and its recommendations for future reform. Comments were required to be submitted to DEFRA in the form of responses to a questionnaire before 9th April 2022.

The report also detailed correspondence between Councillor Purdy and the Secretary of State for Housing RTH Christopher Pincher MP, which sought to establish the current approach to housing development within the National Park. This affirmed the known position of the Peak District National Park that Planning Policy relating to areas of importance, including National Parks, can be applied to restrict development. The report also informed Members that Local Authorities can alter national policy protections to accommodate development, however this needs to be proven through a Local Plan Examination (the National Park Local Plan) to demonstrate that all other options have been explored.

It was moved by Councillor Martin Burfoot, seconded by Councillor Susan Hobson and

RESOLVED

1. That the suggested responses to the questionnaire in Appendix Two are approved and forwarded to DEFRA by the 9th April deadline

Voting

| | |
|------------------|-----------|
| For | 13 |
| Against | 0 |
| Abstained | 1 |

The Chairman declared the motion CARRIED.

353/21 – LEVELLING UP FUND ROUND 2 BID

The Director of Regeneration and Policy introduced a report which detailed the approved Economic Recovery Plan for the Derbyshire Dales, and aimed to determine the projects for inclusion in the District Council's bid to Round 2 of the Government's *Levelling Up Fund*.

During the meeting of Council in April 2021, approval was given to prepare a District Council bid to the *Levelling Up Fund* (LUF) round 2, for a "coherent, strategic package of capital schemes to regenerate Derbyshire Dales market towns". It was recognised within the report that the LUF alone will not meet in full the aspirations of our towns to regenerate. Nevertheless, a successful LUF round 2 bid is an essential starting point.

After seeking project proposals from all market towns across the district in November 2021, the initial sift showed potential projects in Ashbourne and Matlock. Additional resources were then appointed to explore the potential of these projects. Site visits, workshop and analysis were undertaken by early February. At the end of February 2022, the Community and Environment Committee approved a recommendation to undertake further work before making a decision on which projects to select.

It was moved by Councillor David Hughes, seconded by Councillor Sue Bull and

RESOLVED
(unanimously)

1. The *Levelling Up Fund* Round 2 prospectus and timescales are noted.
2. The projects for inclusion in the District Council's bid to Round 2 of the Government's *Levelling Up Fund* are determined to be Ashbourne:
 - Public Realm (Market Place/ Victoria Square/ Millennium square)
 - Highway improvements
 - Community and cultural hub (Methodist Church)
3. Authority is delegated to the Director of Regeneration and Policy to make detailed changes to the content of these three projects.
4. The District Council will develop potential core capital infrastructure projects in Matlock (working with key stakeholders including Matlock Community Vision), and potential Matlock flood resilience measures, with a view to creating a pipeline of projects for submission to appropriate future Government funds.

The Chairman declared the motion **CARRIED**.

354/21 - DURATION OF MEETINGS (MOTION TO CONTINUE)

At **8:24pm**, during the discussion of **Item 8 – PRIVATE RENTED SECTOR STUDY**.

It was moved by Councillor Martin Burfoot, seconded by Councillor Mark Wakeman 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**.

355/21 – PRIVATE RENTED SECTOR STUDY

The Director of Housing introduced a report which sought member approval to undertake a study of the private rented sector in order to support future policy approaches. The report informed Members that the Housing Department, in partnership with Amber Valley Borough Council (AVBC), made a successful bid for £25,000 of grant funding from the Housing Advisors Program, delivered by the Local Government Association. The report therefore sought approval to spend the grant in 2022/23 and to appoint consultants to undertake the study on behalf of the Council.

It was noted within the report that the Council and AVBC both had complex housing issues within the private rented sector. Issues of quality, price and management had continually caused difficulty, both in terms of creating homelessness and trying to house people in suitable accommodation. Both authorities possessed limited knowledge about the extent and nature of the sector and limited capacity to intervene and make sense of the information

held. The report informed Members that officers wished to develop a strategy for understanding and engaging with the sector so that they could improve the quality of accommodation, develop good management practices, reduce the levels of homelessness coming from the sector and create desirable places for people to move in to the sector.

This project was considered to be important to both Authorities as it was recognised that change in the sector was needed. The report noted the need to reduce the number of homelessness cases coming from private rented properties. It was also noted that corporate priorities around energy efficiency and empty homes would also need to be addressed in order to move forward with energy efficiency improvements and higher premiums for long term empty homes. The report also detailed the coming challenge of trying to regenerate our market towns, stating the improvement of the quality of the private sector as a key element of wider regeneration ambitions.

Members were also informed how the Housing Advisors Programme would provide added value through bringing increased capacity and resources to both council strategic housing teams. The appointed consultants would also be able to bring workable examples from other areas with potential in the DDDC/AVBC areas. In addition the consultants would provide an independent viewpoint that senior officers and Members could consider.

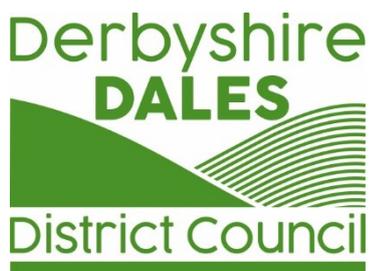
It was moved by Councillor Martin Burfoot, seconded by Councillor David Hughes and

RESOLVED
(unanimously)

1. That Council be requested to approve a supplementary revenue estimate of £25,000 to undertake a study of the private rented sector in 2022/23, to be financed by the grant funding from the Local Government Association.
2. That Members receive a future report concerning the outcome of the study.

MEETING CLOSED – 8.30 PM

CHAIRMAN



This information is available free of charge in electronic, audio, Braille and large print versions on request.

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PLANNING COMMITTEE

Minutes of a Planning Committee meeting held at 6.00pm on Tuesday 12th April 2022 in the Council Chamber at the Town Hall, Matlock DE4 3NN.

PRESENT

Councillor Jason Atkin - In the Chair

Councillors: Robert Archer, Sue Bull, Tom Donnelly, Helen Froggatt, Chris Furness, Clare Gamble, Stuart Lees, Peter O'Brien and Garry Purdy.

Chris Whitmore (Development Manager), Joe Baldwin (Senior Planning Officer), Lee Gardner (Legal Services Manager), Jason Spencer (Electoral and Democratic Services Manager) and Lucy Harrison (Democratic Services Assistant).

Members of the Public - 15

APOLOGIES

Apologies for absence were received from Councillors Graham Elliott (substitute Chris Furness), Richard Fitzherbert (substitute Helen Froggatt), Neil Buttle, Peter Slack and Sue Burfoot.

356/21 - INTERESTS

There were no registered interests.

357/21 - MINUTES

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

RESOLVED
(unanimously)

That the minutes of the Planning Committee meeting held on 8th March 2022 be approved as a correct record.

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."

358/21 - APPLICATION NO. 21/01345/FUL (Presentation and Site Visit)

Erection of rear extension accommodating a swimming pool and conversion of orangery/shed into kitchen and incorporation into main dwelling and retention of timber panelled gates, hot tub canopy and hot tub at Bradley hall, Yew Tree Lane, Bradley.

The Senior 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 Paul Staley (Applicant) spoke in support of the application. Mr Simon Whitehead (Local Resident), Ernie Mitchell (Chair of Bradley Parish Council), Mr Duncan Bratt (All Saints Church Bradley Parochial Church Council) spoke against the application

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

It was moved by Councillor Peter O'Brien, seconded by Councillor Garry Purdy and

RESOLVED That consideration of the application be DEFERRED to a future meeting to allow consultation with Historic England to be carried out and consideration be given to any matters of an ecclesiastical nature and the use of the hall as a party house.

Voting:

| | |
|-------------------|---|
| For | 9 |
| Against | 1 |
| Abstention | 0 |

The Chairman declared the motion **CARRIED**.

359/21 - APPLICATION NO. 21/01346/LBALT (Presentation and Site Visit)

Erection of rear extension accommodating a swimming pool, conversion of orangery/shed into kitchen and incorporation into main dwelling and associated internal alteration at Bradley Hall, Yew Tree Lane, Bradley.

The Senior 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.

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

It was moved by Councillor Garry Purdy, seconded by Councillor Peter O'Brien and

RESOLVED That consideration of the application be DEFERRED to a future meeting to allow consultation with Historic England to be carried out and consideration be given to any matters of an ecclesiastical nature.

Voting:

| | |
|-------------------|---|
| For | 9 |
| Against | 1 |
| Abstention | 0 |

The Chairman declared the motion **CARRIED**.

**360/21 - APPLICATION NO. 21/01449/FUL (Presentation and Site Visit)
Single-storey front extension at One Stop, Lime Tree Road, Matlock.**

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

In accordance with the procedure for public participation, Mrs Abbie Trounson (Local Resident) spoke against the application.

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

It was moved by Councillor Garry Purdy, seconded by Councillor Stuart Lees and

RESOLVED That planning permission be approved.

Voting:

| | |
|-------------------|---|
| For | 6 |
| Against | 4 |
| Abstention | 0 |

The Chairman declared the motion **CARRIED**.

**361/21 - APPLICATION NO. 21/01536/VCOND (Presentation and Site Visit)
Proposed variation of condition 1 (approved details) of planning application
20/00595/VCOND to allow for alterations to the approved scheme to include the
addition of a rooftop sales suite and outdoor pergola and associated alterations to
appearance at Land North of Knockerdown Inn, Knockerdown, Ashbourne.**

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 Garry Purdy, seconded by Councillor Tom Donnelly and

RESOLVED That planning permission be approved subject to the conditions set out (unanimously) in the report and amended in the late representations sheet.

The Chairman declared the motion **CARRIED**.

The meeting was adjourned from 7:27pm to 7:43pm following consideration of this item.

**362/21 - APPLICATION NO. 22/00061/FUL (Presentation and Site Visit)
Relevant demolition of a dwelling in a conservation area and erection of replacement dwellinghouse with associated access alterations at Chandlers West, West End, Wirksworth.**

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 Garry Purdy and

RESOLVED That planning permission be approved subject to the conditions set out in the report and additional conditions as set out below:

1. That prior to demolition of the existing bungalow, details of the method of demolition and any dust suppression and management shall be submitted to and approved in writing by the Local Planning Authority.
2. That prior to any demolition works taking place a phasing plan for the development shall be submitted to and approved in writing by the Local Planning Authority.

Voting:

| | |
|-------------------|---|
| For | 9 |
| Against | 0 |
| Abstention | 1 |

The Chairman declared the motion **CARRIED**.

**363/21 - APPLICATION NO. 22/00087/REM (Presentation and Site Visit)
Approval of reserved matters (appearance and landscaping) for the erection of 1no. dwellinghouse (outline planning consent 21/00887/OUT) at Lakewood, Old Coach Road, Tansley.**

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 Garry Purdy, seconded by Councillor Stuart Lees and

RESOLVED That planning permission be approved subject to the conditions set out (unanimously) in the report and additional condition as set out below:

1. That prior to installation of the full height corner window serving the bedroom in the north west and north east elevations, details of the measures to be introduced to prevent a loss of privacy between the occupants of the approved dwelling and existing residential properties along Mais Close shall be submitted to and approved in writing by the Local Planning Authority.

**364/21 - APPLICATION NO. 22/00126/LBALT (Presentation and Site Visit)
Internal layout alterations at 12 Sydnope Hall, Sydnope Hill, Two Dales, Matlock.**

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 Rusty Hallam (Local Resident) and Mr Alan Davies (Local Resident) spoke against the application.

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

It was moved by Councillor Peter O'Brien, seconded by Councillor Garry Purdy and

RESOLVED That planning permission be approved subject to the conditions set out in the report with amendment to the third condition to read as follows:

That this consent does not convey authorisation to make drainage connections, which effects the exterior of building. Such works would require a separate grant of listed building consent.

Voting:

| | |
|-------------------|---|
| For | 9 |
| Against | 1 |
| Abstention | 0 |

The Chairman declared the motion **CARRIED**.

365/21 - DURATION OF MEETINGS (MOTION TO CONTINUE)

At **8:24pm**, during the discussion of **Item 5.8 – 22/00273/PIP**

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

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

The Chairman declared the motion **CARRIED**.

**366/21 - APPLICATION NO. 22/00273/PIP (Presentation and Site Visit)
Permission in Principle for the erection of between 2 to 3 dwellinghouses at Land to the rear of Springfield Cottage, Main Road, Brailsford.**

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 Dominic Cooney (Agent) spoke in favour of the application.

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

It was moved by Councillor Garry Purdy, seconded by Councillor Tom Donnelly and

RESOLVED That Permission in Principle for between 2 and 3 dwellinghouses at the
(unanimously) site be approved.

367/21 – APPEALS PROGRESS REPORT

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

RESOLVED That the report be noted.
(unanimously)

Meeting Closed 8:47PM

Chairman



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COUNCIL

Minutes of the Council meeting held at 6.00pm on Wednesday 27th April 2022 in the Council Chamber, Town Hall, Matlock DE4 3NN.

PRESENT

Councillor Sue Bull - In the Chair

Councillors: Jacqueline Allison, Robert Archer, Jason Atkin, Matthew Buckler, Martin Burfoot, Sue Burfoot, Neil Buttle, David Chapman, Tom Donnelly, Graham Elliott, Richard Fitzherbert, Steven Flitter, Helen Froggatt, Chris Furness, Clare Gamble, Susan Hobson, David Hughes, Stuart Lees, Tony Morley, Peter O'Brien, Garry Purdy, Mike Ratcliffe, Claire Raw, Mark Salt, Andrew Shirley, Alasdair Sutton, Colin Swindell, Steve Wain and Mark Wakeman.

Paul Wilson (Chief Executive), Tim Braund (Director of Regulatory Services), Rob Cogings (Director of Housing), Karen Henriksen (Director of Resources), Lee Gardner (Legal Services Manager), Tommy Shaw (Democratic Services Team Leader) and Lucy Harrison (Democratic Services Assistant).

Public - 4 members.

APOLOGIES

Apologies for absence were received from Councillors: Peter Slack, Dawn Greatorex, Michele Morley, Alyson Hill and Dermot Murphy.

378/21 - MINUTES

It was moved by Councillor Andrew Shirley seconded by Councillor Jason Atkin and

RESOLVED

(Unanimously)

That the minutes of the meeting of Council held on 24th March 2022 be approved as a correct record.

The Chairman declared the motion **CARRIED**.

379/21 - 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 13 – Gypsy And Traveller Site Update

In accordance with the procedure for public participation, Mr John Youatt (Local resident), Mr Mark Gwynne Johnson (Local resident) and Cllr Vicky Raynes (Chair of Tansley Parish Council) spoke regarding the update on the Gypsy and Traveller Site.

The further following questions and statements were submitted in writing:

STATEMENT from Mr John Youatt, on behalf of the owners of the Woodyard at Homesford.

Application for 8 travellers pitches at the Woodyard Homesford.

The first thing I learned from my clients, a few years ago, was that the Council had adopted the Woodyard (after thorough checks and due process) to provide permanent pitches, when the then need was for 6 pitches. It was a majority vote.

Since then that decision has been serially subverted. The Woodyard approval is for 3, not 6 pitches and for three years, not permanent. Since then several compromised sites have been adopted. None have worked. Many encampments have cost the taxpayer a lot of money (FOI to follow); and cost the travellers and neighbours stress.

On behalf of the owners, my re-application to approve 8 permanent pitches at the Woodyard is registered and on the portal.

Please

- accept the officers’ recommendation to not pursue the Tansley site
- re-adopt the Woodyard and support the new application
- seek the Government grant for a ‘shovel-ready’ site.

STATEMENT and QUESTIONS from Mr Mark Gwynne Johnson, Local Resident.

In view of the huge expense associated with developing the site at Knabhall Lane, and the fact that badgers are returning to a traditional homeland - would the Council now consider earmarking the site as a wildlife habitat? Which was the Council’s intention in the 1990’s, when the site’s walls were rebuilt with badger runs and further trees were planted within. In 1999, the Secretary of State for the Environment approved the site for the release of Barn Owls. This was successful and Barn Owls still frequent the box in the tall scots pines alongside the site. Habitats everywhere are under increasing pressure. Would the Council agree that now more than ever we need to provide for wildlife and if this site is unsuitable for development would they please consider returning it to what it had become: a home for little owls, barn owls, willow warblers and badgers, to name but a few?

RESPONSE:

The Council is keen to establish the extent of badger activity on the site and will make available

the information to the local badger group. The constraints identified in the report significantly limit the future use of the site.

If Council resolves not to continue with the proposal to develop the land as a Traveller site then it will be necessary to consider what future use the land might be put to. In those circumstances we would be happy to consider your suggestion alongside any others that might come forward.

380/21 - INTERESTS

Item 10 – DISPENSATION FOR NON-ATTENDANCE AT COUNCIL MEETINGS

Councillor Tony Morley declared a personal interest in Item 10 due to the Councillor seeking dispensation being his wife.

381/21 - LEADERS' ANNOUNCEMENTS

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

"We meet to conduct our business here this evening, Wednesday 27th April 2022 at the Town Hall in Matlock.

But it's a surreal world that we live in.

Whilst the Ukraine flag flies from our mast in front of the Town Hall I cannot help but think of the over 7 million Ukrainian people that have been displaced from their homes, thousands have been dealt with in the most barbaric of ways, transported away from their homeland, raped, tortured murdered and the revealing of mass graves. And whilst I am pleased to hear of the support that the UK, the USA and some other Countries are providing to Ukraine, we now live under threat from Putin of the UK being bombed by a Nuclear weapon possibly this Autumn.

The real concern is that there will be a World food shortage and that in itself will bring not only much higher food prices for us all, but a breakdown of society in some parts of the World as the poorer countries starve.

It really puts into perspective what we concern ourselves with this evening. What more can be done to stop this War and more especially what can be done to stop the threats of a madman bringing nuclear war to us all. We are but a small and perhaps insignificant speck in this World issue. But we have a voice, and I ask you Members to ponder on what I have just said and to consider what more can be done: I welcome any thoughts on this, not tonight, but by email to me."

382/21 - CHAIRMAN'S ANNOUNCEMENTS

Councillor Steve Wain, Civic Chairman, made the following statement:

"On the 28th March 2022 I represented the Council at the Chatsworth House stakeholder event in the company of my wife. This was a very enjoyable evening hosted by the Duke and Duchess of Devonshire.

On Saturday 2nd April my wife and I attended the opening of the Wellspring Church in Wirksworth at the request of Councillor Peter Slack. This was a well-attended event to formally reopen this historic Church and highlight the new modern annexe.

On the 23rd April I represented the Council at a St George's Day concert in the painted Hall at Chatsworth house, hosted by the Earl of Burlington. This event showcased inspirational performances by musicians from North Derbyshire, including Peak Performance Choir and a trio of two flautists and a cellist.

I have also recently attended Bakewell Market on three occasions and a Matlock Town football game to collect funds for the Civic Chairs Air Ambulance Charity. I thank Councillor Mark Wakeman and members of his Royal British Legion group for assisting me in Bakewell.

Obviously my term as Chair ceases on 26th May and I will be emailing Members a link and QR code to my Just Giving page, as I'm sure they will want to donate to such a worthy cause."

383/21 - 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 01st March 2022 to 17th March 2022 be received.

The Chairman declared the motion **CARRIED**.

384/21 – NOTICE OF MOTION (RULE OF PROCEDURE 16) – FLOODING IN THE DERBYSHIRE DALES – THANKING THE DISTRICT COUNCIL STAFF FOR THEIR EFFORTS

The Council considered a motion submitted by Councillor Colin Swindell in accordance with Rule of Procedure 16.

At the meeting the motion was moved by Councillor Colin Swindell and seconded by Councillor Garry Purdy as follows:

'This council recognises the hard work and dedication shown by our District Council staff during the recent floods across the Derbyshire Dales. We express our sincere thanks and gratitude for their efforts in safeguarding and protecting our residents, homes and businesses.'

The motion was put to the vote and

RESOLVED That the Council recognises the hard work and dedication shown by
(Unanimously) our District Council staff during the recent floods across the Derbyshire Dales. We express our sincere thanks and gratitude for their efforts in safeguarding and protecting our residents, homes and businesses.

The Chairman declared the motion **CARRIED**.

385/21 – DISPENSATION FOR NON-ATTENDANCE AT COUNCIL MEETINGS

Councillor Tony Morley was absent during consideration of this item as he had previously expressed a personal interest.

The Legal Services Manager introduced a report seeking a dispensation for a Councillor in respect of a forthcoming absence from Council and Committee meetings for a period of six consecutive months.

The report noted that Councillor Michele Morley had given notice to the Proper Officer that she would be unable to attend meetings of the Council, its committees or any outside bodies on which she represents the authority for medical reasons.

It was moved by Councillor Susan Hobson, seconded by Councillor Chris Furness and

RESOLVED
(unanimously)

1. That approval be given to a dispensation for Councillor Michele Morley from attending meetings of the Council for a period of six months commencing on 6 May 2022, thus nullifying the disqualification to hold office for a six month period.
2. That it be noted that any extension to the dispensation for Councillor Michele Morley after the six month period ends on 6 November 2022, will require further approval in accordance with 1 above.

The Chairman declared the motion **CARRIED**.

386/21 – COUNCIL TAX DISCRETIONARY DISCOUNTS

The Director of Resources introduced a report asking Members to agree to changes to the Council's policy for council tax discretionary discounts (under section 13A 1 (c) of the Local Government Finance Act 1992) to allow more flexibility to backdate awards to care leavers, and to add an appeals process for all dissatisfied applicants. The report also sought approval for a new class of discount for those in receipt of council tax support and facing a Homes for Ukraine-related increase in council tax liability during 2022/23.

The report noted that the Council had a policy to award discretionary council tax discounts. The policy was intended ultimately to enable the Council to provide discounts to specific classes of applicants, such as care leavers or those who would suffer undue financial hardship if they had to pay the council tax without a discretionary discount, in cases of unforeseen or exceptional circumstances that affect their home or wellbeing or to comply with government guidance.

The report addressed that the cost of these discretionary discounts would be borne wholly by the Council, whereas council tax income is shared between major preceptors, with the authority retaining around 14%.

Approval of a new class of discount was suggested to offset any Homes for Ukraine-related increase in council tax liability during 2022/23. It was noted that on 1 April 2022 the government issued a Council Tax Information Letter which set out the steps it would take to deliver the Secretary of State's commitment that participation in the Homes for Ukraine scheme would not affect the sponsor household's council tax status. Regulations have since been laid so that a person who has secured an immigration permission under Homes for Ukraine is disregarded for council tax discounts. This will protect the sponsor's single person discount and the 50% discount received by household's where all the occupants are already disregarded. The

regulations also amend the Council Tax (Exempt Dwellings) Order 1992 so that there is no loss of an exemption where a household hosts a person who has secured an immigration permission under Homes for Ukraine.

An amendment was proposed by Councillor Claire Raw and seconded by Councillor Jacqueline Allison to replace the phrase 'Homes for Ukraine-related' with the word "refugee" in recommendation 2 and the following amendment was put to the vote:

2. That approval is given for a new class of discount where a discount is provided to offset a refugee related increase in council tax liability during 2022/23.

Voting:

| | |
|-------------------|----|
| For | 12 |
| Against | 18 |
| Abstention | 0 |

The Chairman declared the amendment **LOST**.

During debate, a motion to proceed to the vote was moved by Councillor Garry Purdy, seconded by Councillor Jason Atkin and

RESOLVED That the vote on the substantive motion be put.

Voting:

| | |
|-------------------|----|
| For | 22 |
| Against | 8 |
| Abstention | 0 |

The Chairman declared the motion **CARRIED**.

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

RESOLVED (unanimously)

1. That approval be given to the revised Policy for council tax discretionary discounts (under section 13A 1 (c) of the Local Government Finance Act 1992), attached as Appendix 1.
2. That approval is given for a new class of discount where a discount is provided to offset a Homes for Ukraine-related increase in council tax liability during 2022/23.

The Chairman declared the motion **CARRIED**.

The meeting was briefly adjourned from 7.20pm to 7.32pm.

387/21 – DURATION OF MEETINGS (MOTION TO CONTINUE)

At **8.25pm**, during the discussion of **Item 13 – GYPSY AND TRAVELLER SITE UPDATE**

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

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

The Chairman declared the motion **CARRIED**.

388/21 – GYPSY AND TRAVELLER SITE UPDATE

During Discussion of this item, Councillor Claire Raw left the meeting between 8:28pm and 8:30pm, as a result of this she was unable to vote on the item.

The Director of Housing introduced a report updating the Council on the work that had been undertaken to bring forward a site at Knaball Lane, Tansley as both a permanent and temporary Traveller site. The report also advised of the recently announced Government funding programme for Traveller sites and aimed to determine the Council's future approach.

The report recalled that approval was granted at the meeting of council on the 27th July 2021 for an allocation of £25,000 to fund the assessment of the proposed traveller site at Knabhall Lane in Tansley. It was noted that the assessments included geotechnical and land contamination surveys. The Council's Contract Standing Orders required three quotes to be sought for the work. Three companies were approached however, only one tender was returned and RSK was appointed at the end of October. The report stated that the cost of the surveys was less than originally anticipated at £11,518.

The report informed that during the course of preparing the site for the geotechnical and land contamination survey, an outlying badger sett was discovered, which was not present when the site was first surveyed. It was noted that the presence of the outlying sett caused delay and modification of the proposed survey works, 30% of the site could not be investigated without causing harm to the badgers.

It was addressed that the badger sett had impeded the land contamination and geotechnical survey and it seemed likely that without the sett eventually moving, the Council would not be able to complete a full assessment of the entire site. The extent of the ground investigations and piling using heavy machinery close to the sett would disturb the badgers and would be illegal. It was noted that there would be a significant risk of developing a part of the site without full knowledge of what is in the adjacent ground or how stable it is.

Thus, it was suggested that the timetable for government funding makes it difficult to deliver a realistic bid that can be delivered within the period allowed for the protection of the badger sett.

It was proposed by Councillor Garry Purdy and seconded by Councillor Tom Donnelly, that the officer recommendations be approved as set out in the report, with an additional recommendation as set out below:

‘That the Council initiates a pro-active programme of publicity to encourage landowners to submit potential Traveller sites for consideration with potential financial assistance being provided by the District Council to acquire and develop a permanent site for Travellers in the Derbyshire Dales.’

During debate, an amendment was suggested by Councillor Sue Burfoot and supported by Councillor Martin Burfoot to replace the term ‘consider ceasing’ with the word ‘cease’. This amendment was accepted by Councillor Garry Purdy and Councillor Tom Donnelly to be incorporated into the original motion.

During further debate, an additional amendment was proposed by Councillor Peter O’Brien and seconded by Councillor Clare Gamble, this was put to the vote as follows:

“That this council formally apologise for the distress caused to the local residents and the traveler community.”

In accordance with **Rule of procedure 19d**, a recorded vote was requested and proposed by Councillor Steve Wain, seconded by Councillor Steve Flitter. The amendment was put to the vote and the votes recorded as follows:

Voting:

For **12 Councillors:** Jacqueline Allison, Robert Archer, Matthew Buckler, Martin Burfoot, Steve Flitter, Clare Gamble, David Hughes, Peter O’Brien, Mike Ratcliffe, Colin Swindell and Steve Wain.

Against **16 Councillors:** Jason Atkin, Sue Bull, David Chapman, Tom Donnelly, Graham Elliott, Richard Fitzherbert, Helen Froggatt, Chris Furness, Susan Hobson, Stuart Lees, Tony Morley, Garry Purdy, Mark Salt, Andrew Shirley, Alasdair Sutton and Mark Wakeman.

Abstention **1 Councillor:** Neil Buttle.

The Chairman declared the amendment **Lost**.

The substantive motion moved by Councillor Garry Purdy and seconded by Councillor Tom Donnelly was then put to the vote and

- RESOLVED**
(unanimously)
1. That Council notes the work undertaken to date and the findings of the geotechnical ground investigations and ecological assessments.
 2. That, having regards to the conclusions of the geotechnical and ecology assessments, Members cease the pursuit of the Knabhall Lane site as a location for a temporary and permanent Traveller site.

3. A further assessment of badger activity on the site be commissioned by the Council.
4. That the £25,000 for surveys at the Knabhall Lane site be removed from the capital programme and approval given to a supplementary revenue budget for £15,000 in 2022/23 for the site surveys, financed from the General Reserve.
5. That the Council initiates a pro-active programme of publicity to encourage landowners to submit potential Traveller sites for consideration with potential financial assistance being provided by the District Council to acquire and develop a permanent site for Travellers in the Derbyshire Dales.

The Chairman declared the motion **CARRIED**.

389/21 – DURATION OF MEETINGS (MOTION TO CONTINUE)

At **9:00pm**, during the discussion of **Item 12 – WASTE & RECYCLING CONTRACT OPTIONS APPRAISAL**

It was moved by Councillor Andrew Shirley, seconded by Councillor Martin Burfoot 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:

| | |
|-------------------|----|
| For | 25 |
| Against | 5 |
| Abstention | 0 |

The Chairman declared the motion **CARRIED**.

390/21 – WASTE & RECYCLING CONTRACT OPTIONS APPRAISAL

The Director of Community and Environmental Services introduced a report updating members on a report produced by Recircle Consulting detailing a qualitative assessment of the options available to the Council, should the Council find itself in a terminal dispute position on its Waste Management Contract with Serco Ltd and seek authorisation for the commissioning of a detailed qualitative review of an in-house service delivery option.

The report named the waste and recycling service as one of the most fundamental statutory services performed by the District Council and, perhaps, the most high-profile service received by the public. It was therefore noted that it needs to meet the demands of the public whilst recognising recent changes in the waste management industry.

It was addressed within the report that the Council had outsourced its waste collection and recycling service since August 1989, with the current waste and recycling contract being

operated by Serco Ltd. It was noted that the contract comprised of alternate weekly domestic, garden and recycling waste collections, as well as a separate weekly food waste collection and the provision of a trade waste collection service.

Although the previous contract delivered by Serco from 2012 until 2020, was delivered successfully with excellent recycling rates, regular collections and high customer survey results, the new contract had experienced significant disruption and inconsistent service delivery.

Whilst there had been some progress made on the outstanding issues, it was looking increasingly likely that not all of the matters would be resolved without a request for additional funding from Serco at some point in the future. It was noted that through discussions regarding increased tonnages for recyclable waste and the need to change disposal sites for garden and food waste, Serco had alluded to a loss of approximately £700,000 per annum on the existing contract excluding the increased costs arising from the change in disposal site for garden and food waste. It was addressed that it would be extremely likely that in the future, there would be an increase in costs for waste and recycling, irrespective of who delivered the service.

Therefore, it was suggested that the Council needed to position itself such that any request for additional financial contributions from Serco in the future, could be assessed against other potential service delivery options and costs.

It was moved by Councillor Steve Flitter, seconded by Councillor Andrew Shirley and

RESOLVED
(unanimously)

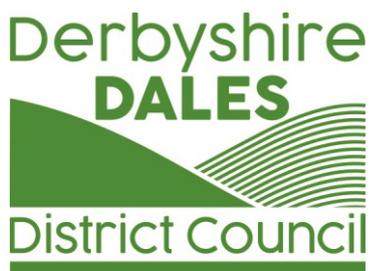
1. That the Stage 1 qualitative assessment of service delivery options undertaken by Recircle Consulting be noted.
2. That Council agrees to the commissioning of a Stage 2 quantitative assessment to develop a detailed analysis of the necessary steps, measures, timescales and costs of changing the Council's Waste & Recycling service to an 'in-house' service delivery model.
3. The Contract Standing Orders for the procurement of consultants to undertake a Stage 2 assessment be waived in the interests of expediency in order to maintain the functioning of a public service and to avoid serious disruption to Council services.
4. That the Chief Executive and the Director of Community & Environmental Services continue to explore opportunities for partnership working and/or joint delivery of the Waste & Recycling Service with neighbouring Local Authorities.
5. That subject to recommendation 2, approval be given to a supplementary revenue budget of £30,000 for the appointment of an external consultant to undertake this project, financed from the waste and recycling reserve.
6. That a further report be presented to Council upon completion of the Stage 2 assessment,

The Chairman declared the motion **CARRIED**.

Councillors Jason Atkin, Chris Furness, Alasdair Sutton and Graham Elliott left the meeting at 21:01 during consideration of this item.

Meeting Closed: 9:09pm

Chairman



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PLANNING COMMITTEE

Minutes of a Planning Committee meeting held at 6.00pm on Tuesday 10th May 2022 in the Council Chamber at the Town Hall, Matlock DE4 3NN.

PRESENT

Councillor Jason Atkin - In the Chair

Councillors: Robert Archer, Sue Bull, Sue Burfoot, Neil Buttle, Tom Donnelly, Richard FitzHerbert, Helen Froggatt, Stuart Lees, Peter O'Brien and Andrew Statham.

Chris Whitmore (Development Manager), Gareth Griffiths (Senior Planning Officer), Joe Baldwin (Senior Planning Officer), Lee Gardner (Legal Services Manager), Tommy Shaw (Democratic Services Team Leader) and Lucy Harrison (Democratic Services Assistant).

Members of the Public - 18

APOLOGIES

Apologies for absence were received from Councillors Garry Purdy (substitute Helen Froggatt), Peter Slack, Graham Elliott (substitute Andrew Statham) and Clare Gamble.

391/21 - INTERESTS

Councillor Richard FitzHerbert declared an interest in the items listed below as he had previously made public representations in support of the applications and so was at risk of predetermination. Councillor FitzHerbert therefore left the room during the determination of these items.

Item 5.3 – Application No. 21/01336/FUL

Item 5.6 – Application No. 21/01513/FUL

Item 5.7 – Application No. 22/00354/LBALT

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.”

**392/21 - APPLICATION NO. 21/01513/FUL (Presentation and Site Visit)
Two storey rear extension at Haywood Cottage, Haywood Farm, Buxton Road,
Sandybrook, Ashbourne, Derbyshire.**

Councillor Richard FitzHerbert was absent during consideration of this item as he had previously declared an interest.

The Senior Planning Officer gave a presentation showing details of the application and photographs of the site and its 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, Mrs Julie Palmer (Applicant) 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 authority be delegated to the Development Manager to give approval to the planning permission, once they have received an appropriate level of information to be satisfied that protected species would not be adversely affected by this development.

Voting:

| | |
|-------------------|---|
| For | 8 |
| Against | 2 |
| Abstention | 0 |

The Chairman declared the motion **CARRIED**.

**393/21 - APPLICATION NO. 22/00354/LBALT (Presentation and Site Visit)
Two storey rear extension at Haywood Cottage, Haywood Farm, Buxton Road,
Sandybrook, Ashbourne, Derbyshire.**

Councillor Richard FitzHerbert was absent during consideration of this item as he had previously declared an interest.

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 Neil Buttle, seconded by Councillor Robert Archer and

RESOLVED That authority be delegated to the Development Manager, subject to the approval of full planning consent, as detailed in the decision above, and their satisfaction that the special character and appearance of the former

farm building will be protected.

Voting:

| | |
|-------------------|---|
| For | 9 |
| Against | 1 |
| Abstention | 0 |

The Chairman declared the motion **CARRIED**.

394/21 - APPLICATION NO. 21/01345/FUL (Presentation, previously visited)
Erection of rear extension accommodating a swimming pool and conversion of orangery/shed into kitchen and incorporation into main dwelling and retention of timber panelled gates, hot tub canopy and hot tub at Bradley Hall, Yew Tree Lane, Bradley Derbyshire.

The Senior 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 Matthew Hewitt (Architect) spoke in support of the application.

Consultation responses were set out in section 6 of the report.

It was moved by Councillor Richard FitzHerbert, seconded by Councillor Andrew Statham and

RESOLVED That planning permission be approved subject to the conditions set out in the report.

Voting:

| | |
|-------------------|---|
| For | 6 |
| Against | 4 |
| Abstention | 1 |

The Chairman declared the motion **CARRIED**.

395/21 - APPLICATION NO. 21/01346/LBALT (Presentation, previously visited)
Erection of rear extension accommodating a swimming pool and conversion of orangery/shed into kitchen and incorporation into main dwelling and retention of timber panelled gates, hot tub canopy and hot tub at Bradley Hall, Yew Tree Lane, Bradley Derbyshire.

The Senior 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.

Consultation responses were set out in section 6 of the report

It was moved by Councillor Richard FitzHerbert and seconded by Councillor Andrew Statham that planning permission be approved subject to the conditions set out in the report. This was put to the vote, the voting was as follows:

Voting:

| | |
|-------------------|---|
| For | 5 |
| Against | 6 |
| Abstention | 0 |

The Chairman declared the motion **FALLEN**.

It was then moved by Councillor Neil Buttle and seconded by Councillor Peter O'Brien that consideration of this item be deferred to a future meeting of Planning Committee in order for further information to be collected regarding the effects of the construction work on the heritage assets of the building, specifically the window openings. This was put to the vote, the voting was as follows:

Voting:

| | |
|-------------------|---|
| For | 5 |
| Against | 5 |
| Abstention | 1 |

Due to a tied vote, the Chairman declared the motion **FALLEN**.

Further consideration of this item was referred to the next meeting of Planning Committee.

The meeting was adjourned from 7:30pm to 7:45pm following consideration of the item.

396/21 - DURATION OF MEETINGS (MOTION TO CONTINUE)

At **8:30pm**, during the discussion of **Item 5.3 – Application No. 21/01336/FUL**

It was moved by Councillor Jason Atkin, seconded by Councillor Richard FitzHerbert 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**.

397/21 - APPLICATION NO. 21/01336/FUL (Presentation and Site Visit)

Change of use from agriculture to mixed agriculture and clay shooting ground (retrospective) at Harboro Rocks Clay Shoot, Manystones Lane, Brassington.

Councillor Richard FitzHerbert was absent during consideration of this item as he had previously declared an interest.

The Senior 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, Mrs Dawn Newton (Applicant) spoke in support of the application. Mr Ray Smith (Local Resident), Ms Libba Jones (Local Resident), Cllr Ruth Miles (Chair of Carsington and Hopton Parish Council) and Mr John Hedger (Brassington Parish Council) spoke against the application.

Consultation responses were set out in section 5 of the report

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

RESOLVED That planning permission be approved subject to the conditions set out in the report.

Voting:

| | |
|-------------------|---|
| For | 5 |
| Against | 4 |
| Abstention | 1 |

The Chairman declared the motion **CARRIED**.

**398/21 - APPLICATION NO. 21/00575/FUL (Presentation and Site Visit)
Retention of noise attenuation bund at Darley Moor Motor Cycle Road Racing Club,
Darley Moor Airfield, Darley Moor, Ashbourne.**

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 Jim Malkin (Agent) spoke in support of the application. Mr Jonathan Edwards (Wyaston and Edlaston Noise Abatement Group) and Cllr Matthew Taylor (Edlaston and Wyaston Parish Council) spoke against the application.

Consultation responses were set out in section 6 of the report

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

RESOLVED That planning permission be refused for the reasons set out in the (unanimously) report.

**399/21 - APPLICATION NO. 21/01280/FUL (Presentation and Site Visit)
Change of use and conversion of barns into 3no. dwellings with associated parking/landscaping and formation of new vehicular access at the Barns at Ednaston Lodge Farm, Ednaston Park, Painters Lane, Ednaston.**

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 and seconded by Councillor Richard Fitzherbert, that planning permission be approved subject to the conditions set out in the report.

During debate, an amendment was proposed by Councillor Peter O'Brien and seconded by Councillor Sue Burfoot that condition 7 be amended to read as follows:

'All gutters, downpipes and other external plumbing shall be a cast iron or black cast iron effect plastic finish and so retained thereafter unless otherwise agreed in writing by the local planning authority.'

The amendment was put to the vote, the voting was as follows

Voting:

| | |
|-------------------|---|
| For | 5 |
| Against | 6 |
| Abstention | 0 |

The Chairman declared the amendment **LOST**.

The substantive motion moved by Councillor Tom Donnelly and seconded by Councillor Richard FitzHerbert was the put to the vote and

RESOLVED That planning permission be approved subject to the conditions set out (unanimously) in the report.

The Chairman declared the motion **CARRIED**.

**400/21 - APPLICATION NO. 22/00015/FUL (Presentation)
Retention of agricultural buildings, stables, manège and horse walker as built/constructed at Old House Farm, Can alley, Roston, Ashbourne.**

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

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

It was moved by Councillor Richard FitzHerbert, seconded by Councillor Tom Donnelly and

RESOLVED That planning permission be approved subject to the conditions set out (unanimously) in the report.

The Chairman declared the motion **CARRIED**.

**401/21 - APPLICATION NO. 22/00219/FUL (Presentation and Site Visit)
Formation of vehicular access and parking at 42 Smedley Street East, Matlock, Derbyshire.**

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 Andrew Turner (Applicant) spoke in support of the application.

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

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

RESOLVED That consideration of the application be DEFERRED to a future meeting, in order to allow the highways authority to visit the site and reconsider their recommendations regarding the application.

Voting:

| | |
|-------------------|---|
| For | 9 |
| Against | 1 |
| Abstention | 1 |

The Chairman declared the motion **CARRIED**.

402/21 – DURATION OF MEETINGS (MOTION TO CONTINUE)

At **9:27pm**, during the discussion of **Item 5.10 – Application No. 22/00335/FUL**

It was moved by Councillor Jason Atkin, seconded by Councillor Richard FitzHerbert and

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

The Chairman declared the motion **CARRIED**.

403/21 - APPLICATION NO. 22/00335/FUL (Presentation and Site Visit)

Conversion of garage to dwellinghouse with associated alterations including the formation of a first floor and creation of new access (Resubmission) at Springfield House, Ashbourne Road, Sudbury, Ashbourne, Derbyshire.

The Senior 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, Iain Mainwaring (Applicant) and Cllr Jacqueline Allison (Ward Member) spoke in support of the application.

Consultation responses were set out in section 5 of the report

It was moved by Councillor Richard FitzHerbert, seconded by Councillor Sue Burfoot and

RESOLVED That planning permission be approved subject to the conditions set out below:

1. The development hereby permitted must be begun before the expiration of three years from the date of this permission.
2. Before the first occupation of the dwelling, the entire site frontage shall be cleared, and maintained thereafter clear, of any obstruction exceeding 1m in height (600mm for vegetation) relative to the road level for a distance of 2m into the site from the highway boundary in order to maximise the visibility available to drivers emerging onto the highway.
3. Before the first occupation of the dwelling, space shall be provided within the application site in accordance with the application drawings for the parking and manoeuvring of residents' vehicles, laid out, surfaced and maintained throughout the life of the development free from any impediment to its designated use.

Voting:

| | |
|-------------------|----|
| For | 10 |
| Against | 1 |
| Abstention | 0 |

The Chairman declared the motion **CARRIED**.

404/21 – APPEALS PROGRESS REPORT

It was moved by Councillor Richard FitzHerbert, seconded by Councillor Tom Donnelly and

RESOLVED That the report be noted.
(unanimously)

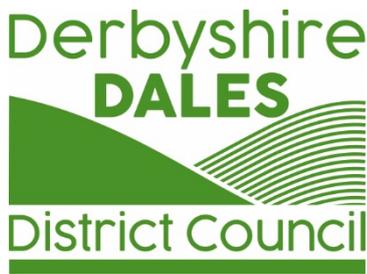
Planning Committee – 10th May 2022

Meeting Closed 9:43PM

Chairman

Public Document Pack

Council Minutes - Thursday, 26 May 2022



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COUNCIL

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

PRESENT Councillor Sue Bull - In the Chair

Councillors: Jacqueline Allison, Robert Archer, Richard Bright, Matt Buckler, Martin Burfoot, Sue Burfoot, Neil Buttle, David Chapman, Paul Cruise, Tom Donnelly, Graham Elliott, Richard FitzHerbert, Steve Flitter, Helen Froggatt, Chris Furness, Dawn Greatorex, Alyson Hill, Susan Hobson, David Hughes, Stuart Lees, Tony Morley, Dermot Murphy, Peter O'Brien, Garry Purdy, Mike Ratcliffe, Mark Salt, Peter Slack, Andrew Statham, Alasdair Sutton, Colin Swindell, Steve Wain and Mark Wakeman

Tim Braund (Director of Regulatory Services), Steve Capes (Director of Regeneration & Policy), Ashley Watts (Director of Community and Environmental Services), Lee Gardner (Legal Services Manager), Jim Fearn (Communications & Marketing Manager) and Tommy Shaw (Democratic Services Team Leader)

1/22 - APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors: Jason Atkin, Michele Morley, Andrew Shirley and Clare Gamble.

2/22 - ELECTION OF CHAIRMAN FOR THE YEAR 2022/2023

It was moved by Councillor Garry Purdy, Seconded by Councillor Susan Hobson and

RESOLVED That Councillor Sue Bull be elected Chairman of the Council for the year 2022/2023.

Voting:

| | |
|-----------|----|
| For | 32 |
| Against | 0 |
| Abstained | 2 |

The Chairman declared the motion **CARRIED**.

3/22 - APPOINTMENT OF VICE CHAIRMAN FOR THE YEAR 2022/2023

It was moved by Councillor Garry Purdy, Seconded by Councillor Mark Salt and

RESOLVED That Councillor Andrew Shirley be appointed Vice-Chairman of the Council for the year 2022/2023.

Voting:

| | |
|------------------|-----------|
| For | 32 |
| Against | 1 |
| Abstained | 1 |

The Chairman declared the motion **CARRIED**.

4/22 - ELECTION OF THE CIVIC CHAIRMAN 2022/23

It was moved by Councillor Helen Froggatt, Seconded by Councillor Tom Donnelly and

RESOLVED That Councillor Graham Elliott be elected Civic Chairman of the Council for the civic year 2022/2023.
(Unanimously)

The Chairman declared the motion **CARRIED**.

The duly elected Civic Chairman was invested with the Chain of Office and expressed his thanks to the retiring Civic Chair and Members for their vote of confidence.

5/22 - APPOINTMENT OF THE DEPUTY CIVIC CHAIRMAN 2022/2023

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

RESOLVED That Councillor Jason Atkin be appointed Deputy Civic Chairman of the Council for the civic year 2022/2023.

Voting:

| | |
|------------------|-----------|
| For | 19 |
| Against | 9 |
| Abstained | 6 |

The Chairman declared the motion **CARRIED**.

The duly elected Deputy Civic Chairman was invested with the Chain of Office and thanked Members for their vote of confidence.

6/22 - LEADERS' ANNOUNCEMENTS

As we enter the final year of this Council Term, I am sure that we are all looking forward to next May! Some more than others! I need to bring to your attention a real and serious concern that the Chief Executive Paul Wilson has brought to the attention of myself and Deputy Leader, Councillor Sue Hobson, with regard to the problems of recruiting staff at this morning's CEX meeting. Paul is unable to be with us this evening because he is on Lord Lieutenant's duties. The Authority, like many other Local Authorities in the Country is facing

serious recruitment issues and in addition in retaining staff. This issue has been raised in circulations by the LGA and DCN. This is yet another casualty of the Pandemic.

The latest loss is the Legal Services Manager, Lee Gardner who is moving to a neighbouring Authority and we can only wish him the very best for his future. We are currently without an Audit Team, adverts for posts are having to be sent out on more than one occasion due to a lack of applications or persons unsuitable for the position advertised. You will be aware of the problems that Karen faced in recruiting much needed and qualified accounting staff. Fortunately we have been successful in securing the services of a good Officer to replace Paul Frith. We thank Paul for his hard work and indeed all other staff who have worked hard for this organisation but for different reason have left us. Not only is the cost of living having an effect, but the main issue is the fact that the Private Sector can afford to pay more for our valuable staff, and who can blame them if they move on for financial reasons.

It is vital therefore that we look after our present staff, and whilst this message has been put out by me on previous occasions, I have to say that there is an additional need now due to the extra the pressures that our staff are under and I have to appeal to you once again to consider if the email or question is necessary. I note for example an exchange of emails between certain Members and James when I came back of annual leave. It was patently clear from the content of his email that James was under high pressure to get reports completed for the annual meeting, and now sadly, he has had to depart to Ireland for a family funeral. I am sure you will agree with me when I say that our thoughts are with him.

There is now additional pressure on Steve Capes Team due to the fact of Government providing this Authority with £1.9million to spend up to 2025 under the Shared Prosperity Fund. A three tier Prospectus has to be raised as to how we spend such monies and initially the thought is that this should cover the themes of:

1. Towns & Public Realm
2. Business
3. People

My strong view is that we should follow the Peak Leader route and support our rural communities. More information will be provided to Members on this in the very near future by way of a Workshop on 7th June. This stream of work for Steve and his Team comes on top of other much pressured and time limited work such as the Levelling Up Fund Bid by Ashbourne Town Team, and of course the Cinema project in the Western Gateway to Matlock.

Members, let me make it clear to you. The Chief Executive, Councillor Sue Hobson and I are really concerned for Officer capacity. More so now than we were previously due to the number of staff that have left and the difficulty in recruiting. We have to look after the current staff and make them feel wanted and valued. So Members, please give more thought and consideration as to how you would like to be treated if you were under the cosh with the pressures of work. Think twice before you press the send button to ask a number of questions. Paul is to bring a report to Council on this topic in July.

7/22 - APPROVAL OF MINUTES OF PREVIOUS MEETING

It was moved by Councillor David Chapman, Seconded by Councillor Mark Wakeman and

RESOLVED

That the minutes of the meeting of Council held on 27 April 2022 be

approved as a correct record.

Voting:

| | |
|------------------|-----------|
| For | 33 |
| Against | 0 |
| Abstained | 1 |

The Chairman declared the motion **CARRIED**.

8/22 - INTERESTS

There were no declarations of interest.

9/22 - REPORT OF THE RETURNING OFFICER - RESULTS OF THE CARINGTON WATER BY-ELECTION

The Council received a report on the results of the by-elections to the District Council for the Carsington Water ward held on 5 May 2021

The Deputy Monitoring Officer gave a brief summary of the report informing members the following member had been duly elected:

Carsington Water ward – Janet Rose

The new Councillor was given the opportunity to introduce herself and was welcomed to the Council.

It was moved by Councillor Colin Swindell, Seconded by Councillor Dermot Murphy and

RESOLVED That the result of the by-election to the District Council for the Carsington Water ward held on 5 May 2022 be noted.
(Unanimously)

The Chairman declared the motion **CARRIED**.

10/22 - ELECTION OF LEADER AND DEPUTY LEADER OF THE COUNCIL FOR THE 2022/23 MUNICIPAL YEAR

The Council received a report to consider the election of the Leader and Deputy Leader of the Council for the 2022/23 municipal year. The Council has historically appointed a Leader and Deputy Leader of the Council by the convention that the posts would be filled by the Leader and Deputy Leader of the largest political group on the Council.

It was moved by Councillor David Chapman, Seconded by Councillor Tom Donnelly and

RESOLVED That Councillor Garry Purdy be elected Leader of the Council for the civic year 2022/2023.

Voting:

| | |
|------------------|-----------|
| For | 21 |
| Against | 0 |
| Abstained | 13 |

The Chairman declared the motion **CARRIED**.

It was moved by Councillor Helen Froggatt, Seconded by Councillor Richard Bright and

RESOLVED That Councillor Sue Hobson be elected Deputy Leader of the Council for the civic year 2022/2023.

Voting:

For 21
Against 0
Abstained 13

The Chairman declared the motion **CARRIED**.

It was moved by Councillor Mark Salt, Seconded by Councillor Steve Flitter and

RESOLVED That the Monitoring Officer be authorised to amend the Council Procedure Rules to include the annual election of the Leader of the Council and Deputy Leader of the Council at the Annual Meeting.
(Unanimously)

The Chairman declared the motion **CARRIED**.

11/22 - PROPOSED AMENDMENTS TO THE CONSTITUTION - ARTICLES, RESPONSIBILITY FOR FUNCTIONS AND PROCEDURE RULES

Members received a report with the recommendations of the Constitution Working Group in respect of proposed amendments to various parts of the Constitution and seeking the Council's approval and adoption of the proposed revisions.

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

RESOLVED That consideration of Item 11 be deferred to the meeting of Council to be held on the 28 July 2022.
(Unanimously)

The Chairman declared the motion **CARRIED**.

12/22 - MEMBERSHIP OF POLITICAL GROUPS, POLITICAL BALANCE AND ENTITLEMENT TO SEATS ON COMMITTEES

The Council considered a report on the updated membership of political groups on the Council, the change to the political balance of the authority following the by-election held on 5 May 2022 and the revised entitlement of political groups to seats on committees for the 2022/23 municipal year.

Following the recent By-Elections the political balance of the Council was:

| Name of Group | Designated Leader | Number of Members |
|---|--------------------|-------------------|
| Conservative and Councillors Bright, Elliott & Salt | Councillor Purdy | 22 |
| Liberal Democrat | Councillor Flitter | 7 |
| Green and Independent | Councillor Buttle | 5 |

| | | |
|-------------|----------------------|---|
| Labour | Councillor Ratcliffe | 3 |
| Independent | Councillor Swindell | 2 |

It was moved by Councillor Jason Atkin, seconded by Councillor Chris Furness and

RESOLVED
(Unanimously)

1. That the operation of four political groups on the Council and the detail of their designated Leaders be noted:
 - Conservative Group and Cllrs Bright, Elliott and Salt – Councillor Garry Purdy
 - Green and Independent Group – Councillor Neil Buttle
 - Independent Group – Councillor Colin Swindell
 - Labour Group – Councillor Mike Ratcliffe
 - Liberal Democrat Group – Councillor Steve Flitter
2. That special responsibility allowances be paid to the Leader of the Council, Deputy Leader of the Council, and group leaders of the two largest opposition groups in accordance with the Members Allowances Scheme at Part 6 of the Constitution.
3. 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.

The Chairman declared the motion **CARRIED**.

13/22 - SCHEDULE OF NOMINATIONS TO COMMITTEES

The Council considered the appointment of members to serve on committees for the 2022/23 municipal year in accordance to each political group’s entitlement.

It was moved by Councillor Richard FitzHerbert, seconded by Councillor David Hughes and

RESOLVED
(Unanimously)

That Councillors be appointed to serve on the Committees of the Council in accordance with the wishes of the political groups as set out in appendix 1 of these Minutes.

The Chairman declared the motion **CARRIED**.

14/22 - APPOINTMENT OF CHAIRMEN AND VICE CHAIRMEN

The Council considered a report setting out the appointments to the positions of Chairman and Vice-Chairman to the various decision making bodies for the 2022-23 municipal year.

Nominations were moved and seconded as detailed in the table below and it was

RESOLVED
(Unanimously)

That the following appointments be made to the positions of Committee Chairman and Vice-Chairman until the next Annual Meeting of the Council.

| | Proposed | Seconded | Voting |
|--|-------------------------|---------------------|----------------------------------|
| Community & Environment | | | |
| Chair Cllr Helen Froggatt | Cllr Sue Hobson | Cllr Tony Morley | 32 For 0 Against 2 Abstain |
| Vice Chair Cllr Chris Furness | Cllr Helen Froggatt | Cllr Tom Donnelly | 32 For 0 Against 2 Abstain |
| Governance & Resources | | | |
| Chair Cllr Tom Donnelly | Cllr Sue Hobson | Cllr Helen Froggatt | 31 For 0 Against 3 Abstain |
| Vice Chair Cllr David Chapman | Cllr Sue Hobson | Cllr Tom Donnelly | 33 For 0 Against 1 Abstain |
| Planning | | | |
| Chair Cllr Jason Atkin (Elected) | Cllr Sue Hobson | Cllr Mark Wakeman | 18 For Cllr Atkin |
| Cllr Robert Archer (Nominated) | Cllr Steve Flitter | Cllr Mike Ratcliffe | 15 For Cllr Archer 1 Abstain |
| Vice Chair Cllr Richard FitzHerbert (Elected) | Cllr Tom Donnelly | Cllr Dermot Murphy | 19 For Cllr FitzHerbert |
| Cllr Robert Archer (Nominated) | Cllr Paul Cruise | Cllr David Hughes | 14 For Cllr Archer 1 Abstain |
| Licensing & Appeals | | | |
| Chair Cllr Andrew Statham | Cllr Sue Hobson | Cllr Stuart Lees | 24 For 1 Against 9 Abstain |
| Vice Chair Cllr Mark Wakeman (Elected) | Cllr Sue Hobson | Cllr Helen Froggatt | 22 For Cllr Wakeman |
| Cllr Neil Buttle (Nominated) | Cllr Jacqueline Allison | Cllr Peter Slack | 11 For Cllr Buttle 1 Abstain |
| Ernest Bailey Charity | | | |
| To be appointed at first meeting | | | |
| Joint Consultative Group | | | |
| To be appointed at first meeting | | | |
| Constitution Working Group | | | |
| To be appointed at first meeting | | | |
| Local Plan Working Group | | | |
| To be appointed at first meeting | | | |
| Chief Officer Selection Panel | | | |
| To be appointed at first meeting | | | |

The Chairman declared the motion **CARRIED.**

15/22 - APPOINTMENTS TO OUTSIDE BODIES

The Council considered a report that reviewed its affiliations with outside bodies and invited nominations to act as the Council's representatives.

The Schedule attached at Appendix 2, gave the full list of outside bodies that required the Council's consideration. The Council was asked to consider its nominations and any changes it wishes to make to those currently in place

The list of approved conferences and recommended representation was tabled in paragraph 2.1 of the report, which was submitted to confer approved duty status to cover Member attendance.

At a previous meeting of Council it was agreed that Members should report back annually on their involvement with an outside body and that updates be sent to all Members of the Council.

It was moved by Councillor Chris Furness, seconded by Councillor Tom Donnelly and

RESOLVED
(Unanimously)

That Council reviews the appointments to outside bodies identified in Appendix 2, and considers any changes it may wish to make to the current arrangements.

That the position of organisations where no indemnity insurance currently exists be noted accordingly.

That the Members identified in Appendix 2 be appointed to the relevant outside body to serve until the next Annual Meeting of the Council.

That the list of Conferences for 2022/23 be approved

That authority is delegated to the Director of Corporate and Customer Services in consultation with the Chief Executive and Directors, where relevant, to determine requests for attendance at other conferences based on the relevance of the subject matter and to the availability of finance.

The Chairman declared the motion **CARRIED**.

16/22 - CALENDAR OF MEETINGS FOR COUNCIL AND COMMITTEES FOR THE 2022/23 MUNICIPAL YEAR

The Council received a report to approve the Calendar of Meetings for the 2022/23 municipal year attached as Appendix 3.

Recommendation 1 – Approve the Calendar of meetings for 2022/23 municipal year

It was moved by Councillor Andrew Statham, seconded by Councillor Chris Furness and

RESOLVED
(Unanimously)

The Calendar of Meetings for the 2022/23 municipal year be approved.

The Chairman declared the motion **CARRIED**.

Recommendation 2 – Consider the continued recording and livestreaming of Council and Committee meetings.

Councillor Tony Morley proposed the deferment of consideration of this recommendation until a future meeting of Council, this was seconded by Councillor Richard Bright and

RESOLVED That consideration of recommendation 2 be deferred until a future Council meeting.

Voting:

| | |
|----------------|-----------|
| For | 32 |
| Against | 0 |
| Abstain | 1 |

The Chairman declared the motion **CARRIED**.

17/22 - PUBLIC PARTICIPATION

There was no 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.”

18/22 - LOCAL PROJECTS FUND

Members received a report which included a review of the success of the Local Projects Fund and grants awarded since its inception in October 2015. The report also detailed examples of the projects supported in the 2021/2022 financial year and reviewed the terms and conditions for the award of funding.

Councillor Chris Furness moved recommendations 1 to 4 as set out in the report, this was seconded by Councillor Mark Salt.

During debate, an amendment was proposed by Councillor Garry Purdy to include a fifth recommendation to increase the £900 allocated to each Councillor to grant aid to projects to £1000 per annum. This was seconded by Peter Slack and put to the vote as follows:

Voting:

| | |
|----------------|-----------|
| For | 32 |
| Against | 1 |
| Abstain | 0 |

The Chairman declared the amendment **CARRIED**.

The substantive motion, with the additional fifth recommendation, was then put to the vote and

RESOLVED

1. That the report be noted.
2. That the Local Projects Fund be continued in the 2022/2023 financial year, with all spend to be committed by December 2022 to avoid the pre-election period in the spring of 2023.
3. That the terms and conditions of the Local Projects Fund detailed at Appendix 3 be approved.
4. That, on this occasion, the underspend on the Local Projects Fund in the 2021/22 financial year be carried forward to contribute to funding for the events and projects in the district associated with the Queen's Platinum Jubilee.
5. That the £900 per annum currently allocated to each Councillor to grant aid to projects be increased to £1000 per annum.

Voting:

| | |
|----------------|-----------|
| For | 32 |
| Against | 0 |
| Abstain | 1 |

The Chairman declared the motion **CARRIED**.

19/22 - COMMUNITY GOVERNANCE AND POLLING ARRANGEMENT REVIEWS

19:05 - Councillor Richard Bright left the meeting

Members considered a report proposing that Council agrees to carry out a number of Community Governance Reviews that will be required as a result of the warding and parish arrangements proposed by the Local Government Boundary Commission for England and the impact of new housing developments across the district.

It was proposed that at the same time as Polling Districts, Polling Stations are also reviewed to make sure that they reflect the revised arrangements and the impact of new housing developments.

It was moved by Councillor Colin Swindell, seconded by Councillor Steve Flitter and

RESOLVED

(Unanimously)

1. That authority be delegated to the Director of Corporate and Customer Services to carry out a review of polling districts, polling places and polling stations to make sure they reflect the revised warding arrangements and new residential developments constructed and occupied since the last review.
2. That authority be delegated to the Director of Corporate and Customer Services to carry out Community Governance Reviews arising from the Local Government Boundary Commission for

England proposals and the impact of new residential developments.

3. That any changes required as a result of these reviews 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**.

20/22 - REVIEW OF MEMBERS' ALLOWANCES SCHEME

19:19 - Councillor Peter Slack left the meeting

Members received a report which detailed the arrangements for a review of the Members' Allowances Scheme.

It was moved by Councillor Richard FitzHerbert, seconded by Councillor Chris Furness and

RESOLVED

1. That authority be delegated to the Director of Corporate and Customer Services to commence a review of the Members' Allowances scheme in accordance with the Local Authorities (Members' Allowances) (England) Regulations 2003
2. That Dr Declan Hall of DLG Research and Consultancy be appointed to carry out the review and be appointed as Chair of the Council's Independent Remuneration Panel (IRP) for a period of 12 months ending in May 2023.
3. That approval be given to a waiver under Contract Standing Orders to appoint Dr. Declan Hall.
4. That Mr David Willis be reappointed serve on the IRP for a further 4 years ending in May 2026.
5. That authority be delegated to the Director of Corporate and Customer Services to recruit and select replacement Panel Members when future vacancies arise and then make a recommendation to the Council to fill these vacancies

Voting:

| | |
|----------------|-----------|
| For | 26 |
| Against | 0 |
| Abstain | 5 |

The Chairman declared the motion **CARRIED**.

21/22 - SEALING OF DOCUMENTS

It was moved by Councillor Mark Salt, seconded by Councillor Stuart Lees and

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**.

Attachments:

Appendix 1 - Appointments to Committees

Appendix 2 - Appointments to Outside Bodies

Appendix 3 - Programme of meetings 2022-23

Meeting Closed: 7.24 pm

Chairman

COMMITTEE MEMBERSHIP – 2022/23 MUNICIPAL YEAR

COMMUNITY & ENVIRONMENT COMMITTEE (17 SEATS)

| 2022/23 Conservatives and Cllrs Bright, Elliott & Salt 10 | 2022/23 Liberal Democrats 3 | 2022/23 Green/ Independent 2 | 2022/23 Labour 1 | 2022/23 Independent 1 |
|--|-----------------------------------|------------------------------------|------------------------|-----------------------------|
| Sue Bull | Martin Burfoot | Matthew Buckler | Mike Ratcliffe | Peter O'Brien |
| Helen Froggatt | David Hughes | Neil Buttle | | |
| Chris Furness | Steve Wain | | | |
| Tony Morley | | | | |
| Dermot Murphy | | | | |
| Garry Purdy | | | | |
| Janet Rose | | | | |
| Andrew Statham | | | | |
| Masdair Sutton | | | | |
| Susan Hobson | | | | |
| Substitutes | Substitutes | Substitutes | Substitutes | Substitutes |
| Jason Atkin | Robert Archer | Jacqui Allison | Peter Slack | Colin Swindell |
| Tom Donnelly | Sue Burfoot | | | |
| Richard Fitzherbert | | | | |
| Alyson Hill | | | | |

GOVERNANCE & RESOURCES COMMITTEE (17 SEATS)

| 2022/23 Conservatives and Cllrs Bright, Elliott & Salt 10 | 2022/23 Liberal Democrats 3 | 2022/23 Green/ Independent 2 | 2022/23 Labour 1 | 2022/23 Independent 1 |
|--|-----------------------------------|------------------------------------|------------------------|-----------------------------|
| Sue Bull | Robert Archer | Neil Buttle | Mike Ratcliffe | Colin Swindell |
| David Chapman | Paul Cruise | Claire Raw | | |
| Tom Donnelly | Steve Flitter | | | |
| Helen Froggatt | | | | |
| Alyson Hill | | | | |
| Susan Hobson | | | | |
| Stuart Lees | | | | |
| Dermot Murphy | | | | |
| Garry Purdy | | | | |
| Alasdair Sutton | | | | |
| Substitutes | Substitutes | Substitutes | Substitutes | Substitutes |
| <i>Jason Atkin</i> | <i>David Hughes</i> | <i>Matthew Buckler</i> | <i>Dawn Greatorex</i> | <i>Peter O'Brien</i> |
| <i>Richard Fitzherbert</i> | <i>Steve Wain</i> | | | |
| <i>Janet Rose</i> | | | | |
| <i>Mark Wakeman</i> | | | | |

PLANNING COMMITTEE (13 SEATS)

| | | | | |
|---|-----------------------------------|------------------------------------|------------------------|-----------------------------|
| 2022/23 Conservatives and Cllrs Bright, Elliott & Salt 7 | 2022/23 Liberal Democrats 2 | 2022/23 Green/ Independent 2 | 2022/23 Labour 1 | 2022/23 Independent 1 |
| Jason Atkin | Robert Archer | Neil Buttle | Peter Slack | Peter O'Brien |
| Helen Froggatt | Sue Burfoot | Jacqui Allison | | |
| Tom Donnelly | | | | |
| Graham Elliott | | | | |
| Richard Fitzherbert | | | | |
| Stuart Lees | | | | |
| Garry Purdy | | | | |
| Substitutes | Substitutes | Substitutes | Substitutes | Substitutes |
| <i>Mark Wakeman</i> | <i>Paul Cruise</i> | <i>Matthew Buckler</i> | <i>Dawn Greatorex</i> | Colin Swindell |
| <i>Chris Furness</i> | | | | |
| <i>Andrew Statham</i> | | | | |

LICENSING & APPEALS COMMITTEE (13 SEATS)

| | | | | |
|---|-----------------------------------|------------------------------------|------------------------|-----------------------------|
| 2022/23 Conservatives and Cllrs Bright, Elliott & Salt 7 | 2022/23 Liberal Democrats 2 | 2022/23 Green/ Independent 2 | 2022/23 Labour 1 | 2022/23 Independent 1 |
| Graham Elliott | Paul Cruise | Jacqui Allison | Dawn Greatorex | Colin Swindell |
| Janet Rose | Steve Wain | Neil Buttle | | |
| Stuart Lees | | | | |
| Tom Donnelly | | | | |
| Andrew Statham | | | | |
| Mark Wakeman | | | | |
| Dermot Murphy | | | | |

JOINT CONSULTATIVE GROUP (6 SEATS)

| | | | |
|---|-----------------------------------|------------------------------------|------------------------|
| 2022/23 Conservatives and Cllrs Bright, Elliott & Salt 3 | 2022/23 Liberal Democrats 1 | 2022/23 Green/ Independent 1 | 2022/23 Labour 1 |
| Tom Donnelly | Steve Flitter | Neil Buttle | Peter Slack |
| Helen Froggatt | | | |
| Susan Hobson | | | |

JOINT ICT SERVICE COMMITTEE (3 SEATS)

| | |
|------------------------------|-----------------------------------|
| 2022/23 Conservative 2 | 2022/23 Liberal Democrats 1 |
| Chris Furness | David Hughes |
| Garry Purdy | |

16

SCRUTINY COMMITTEE (9 SEATS)

| | | | |
|---|-----------------------------------|------------------------------------|------------------------|
| 2022/23 Conservatives and Cllrs Bright, Elliott & Salt 5 | 2022/23 Liberal Democrats 2 | 2022/23 Green/ Independent 1 | 2022/23 Labour 1 |
| Tony Morley | David Hughes | Matthew Buckler | Mike Ratcliffe |
| Alyson Hill | Paul Cruise | | |
| Richard Fitzherbert | Steve Flitter | | |
| Jason Atkin | | | |
| Helen Froggatt | | | |
| Substitutes | Substitutes | Substitutes | Substitutes |
| | | <i>Neil Buttle</i> | <i>Peter Slack</i> |
| | | | |
| | | | |

LOCAL PLAN WORKING GROUP (11 SEATS)

| | | | | |
|---|-----------------------------------|------------------------------------|------------------------|-----------------------------|
| 2022/23 Conservatives and Cllrs Bright, Elliott & Salt 6 | 2022/23 Liberal Democrats 2 | 2022/23 Green/ Independent 1 | 2022/23 Labour 1 | 2022/23 Independent 1 |
| Jason Atkin | Martin Burfoot | Matthew Buckler | Mike Ratcliffe | Peter O'Brien |
| Richard FitzHerbert | David Hughes | | | |
| Susan Hobson | | | | |
| Tony Morley | | | | |
| Garry Purdy | | | | |
| Helen Froggatt | | | | |
| Substitutes | Substitutes | Substitutes | Substitutes | Substitutes |
| <i>Dermot Murphy</i> | <i>Paul Cruise</i> | <i>Jacqui Allison</i> | <i>Peter Slack</i> | <i>Colin Swindell</i> |
| <i>Chris Furness</i> | | | | |
| <i>Stuart Lees</i> | | | | |

CONSTITUTION WORKING GROUP (7 Members)

| | | | |
|---|-----------------------------------|------------------------------------|------------------------|
| 2022/23 Conservatives and Cllrs Bright, Elliott & Salt 4 | 2022/23 Liberal Democrats 1 | 2022/23 Green/ Independent 1 | 2022/23 Labour 1 |
| Garry Purdy | David Hughes | Neil Buttle | Mike Ratcliffe |
| Richard Fitzherbert | | | |
| Susan Hobson | | | |
| Tony Morley | | | |

ERNEST BAILEY CHARITY COMMITTEE (Area based) (13 SEATS)

| |
|--------------------|
| 2022/23 |
| Jason Atkin |
| Matthew Buckler |
| Martin Burfoot |
| Sue Burfoot |
| Paul Cruise |
| Steve Flitter |
| David Hughes |
| Dermot Murphy |
| Garry Purdy |
| Mark Salt |
| Andrew Statham (C) |
| Polin Swindell |
| Steve Wain |

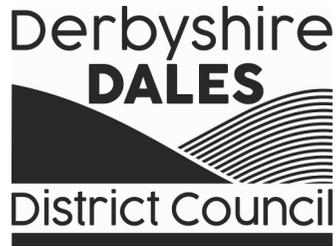
Based on relevant Wards

APPENDIX 2

APPOINTMENTS TO OUTSIDE BODIES 2022/2023

| OUTSIDE BODY | Representative(s) 2022/2023 | Substitute(s) 2022/2023 |
|---|--|------------------------------------|
| Revenues and Benefits Strategic Board | Cllr Clare Gamble | N/A |
| Derby and Derbyshire Strategic Leadership Forum | Leader of the Council | Deputy Leader |
| Derbyshire Economic Partnership | Leader of the Council | Deputy Leader |
| Derbyshire Dales Council for Voluntary Service | Cllr Tony Morley | N/A |
| Derbyshire Police and Crime Panel | Cllr Dermot Murphy | Cllr Jason Atkin |
| Derwent Valley Community Rail Partnership | Cllr Garry Purdy | N/A |
| Derwent Valley Mills World Heritage Board | Cllr David Hughes | N/A |
| District Councils' Network | Leader of the Council | Deputy Leader |
| East Midlands Council | Leader of the Council | Deputy Leader |
| Visit Peak District and Derbyshire | Cllr Helen Froggatt | N/A |
| Peak District Partnership | Leader of the Council | Deputy Leader |
| High Peak and Hope Valley Community Rail Partnership | Cllr Chris Furness | N/A |
| HS2 Chesterfield & Staveley Delivery Board | Leader of the Council | Deputy Leader |
| LGA Cultural Champion | Cllr Sir Richard Fitzherbert | N/A |
| LGA General Assembly | Leader of the Council | Deputy Leader |
| Peak District National Park Authority | Cllrs David Chapman & Chris Furness | N/A |
| Sheffield City Region | Leader of the Council | Deputy Leader |
| Ashbourne Community Transport | Cllr Stuart Lees | N/A |

| OUTSIDE BODY | Indemnity Insurance 2022/2023 | Expenses Paid |
|---|--------------------------------------|-----------------------------|
| Revenues and Benefits Strategic Board | | |
| Derby and Derbyshire Strategic Leadership Forum | | |
| Derbyshire Economic Partnership | No | |
| Derbyshire Dales Council for Voluntary Service | Yes | |
| Derbyshire Police and Crime Panel | As last year | Yes |
| Derwent Valley Community Rail Partnership | Yes | No |
| Derwent Valley Mills World Heritage Board | No | No |
| District Councils' Network | | |
| East Midlands Council | Yes | No |
| Visit Peak District and Derbyshire | Yes | |
| Peak District Partnership | No | |
| High Peak and Hope Valley Community Rail Partnership | | |
| LGA Cultural Champion | No | Yes |
| LGA General Assembly | No | Yes |
| Peak District National Park Authority | Yes | Yes Travel & subsistence |
| Sheffield City Region | Yes | |
| Ashbourne Community Transport | | |



Notable Dates 2022 - 2023:

02 June 2022 Spring Bank Holiday
 03 June 2022 Platinum Jubilee Bank Holiday
 29 August 2022 August Bank Holiday
 26 December 2022 Boxing Day
 27 December 2022 Christmas Day (Substitute Day)
 02 January 2023 New Year's Day (Substitute Day)
 21 & 22 February 2023
 07 April 2023 Shrovetide
 10 April 2023 Good Friday (Easter)
 01 May 2023 Easter Monday
 29 May 2023

PROGRAMME OF MEETINGS 2022/2023

1 = Budget Meeting
 2 = Annual Meeting
 3 = Annual Governance Statement
 4 = Audited Statement of Accounts

| | 2022 | | | | | | | | | 2023 | | | | |
|---|-------|-------------------|---------|---------|-----|---------|---------|----------|-----|---------|-----|------------------------|-----|-------------------|
| All at 6.00pm (unless otherwise stated) | VENUE | MAY | JUNE | JULY | AUG | SEPT | OCT | NOV | DEC | JAN | FEB | MAR | APR | MAY |
| Council | M | 26 ⁽²⁾ | | 28 | | 29 | | 24 | | 26 | | 2 ⁽¹⁾ 16 | | 25 ⁽²⁾ |
| Governance & Resources Committee | M | | | 14 | | 15 | | 22 | | 24 | | 8 | | |
| Community & Environment Committee | M | | 29 | | | 8 | | 1 | 7 | | 9 | 23 | | |
| Scrutiny Committee | M | | | | 3 | | 13 | 30 | | | 23 | | 5 | |
| Licensing & Appeals Committee | M | | 30 | | | 21 | | | | 17 | | 22 | | |
| Planning Committee | M | | 14 | 12 | 9 | 13 | 11 | 8 | 13 | 10 | 14 | 14 | 11 | |
| Ernest Bailey Charity Committee | M | | | | | | | 17 | | | | | | |
| Joint Consultative Group (2.30 pm) | M | | 15 | | | | 12 | | | 11 | | | 18 | |
| Central Forum (7pm) | | | | | | 7 | | | | | 7 | | | |
| Northern Forum (7pm) | | | | | | 20 | | | | | 21 | | | |
| Southern Forum (7pm) | | | | | | 27 | | | | | 16 | | | |
| Ward Member Briefings | | | | 19 | | | | | | 18 | | | | |
| Town & Parish Conference | M | | | | | | | | | 25 | | | | |
| Briefing/Training (4pm) | M | | 7 21 | 5 21 | | 6 22 | 6 18 | 15 10 | | 5 31 | | 7 28 | 13 | |

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Minute Item 16/22



Public Document Pack

Planning Committee - Tuesday, 14 June 2022



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PLANNING COMMITTEE

Minutes of a Planning Committee meeting held at 6.00 pm on Tuesday, 14th June, 2022 in the Council Chamber, Town Hall, Matlock, DE4 3NN.

PRESENT

Councillor Jason Atkin - In the Chair
Councillors: Richard FitzHerbert, Helen Froggatt, Tom Donnelly, Graham Elliott, Stuart Lees, Garry Purdy, Robert Archer, Sue Burfoot, Neil Buttle, Jacqueline Allison and Peter O'Brien

Chris Whitmore (Development Control Manager), Gareth Griffiths (Senior Planning Officer), Kerry France (Legal Services Manager), Tommy Shaw (Democratic Services Team Leader) and Angela Gratton (Democratic Services Officer)

Members of the Public – 19

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): Peter Slack

22/22 - INTERESTS

There were no declarations of interest.

23/22 - APPROVAL OF MINUTES OF PREVIOUS MEETING

It was moved by Councillor Garry Purdy, seconded by Councillor Richard FitzHerbert and

RESOLVED
(unanimously)

That the minutes of the meeting of the Planning Committee held on 12 April 2022 and 10 May 2022 be approved as a correct record.

24/22 - APPLICATION NO. 21/01346/LBALT

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 Garry Purdy, seconded by Councillor Richard Fitzherbert and

RESOLVED That planning permission be approved subject to the conditions set out in the report and the further condition set out below:

Prior to any excavation of the ground in association with the construction of the swimming pool extension, a construction method statement which seeks to safeguard historic fabric shall be submitted to and approved in writing by the Local Planning Authority. The works shall thereafter be carried out in accordance with the approved details.

Reason:

In the interests of preserving the special character and appearance of the Listed Building in accordance with the National Planning Policy Framework (2021), the National Planning Practice Guide and the Historic England Advice Note 2 - Making Changes to Heritage Assets (2016).

Voting:

| | |
|-------------------|----------|
| For | 7 |
| Against | 5 |
| Abstention | 0 |

The Chairman declared the motion **CARRIED**.

25/22 - APPLICATION NO. 22/00182/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 John Youatt (Agent), Dr Siobhan Spencer MBE (Derbyshire Gypsy Liaison Group) and Mr Roger Yarwood (Local Resident) spoke in support of the application. Mr Stephen Walton and Mr Richard Walsh (Local Resident) spoke against the application.

Consultation responses were set out in section 5 of the report and supplementary late representations received after the Agenda publication.

Following publication of the agenda:

1. An email from the agent has been received, with an attached statement from the WHS (undated) which sets parameters for possible development of the site Conservation and Planning Panel. Within this document it is advised that the Conservation and Planning Panel would not object to a use on the site that conformed to the aspirations of the WHS management plan, e.g. eco-tourism, and also reintroduced the wooded character of its surroundings. It is stated that this does not mean:

- Screen hedge planting
- Extensive earth works
- Intrusive signage.

Small lodges, e.g. 3m x 5m to the rear of the site (i.e. as far from the road as possible), in a dark recessive colour, in a broad leaf woodland setting may be acceptable. Trees would be planted to look 'scattered' and not formally 'regimented' to give the impression of natural woodland.

That agent advises that the Council must recognise the established use is worse than do nothing. They state that its choice is between lodges or travellers' pitches, which are in part an economic activity.

Officer Response:

DVMWHS Conservation and Planning Panel is not a statutory consultee and the guidance paper issued by the Panel was done so in exceptional circumstances. The Panel meeting was also held on the 25th November 2015, prior to the findings of the appeal inspector in respect of application 15/00642/FUL for an 8 pitch Traveller site at The Woodyard and the assessment of the impact of the development on the DVMWHS, a designated heritage asset.

Notwithstanding the above, the nature of development described by the panel was such that the site would enhance the broadleaved woodland setting of this part of the WHS, particularly in views from the turnpike road. The development applied for is more extensive in terms of site coverage and offers little opportunity to introduced broadleaved tree planting.

2. In addressing the officer's report the agent also makes the following comments:

In 2014 the DDCC corporate committee resolved to adopt the Woodyard as its preferred site of 16, as a permanent site for travellers. It tested it against criteria and spent £1000s, concluding it was viable. The committee decided to adopt the Woodyard on a majority. The council has subverted that decision ever since. An application was approved for 3 temporary pitches for 3 years. It's valid until the first occupation. It breached the resolution, the need and policy and is financially unviable.

Since then the Council has pursued 4 sites: - Rowsley; Watery Lane (Ashbourne); Clifton; and Tansley. All have failed. It might be at risk of a fine in the high court for failing to provide, as before. So, we are now in the Aberdeen scenario. In that case, the Inspector ruled that the failure to supply carried overwhelming weight over other considerations.

WHS agreed that the existence of the uncontrolled use classes B1 and B8 and an ugly shed, demanded a new use, subject to conditions. WHS recommended an ecotourism use - some lodges. Travellers' sites are almost always in the countryside. Roger Yarwood will tell

you that the Woodyard is among the most sustainable sites in his nation-wide experience. The site is only 3km from Cromford, by road, bus, footpath and train.

You will see on your site visit that the site is not at risk of flooding or of adding to flood risk downstream. It's an inaccurate map. The site stands high above the river and is protected from road water by kerbs. The previous appeal is irrelevant now. Relied on a site no longer available and a bad report in other ways anyway. It relied on the Watery Lane site - a rubbish tip with badger setts, needed for the bypass.

The existing approval has already drawn the planning balance against their objections. My clients ask that on site visit you note poor environmental conditions in Homesford – photos to follow. The Highway Authority approves. Please note that the A6 is much quieter from 1800 hrs to 0600. DDDC has specified a 2 m fence and we propose a site manager's pitch. We recommend a public site so that the council can ensure appropriate tenants and behaviour.

In terms of valuation / viability, the going rate for permanent pitches is circa £30k per pitch. A tough call for your budget. But Government has recognised that... In relation to funding, although DDDC have missed the deadline, we recommend a bid now. We know the scheme will be extended, and by applying now you would join the queue. DCC has told me it has spent £70k since 2014. DDDC has not answered yet but will be as much again at least. The need is growing. To conclude, please approve the Woodyard for travellers and apply for the grant.

Officer Response:

The above points have been addressed in the officer's report and appropriate weight applied to the criteria in Policy HC6 of the Adopted Derbyshire Dales Local Plan (2017) and guidance contained in the PPTS (2015) in assessing the appropriateness of the development in planning terms. With regard to the last paragraph, although the site is not required to be in a local authority's ownership at the time an application is made, officers understanding is that it will need to be eventually leased or owned by a local authority to benefit from the funding that is available to ensure value for money and deliverability. The application has been presented to the Local Planning Authority by the land owner without agreement on any lease or transfer of the site to the District Council.

3. The Gypsy and Traveller Liaison Group have made the following additional comments: The families cannot undertake another winter on what is an unsuitable site. They consider that the age, medical and educational needs of families is a material consideration in this case.

Officer Response:

Officers appreciate the needs of the families it has a duty to provide sites for, however, the unsustainable location of the site and impact the DVMWHS weighs significantly against the development in this case.

It was moved by Councillor Garry Purdy, seconded by Councillor Richard FitzHerbert and

RESOLVED That planning permission be REFUSED in line with the Officers recommendations as set out in the report.

Voting:

| | |
|-------------------|----------|
| For | 7 |
| Against | 5 |
| Abstention | 0 |

The Chairman declared the motion **CARRIED**.

26/22 - DURATION OF MEETING (MOTION TO CONTINUE)

At **8:30pm**, it was moved by Councillor Stuart Lees, seconded by Councillor Tom Donnelly and

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

27/22 - APPLICATION NO. 20/00037/FUL

The Senior Planning Officer gave a presentation showing details of the application and photographs of the site and surroundings. Members were advised that as a requirement of the Section 106 Agreement (required with the granting of planning permission), a financial contribution towards affordable housing would be required to off-site provision amounting to the equivalent of 1.1 dwelling. Members were also informed of the additional conditions requested by the Lead Local Flood Authority and with respect to tree protection.

In accordance with the procedure for public participation, Mr Richard Pigott (Agent) spoke in support of the application. Cllrs Vicki Raynes and Ian Strange (Tansley Parish Council), Mr Stephen Walton (Local Resident), Mr Richard Walsh (Local Resident), Ms Alayne Howard (Local Resident), Ms Samantha Wood (Local Resident) and Mr Geoffrey Prentice (Local Residents) spoke against the application. Cllr Paul Cruise (Ward Member) commented on the application on behalf of the local residents.

There followed a short adjournment at **7:53pm**, returning at **8:02pm**

Consultation responses were set out in section 5 of the report and supplementary late representations received after the Agenda publication.

Following publication of the agenda:

One letter of representation submitted to Sarah Dines MP and Local Ward Members has been received objecting to the proposals which is summarised as follows:

DCC Highways as a Statutory Consultee they recommend refusal. Derbyshire Fire and Rescues response says it expects New Builds to comply with B5 Approved Doc B Vol 1 Dwellings and access, a fire engine should not have to reverse more than 20mtrs – question whether there is enough space for a fire engine to turn and, if it cannot turn, then there is more than 20 mtrs of new road, from the turning area to the junction with Thatchers Croft - therefore question if there is compliance

Why do planners think they can ignore this advice, compliance is required with Fire Service access, it is not advisor

Likewise DCC engineers obviously have expert knowledge related to highway safety, why would our planners consider they are able to ignore this advice?

also note that the required 106 contributions which have been requested by DCC for Education have been significantly reduced by the planning department, and off site contributions to Play Equipment are required - surely Planners have seen the sorry state of the existing play area, where there is no rubber surface matting to ensure children's safety - surely any monies for play areas should be used to make safe this on site facility

there is no assessment related to the Bentley Brook catchment and the fact this site sits above the Bentley Brook tributary and is to have SUDS - there is no indication of management of the SUD's

DDDC know DCC do not adopt SUDS

there is no indication of the tenure of the new streets, how are they to be maintained or managed - sure we would all like to know , bearing in mind the access road Thatchers Croft is not financially secure and conditions related to street lighting and access road were never enforced by our Local Authority appears to be rather too many unanswered questions related to this site, for it to be going to a planning meeting in June.

Two letters of representation submitted have been received objecting to the proposals which are summarised as follows:

access road turning head does not appear to be able to accommodate HGV or emergency services vehicles without reversing to egress the site in a forward gear contrary to Derbyshire Fire and Rescues expectation that new development complies with B5 Approved Doc B Vol 1 Dwellings

does not appear to be an indication of the tenure of the internal streets or any written confirmation related to any legal agreements the developer intends to enter into to ensure future residents have security of tenure and future maintenance

developer has had 10 years in which to financially secure the roads and to date this has not happened and DDDC have not enforced previous conditions in the interim

on page 18 of the Storm Drainage Strategy the plan clearly shows there are five properties with four entrance points opening out onto Thatchers Lane, three of them being primary entrances - there is no other access to these properties other than Thatchers Lane

is this a genuine oversight or are the DDDC ignoring local resident concerns and dismissing experts such as the Highways Agency who have made it completely clear in their instruction that no dwelling access should be granted from Thatchers Lane

anyone who is a resident in the village knows the lane, knows how difficult it is if two cars meet on the lane, has seen refuse lorries unable to access the full length of the lane and knows the lane is used as a safer pedestrian route as the pavement on the A615 is too narrow for a parent and their children

extremely concerned that this Strategy has been accepted for consideration by the DDDC when the development plans have not been approved and still shows four entrances to and from Thatchers Lane - has resident and Local Highway Authority feedback been dismissed?

if yes, please provide a full explanation and justification as to why this should be the case

if no, please explain why this has not been fed back to the Developer with the request to resubmit plans based on no entrances/driveways opening out onto Thatchers Lane

clearly this has not happened as the Drainage Strategy still refers to the development plans Ref: 20/00037/FUL

urge DDDC Planning to uphold the original Highways Agency and DDDC consultation reply and legal agreement that no dwelling access should be granted to and from Thatchers Lane appears developer needs to go back to the drawing board and to ensure plans conform with recommendations of DCC highways

surprising that DDDC planners have advised that the narrow lane is unsuitable for more access points

should this development go forward for Officers recommendation, would seriously question the integrity of the decision

Applicant has "Arboricultural assessments by our Consultants and DDDC accept that the tree does not require a tree protection area on the development site in its current form."

in his statement below, and circulated via Tansley Hotwire, applicant states that:

Arboricultural assessments by our Consultants and DDDC accept that the tree does not require a tree protection area on the development site in its current form.

as the owner of the TPO ash in question, would appreciate your clarification as to

DDDC accept that the tree does not require a tree protection area on the development site in its current form”

do not believe it to be DDDC’s position as the Case Officers Report to Planning Committee appears to support tree protection to BS5837 standard.

Response

the response of the Local Highway Authority has been considered in the Officer’s report with respect to vehicular access onto Thatchers Lane

the access will enable fire engines to drive up the road and have the ability to reverse back or vice versa

the education contribution is based on that of the previous, and extant, outline planning permission as set out in the Officer’s report

monies with respect to play space upgrade are being required through a Section 106 Agreement

the land drainage has been assessed by the Lead Local Flood Authority and will need to be compliant with Building Regulations

the tenure of the new streets will need to be determined by the Local Highway Authority and the developer

a condition will need to be added as follows with respect to tree protection:

Prior to the development commencing, a detailed plan of all trees to be retained shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, and prior to any further materials or machinery being brought onto the site, a 2 metre high fence of Weldmesh, securely attached to scaffolding poles, inserted into the ground shall be erected in a continuous length, one metre beyond the crown spread of the trees to be retained (or such other fencing and positioning as may be agreed in writing with the Local Planning Authority). The fencing must remain throughout the period of construction and no materials or equipment shall be stored, no rubbish dumped, no fires lit or any excavation or changes in level take place within the fenced area.

Reason:

To protect trees during the construction period and in the interests of visual amenity in accordance with policies S1, S3, PD1, PD3, PD5 and PD6 of the Adopted Derbyshire Dales Local Plan (2017).

Further comments from the Lead Local Flood Authority:

since the response to the consultation dated 31 May 2022, which included conditions, have received information from Chair of Tansley Parish Council suggesting that there is a sough/culvert crossing the west of site, potentially underneath proposed house/access locations

request further conditions be attached as follows:

No development shall take place until the location and depth of the existing culvert within and adjacent to the site have been established and measures to protect it during construction have been submitted to and approved by the Local Planning Authority. If the culvert is within 3m of a proposed dwelling, measures to protect the structure of the culvert shall be submitted to and approved in writing by the Local Planning Authority

Reason:

To ensure that the culvert is located prior to construction and can be protected during construction to comply with Policy PD8 of the Adopted Derbyshire Dales local Plan (2017).

No development shall take place until a management and maintenance plan for the section of the existing culvert within the site, including how access to the culvert will be ensured, has been submitted to and approved in writing by the Local Planning Authority to comply with Policy PD8 of the Adopted Derbyshire Dales local Plan (2017).

Reason:

To ensure that the culvert is maintained in perpetuity and does not pose a flood risk to new or existing properties to comply with Policy PD8 of the Adopted Derbyshire Dales local Plan (2017).

Response

With regard to the sough/culvert, the applicant has advised that this is small in size (approximately 350mm x 350mm) and carries a low volume of water. The culvert crosses through the site between the Thoresby garden and the field, along the boundary detailed on a plan which has been submitted. The applicant advises that the dwellings have been located to avoid any need to alter the culvert and the applicant believes the development will have no detriment on it.

The applicant advises that any culverts damaged during construction works will be easily repairable and that they have the skills, plant and equipment to undertake such. It is advised by the applicant that culverts are often found unexpectedly during development works but he is fully aware of the position of this culvert and will be able to avoid breaking into it with services, etc.,

The culvert is advised to be located 3.25m from proposed house A1 and 4.2m from house F1. The applicant advises he has spoken to DCC (13th June 2022 post the Planning Committee site visit) and has been advised the following:

no legal agreement is required

a common sense approach is required

there is no risk from the culvert with no history of blockage

the culvert is not an issue for development to take place.

It is the Officers' view that the applicant will wish to avoid damage to the sough/culvert and that the layout does not require building over it, save for the access, but drains are often provided under roads. Officers recommend the additional conditions requested by the Lead Local Flood Authority be attached to any grant of planning permission.

Additional Information submitted by the applicant with regards to a response made to him previously by the Local Highway Authority as follows:

the pedestrian access onto Thatchers Lane remains unacceptable to the Highway Authority consider that Thatchers Lane with its narrow width and no footways or street lighting is unsuitable to serve an increase in use of pedestrian movements and therefore do not consider it should be encouraged by providing a pedestrian link.

clarification still needs to be provided as to how the proposal will be served on refuse collection days? As the refuse vehicle cannot enter the proposed cul-de-sac due to the lack of turning, it is likely that refuse bins will be collected from the existing cul-de-sac and therefore a bin storage area will need to be provided at the point the refuse vehicle will collect from.

it still needs to be demonstrated that service vehicles like supermarket delivery vans can manoeuvre within the site.

in view that the Highway Authority did not raise any objections to 16/00913OUT for five dwellings to be served from Thatcher Lane I consider it will be difficult to sustain an objection to the principle of the proposed 3 dwellings from Thatchers Lane, however, in line with the previous application the access points will need to be provided with 2.4m x 43m visibility sightlines along Thatchers Lane. Without suitable visibility sightline the Highway Authority will not look favourable on these access points.

it should also be confirmed that all parking spaces are a minimum size of 5.5m x 2.5m with an additional 0.5m if the space is bounded by a solid boundary.

The applicant advises the following in response to the above and other concerns raised:

DCC advised *"happy to accept 2.4m x 17m visibility splay but parking bays will obstruct the visibility sightlines.*

have revised the drawings to address this concern and submitted to Gemma Statham and copied to DDDC on 12/10/20. The required visibility will be provided.

DCC advised *"Turning head not sufficient size for refuse vehicles" and "swept drawings are still required".*

Swept Drawings and demonstration of adequate sized turning heads provided on 12/10/22 to DCC and copied to DDDC. DCC confirmed acceptable but recommended that consideration be given to bin storage nearer the turning head on collection day.

DCC - maintain that *Thatchers Lane is not suitable to serve the proposed dwellings and would not wish to see a pedestrian link..... and would not want to encourage pedestrian use"* Also notes, *"outline consent conditioned no access off Thatchers Lane"*

after discussions, DCC confirmed on 16/12/20 by email that, *"in view the Highway Authority did not raise objections to 16/00913/OUT for five dwellings to be served off Thatchers Lane, it will be difficult to sustain an objection to the principle of the proposed 3 dwellings from Thatchers Lane."* DCC maintain objection to the pedestrian link without the introduction of footways and street lighting. Have discussed the introduction of footways/street lights or the removal of the pedestrian link with Jon Bradbury and Gareth Griffiths and it was deemed that the pedestrian link should be retained and that the grass verges were adequate for pedestrian safety along with the numerous other hard surfaced areas on Thatchers Lane where pedestrians can safely stand whilst cars pass.

The applicant advises that a design and drawing has been produced by DCC specifying two street lights on Thatchers Croft (one outside no. 4 and one near the play area). It is advised that these will be installed before the occupation of any of the 17 dwellings proposed and that this would be acceptable by the applicant as a condition of any planning permission.

It is advised that, during the first phase of the Thatchers Croft development, that construction approval is in place, inspections were undertaken and that the applicant is at the stage with DCC that he can enter into a legal agreement for a Section 38 adoption.

There are private roads and communal areas which require maintenance and these will be transferred into a management company for future maintenance and it may be concluded that it is better for the whole road to be within the Management Company rather than part S38 and part private.

The first phase of the development has been pending adoption because of the need to connect gas, water and electric into the road area and it is not advisable to complete adoption (if this is the route taken) until these works have been completed. There will be

normal management procedures in place for the development covering both existing and yet to be constructed houses.

Response

The initial concerns of the Local Highway Authority are noted, and respected, but they have since made no objection to the accesses onto Thatchers Lane given that they raised no objection to 5 dwellings proposed to the south of the road in 2016, albeit the planning application was refused for other reasons.

The applicant's proposal is for 3 properties to access Thatchers Lane, which is less than that of the refused scheme. Officers consider that whilst there may be some concerns, the balance lies with improving the relationship of the development to Thatchers Lane rather than the whole development turning its back to it and that, given the Local Highway Authority's revised position, that a refusal on highway safety grounds could not be substantiated at Appeal.

The Local Highway Authority maintain their objection to the pedestrian access onto Thatchers Lane. However, Officers consider that this will allow persons to access onto Thatchers Lane in an alternative manner to exiting Thatchers Croft and then turning onto Thatchers Lane and provides improved interconnectivity to the countryside. This would also provide an alternative access for Tansley villagers to access Thatchers Lane by foot or cycling.

Councillor Sue Burfoot formally moved to defer the decision to get advice and clarification from DCC Highways on the access and the fuller details on the Tree preservation from the Tree Preservation Officer. This was seconded by Councillor Robert Archer and put to the vote, the voting was as follows:

Voting:

| | |
|-------------------|----------|
| For | 5 |
| Against | 7 |
| Abstention | 0 |

The Chairman declared the motion **FALLEN**.

It was then moved by Councillor Garry Purdy that planning permission be approved subject to the inclusion of an off-site contribution towards affordable housing equivalent to 1.1 units, this was seconded by Councillor Richard FitzHerbert and

RESOLVED That planning permission be approved subject to the conditions set out in the report and the additional conditions as set out below:

That subject to the applicant entering into a Section 106 Legal Agreement for on-site affordable housing provision, an off-site financial contribution towards affordable housing provision based on 1.1 dwelling, open space/play area provision comprising a financial contribution of £6,500 towards offsite play provision, a payment of £22,798.02 towards education provision and payment towards affordable housing should an RSL not be identified to take up the proposed on-site affordable housing, that outline planning permission be granted for the erection of 12 no. dwellinghouses, with approval

being sought for access, layout, scale and landscaping, subject to the following conditions:

Prior to the development commencing, a detailed plan of all trees to be retained shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, and prior to any further materials or machinery being brought onto the site, a 2 metre high fence of Weldmesh, securely attached to scaffolding poles, inserted into the ground shall be erected in a continuous length, one metre beyond the crown spread of the trees to be retained (or such other fencing and positioning as may be agreed in writing with the Local Planning Authority). The fencing must remain throughout the period of construction and no materials or equipment shall be stored, no rubbish dumped, no fires lit or any excavation or changes in level take place within the fenced area.

Reason:

To protect trees during the construction period and in the interests of visual amenity in accordance with policies S1, S3, PD1, PD3, PD5 and PD6 of the Adopted Derbyshire Dales Local Plan (2017).

No development shall take place until the location and depth of the existing culvert within and adjacent to the site have been established and measures to protect it during construction have been submitted to and approved by the Local Planning Authority. If the culvert is within 3m of a proposed dwelling, measures to protect the structure of the culvert shall be submitted to and approved in writing by the Local Planning Authority

Reason:

To ensure that the culvert is located prior to construction and can be protected during construction to comply with Policy PD8 of the Adopted Derbyshire Dales local Plan (2017).

No development shall take place until a management and maintenance plan for the section of the existing culvert within the site, including how access to the culvert will be ensured, has been submitted to and approved in writing by the Local Planning Authority to comply with Policy PD8 of the Adopted Derbyshire Dales local Plan (2017).

Reason:

To ensure that the culvert is maintained in perpetuity and does not pose a flood risk to new or existing properties to comply with Policy PD8 of the Adopted Derbyshire Dales local Plan (2017).

Voting:

| | |
|-------------------|----------|
| For | 7 |
| Against | 5 |
| Abstention | 0 |

The Chairman declared the motion **CARRIED**.

28/22 - APPLICATION NO. 22/00374/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.

In accordance with the procedure for public participation, Cllrs David Hughes spoke on the retrospective application

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

RESOLVED That planning permission be approved subject to the conditions set out in the report.

Voting:

| | |
|-------------------|----------|
| For | 9 |
| Against | 0 |
| Abstention | 3 |

The Chairman declared the motion **CARRIED**.

29/22 - DURATION OF MEETINGS (MOTION TO CONTINUE)

At **8:55pm**, it was moved by Councillor Stuart Lees, seconded by Councillor Richard FitzHerbert and

RESOLVED (unanimously) That, in accordance with **Rule of Procedure 13**, the meeting continue for a further 30 minutes to enable the business on the agenda to be concluded.

30/22 - APPLICATION NO. 22/00298/FUL

The Senior 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.

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

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

During debate it was moved by Councillor Sue Burfoot and seconded by Councillor Peter O'Brien that planning permission be refused due to concerns that the materials proposed for the development did not match those used in the construction of the adjacent property. This was put to the vote, the voting was as follows:

Voting:

| | |
|-------------------|----------|
| For | 4 |
| Against | 7 |
| Abstention | 1 |

The Chairman declared the motion **FALLEN**.

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

RESOLVED That planning permission be approved subject to the conditions set out in the report.

Voting:

| | |
|-------------------|----------|
| For | 7 |
| Against | 3 |
| Abstention | 2 |

The Chairman declared the motion **CARRIED**.

31/22 - APPEALS PROGRESS REPORT

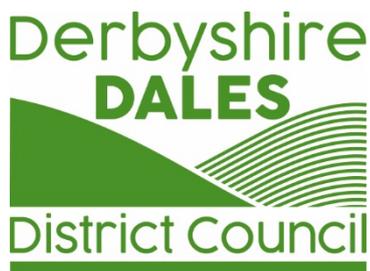
It was moved by Councillor Jason Atkin, seconded by Councillor Richard FitzHerbert and

RESOLVED That the report be noted.
(unanimously)

Meeting Closed: 9.07 pm

Chairman

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COMMUNITY & ENVIRONMENT

Minutes of the Community & Environment meeting held at 6.00 pm on Wednesday, 29th June, 2022 in the Council Chamber, Town Hall, Matlock, DE4 3NN.

PRESENT Councillor Helen Froggatt - In the Chair

Councillors: Jason Atkin, Sue Bull, Martin Burfoot, Neil Buttle, Tom Donnelly, Chris Furness, David Hughes, Tony Morley, Dermot Murphy, Peter O'Brien, Mike Ratcliffe, Janet Rose, Andrew Statham and Steve Wain

Tim Braund (Director of Regulatory Services), Steve Capes (Director of Regeneration & Policy), Rebecca Cummins (Community Development Manager), Giles Dann (Policy and Economic Development Manager), Angela Gratton (Democratic Services Officer), Karen Henriksen (Director of Resources), James McLaughlin (Director of Corporate and Customer Services (Monitoring Officer)) and Jason Spencer (Electoral and Democratic Services Manager)

Note:

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APOLOGIES

Apologies for absence were received from Councillor(s): Matt Buckler, Susan Hobson, Garry Purdy and Alasdair Sutton

22/32 - APPROVAL OF MINUTES OF PREVIOUS MEETING

It was moved by Councillor Mike Ratcliffe, Seconded by Councillor Dermot Murphy and

RESOLVED That the minutes of the meeting of the Community and Environment Committee held on 6 April 2022 be approved as a correct record.
(unanimously)

The Chairman declared the motion **CARRIED**.

22/33 - PUBLIC PARTICIPATION

In accordance with the procedure for public participation Mr Peter Dobbs Local Resident of Ashbourne spoke regarding the action plan for Ashbourne's Air Quality Management Area.

QUESTIONS from Peter Dobbs, Local Resident of Ashbourne, regarding the Ashbourne's AQMA Updating Report –

Although I am pleased that an updating report has been included as an agenda item for this meeting, I am disappointed to note that it seems to be little more than a diary of meetings with references to **reports that are not included in the pack** with some impenetrable acronyms.

Question 1; At what date will this committee and the wider public have sight of the proposed action plan?

I understand that the same 11 actions that were in the 'Marsden Report' for the County Council published over 4 months ago are included in the current draft of the action plan.

My interpretation of diffusion tube data for 2022 shows that NOx levels on Buxton Road remain above the action threshold indicated in the 2021 'Detailed Assessment', with one location (new in 2022) reaching an adjusted value of NOx of over 50ugm-3 (the legal limit is 40ugm-3).

So we currently have illegal levels of NOx that the apportionment exercise attributes largely to LGV and HGV.

Question 2; Which of the 11 actions in the draft plan does this council believe will have a significant effect over the next 4 years in reducing NOx levels at the top of Buxton Hill (the new test location outside the Bowling Green pub)?

Question 3; What evidence supports this prediction?

RESPONSE –

Question 1

Once the draft action plan has been fully considered by the working group it is expected that a final draft will be brought to a meeting of the Community and Environment Committee for approval before submission to Defra. At this stage it is not possible to state a precise date for this to happen as consultation with community stakeholders on the working group has not yet been concluded.

Question 2

Clearly the most effective action to reduce NO2 levels in this area would be to reduce/remove traffic from the roads that pass through it. However, at this time there is no immediate prospect of a bypass being delivered, which would enable this to happen. Therefore it is considered that the combination of measures set out in the draft action plan is necessary to reduce NO2 levels in the meantime.

Question 3

These measures are based on the best advice of Transport Officers at Derbyshire County Council. The success or otherwise of their implementation will be measured by ongoing NO2 measurements in the area.

22/34 - INTERESTS

There were no declarations of interest.

22/35 - LEVELLING UP FUND ROUND 2 BID SUBMISSION

The Director of Regeneration and Policy introduced the Levelling Up Fund Round 2 bid which sought approval for submission to Round 2 of the Government's Levelling Up Fund and informed Members that the new title of the bid was Ashbourne Reborn. The Director of Regeneration and Policy also thanked Members, colleagues and the Ashbourne community groups for their contributions.

It was explained to Members that this LUF bid was for Ashbourne but that work would continue on the Matlock project pipeline and in the long term when future funding opportunities arise, Member approval would be sort to include other areas in future iterations of the Capital Programme.

Members thanked the Director of Regeneration and Policy and his team, Consultants and the community team for the excellent bid.

It was moved by Councillor Dermot Murphy, seconded by Councillor Sue Bull and

RESOLVED
(Unanimously)

1. That the Levelling Up Fund Round 2 bid be approved for submission.
2. That authority be delegated to the Director of Regeneration and Policy to make detailed changes prior to bid submission.
3. That authority be delegated to the Director of Corporate and Customer Services to agree Heads of Terms or a Memorandum of Understanding with Ashbourne Methodist Church prior to bid submission.
4. That the project pipeline be noted.

The Chairman declared the motion **CARRIED**.

22/36 - PARISH COUNCIL REIMBURSABLE EXPENDITURE SCHEME

The Director of Resources introduced a report which considered an application from Calver Parish Council for funding in respect of the cost of maintenance of a newly acquired village green. Members were also reminded of the 2008 review during which the Committee resolved that the District Council did not assume the maintenance costs for any new facilities, and that there was no budgetary provision for further commitments under the parish council reimbursable expenditure scheme.

During debate it was proposed by Councillor Peter O'Brien to support Calver Parish Council with a one off payment, this was seconded by Councillor David Hughes and

RESOLVED That the application from Calver Parish Council for funding maintenance of the village green be granted.

Voting:

| | |
|-------------------|---|
| For | 6 |
| Against | 9 |
| Abstention | 0 |

The Chairman declared the motion **FALLEN**.

It was then moved by Councillor Tony Morley, seconded by Councillor Jason Atkin and

RESOLVED That the application from Calver Parish Council for funding maintenance of the village green be refused.

Voting:

| | |
|-------------------|---|
| For | 9 |
| Against | 3 |
| Abstention | 3 |

The Chairman declared the motion **CARRIED**.

22/37 - AIR QUALITY MANAGEMENT AREA, ASHBOURNE - UPDATING REPORT

The Director of Regulatory Services introduced a report updating Members on the actions taken following the declaration of an Air Quality Management Area (AQMA) in Ashbourne at the meeting of this Committee on 7 April 2021. Following this meeting, Officers had contacted Derbyshire County Council's Transport team and begun the process of progressing an action plan. Liaison had been necessary to obtain the traffic figures necessary to undertake the Detailed Assessment. An Action Plan inception meeting was held on 13 May 2021 and it was agreed that the team would follow the model used for the creation of other AQMA Action Plans in Derbyshire, that is that a long list of all possible options would be devised and that this would then be evaluated to determine which of these options might be suitable for Ashbourne.

It was also agreed that representatives from Ashbourne Town Council and Ashbourne Town Team would be involved in the Action Plan process. A series of meetings would be needed in order to produce the final approved Action Plan and to monitor the actions agreed as part of the Plan. In order to manage the Action Plan process, Officers set up a simple action log to record progress. This action log was presented to Members in the report, giving a more detailed timeline of the actions taken during the process.

Members raised concerns over the progress of the action plan and the ongoing emissions produced by vehicles travelling through the area. The Director of Regulatory Services informed members that an action plan is given eighteen months to progress by DEFRA, it was also pointed out that the draft action plan on the table contained eleven points with the building of a by-pass included. It was hoped that a final draft would be brought to the September meeting of this Committee before submission to DEFRA.

During debate Councillor David Hughes proposed an amendment to include two additional recommendations as set out below:

2. That a representation be made to DCC Highways Authority for a 20mph speed limit to be enforced on the A515.

3. That a representation be made to DCC Highways Authority for a congestion charge to be introduced to create a clean air zone.

Further to this, Councillor Peter O'Brien requested the inclusion of the two additional recommendations below, this was accepted by Councillor David Hughes:

4. That a full progress report be produced and presented to Members at the next meeting of this Committee.
5. That the draft Action Plan be made publicly available and circulated to Members.

This amendment was seconded by Councillor Peter O'Brien and put to the vote as follows,

Voting:

| | |
|-------------------|---|
| For | 6 |
| Against | 9 |
| Abstention | 0 |

The Chairman declared the amendment **LOST**.

It was then moved by Councillor Jason Atkin to accept the Officer recommendations as set out in the report, this was seconded by Councillor Tom Donnelly and

RESOLVED That the actions taken in progressing the AQMA action plan be noted.

Voting:

| | |
|-------------------|----|
| For | 10 |
| Against | 0 |
| Abstention | 5 |

The Chairman declared the motion **CARRIED**.

22/38 - ANNUAL LEISURE REPORT 2021/22

The Community Development Manager introduced the annual updating report on the performance of the four leisure centres operated by Freedom Leisure within the district from 1 April 2021 to 30 March 2022.

The Community Development Manager informed Members that the Council would continue to work closely with Freedom Leisure over the next financial year, meeting on a monthly basis to monitor any further impact the pandemic has on the performance of the leisure centres.

It was moved by Councillor Jason Atkin, seconded by Councillor Chris Furness and

- RESOLVED**
1. To note the annual report provided by Freedom Leisure for 2021/22
 2. To approve a deviation from the leisure contract to allow Freedom Leisure to retain and carry forward the £28,910 surplus from 2021/22 to 2022/23.

Voting

| | |
|-------------------|----|
| For | 14 |
| Against | 0 |
| Abstention | 1 |

The Chairman declared the motion **CARRIED**.

Meeting Closed: 8.20 pm

Chairman



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LICENSING & APPEALS

Minutes of the Licensing & Appeals meeting held at 6.00 pm on Thursday, 30th June, 2022 in the Council Chamber, Town Hall, Matlock, DE4 3NN.

PRESENT Councillor Andrew Statham - In the Chair

Councillors: Neil Buttle, Stuart Lees, Janet Rose, Steve Wain and Mark Wakeman

Tim Braund (Director of Regulatory Services), Eileen Tierney (Licensing Manager), Lucy Harrison (Democratic Services Assistant) and Tommy Shaw (Democratic Services Team Leader)

Note:

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APOLOGIES

Apologies for absence were received from Councillor(s): Jacqueline Allison, Paul Cruise, Tom Donnelly, Graham Elliott, Dawn Greatorex, Dermot Murphy and Colin Swindell

39/22 - PUBLIC PARTICIPATION

There was no public participation.

40/22 - APPROVAL OF MINUTES OF PREVIOUS MEETING

It was moved by Councillor Stuart Lees, Seconded by Councillor Mark Wakeman and

RESOLVED That the minutes of the meeting of the Licensing and Appeals Committee held on 13 January 2022 be approved as a correct record.

Voting

For 5

| | |
|------------------|----------|
| Against | 0 |
| Abstained | 1 |

The Chairman declared the motion **CARRIED**.

41/22 - INTERESTS

There were no declarations of interest.

42/22 - TAXI AND PRIVATE HIRE LICENSING PROPOSED INCREASE TO THE TABLE OF MAXIMUM FARES FOR TAXIS

The Licensing Manager introduced a report which provided Members with information regarding the review of the Council's table of maximum Taxi Fares, as requested by the Hackney Carriage (Taxi) trade. Members were asked to consider a proposed table of revised fares agreed with the Trade, for advertisement to the public, as the procedure required.

Members were advised of the legal powers held by the authority to review and set fares for hackney carriages (taxis that can be hailed in the street or hired at a taxi rank). They were also informed of further requests from several of the licensed taxi drivers for a review to increase the table of maximum fares they could charge their passengers.

This had been discussed at a previous meeting of this Committee and it had been resolved that discussions would take place with the trade to agree a revised table of maximum fares which would then be advertised for comment. Since this decision, the agreed discussions had taken place with several alternative proposals considered by Officers and circulated to the licensed drivers to determine a preferred option for the updated maximum fares, as presented to Members in the report.

It was moved by Councillor Stuart Lees, Seconded by Councillor Steve Wain and

RESOLVED
(unanimously)

1. That the action taken in agreeing a revised table of maximum fares for publication and advertisement be confirmed.
2. That the proposed table of maximum taxi fares be approved and a date for implementation of the new tariff, be agreed.
3. That the table of maximum taxi fares be reviewed every 3 years, starting in 2024/2025.

The Chairman declared the motion **CARRIED**.

43/22 - TAXI AND PRIVATE HIRE LICENSING ANNUAL UPDATE REPORT

The Licensing Manager introduced a report which provided the Committee with a brief summary of the work relating specifically to taxi and private hire licensing, undertaken by the Licensing Team during the last financial year. Particular attention was drawn to actions taken following the implementation of the Council's revised Taxi and Private Hire Licensing Policy, which came into effect on 1st May 2018, when mandatory requirements relating to

safeguarding awareness training and annual subscriptions to the Disclosure and Barring Service criminal record check update service were introduced.

The Director of Regulatory Services informed Members that the reported figures for 2021/22, as included in section 3.2 of the report, should be revised as in the table below:

| Taxi Licences | 2019/20 Actual £ | 2020/21 Actual £ | 2021/22 Actual £ | 2022/23 Budget £ |
|-------------------------------|------------------------|------------------------|------------------------|------------------------|
| Direct Costs | 41,906 | 39,368 | 28,279 | 31,210 |
| Support Services | 14,248 | 13,385 | 9,615 | 10,611 |
| Income | -48,280 | -43,001 | -65,229 | -48,077 |
| Net Expenditure / (Income) | 7,874 | 9,752 | -27,335 | -6,256 |

It was moved by Councillor Mark Wakeman, Seconded by Councillor Stuart Lees and

RESOLVED
(unanimously)

1. That the update report on taxi licensing related matters be noted; and future reports are submitted annually to the first meeting of this Committee in the civic year.
2. That a progress report be submitted to the next meeting, on the implementation of the requirements of the Department for Transport's (DfT's) National Taxi and Private Hire Vehicle Licensing Standards.

The Chairman declared the motion **CARRIED**.

44/22 - LICENSING ACT 2003 AND GAMBLING ACT 2005 ANNUAL UPDATE

The Licensing Manager introduced a report which provided the Committee with a summary of the work relating specifically to the Licensing Act 2003 and the Gambling Act 2005, undertaken by the Licensing Team during the last financial year, and the previous two financial-year periods, to allow comparisons to be made. The report also informed Members of the details of compliance and enforcement work carried out in partnership with other statutory authorities, which contributes to the Licensing Service Plan Actions.

It was moved by Councillor Steve Wain, Seconded by Councillor Neil Buttle and

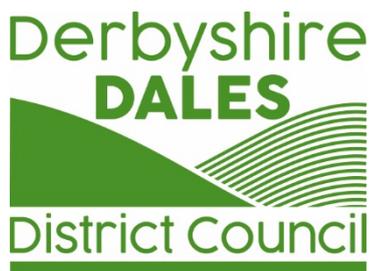
RESOLVED
(unanimously)

1. That the Licensing Team continues to work with other Responsible Authorities, where possible, when carrying out the following number of planned compliance/enforcement visits in the District by 31 March 2023: 20 licensing awareness visits to premises licensed for alcohol sales, gambling or scrap metal;
2. That the Licensing Team continues to contribute to the work of the Community Safety Partnership's VAL (Violence Alcohol and Licensing) Group, and supports initiatives promoted by the Institute of Licensing and the Gambling Commission.

The Chairman declared the motion **CARRIED.**

Meeting Closed: 6.58 pm

Chairman



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PLANNING COMMITTEE

Minutes of a Planning Committee meeting held at 6.00 pm on Tuesday, 12th July, 2022 in the Council Chamber, Town Hall, Matlock, DE4 3NN.

PRESENT

Councillor Jason Atkin - In the Chair

Councillors: Sue Burfoot, Neil Buttle, Tom Donnelly, Richard FitzHerbert, Stuart Lees, Peter O'Brien, Garry Purdy, Peter Slack and Mark Wakeman

Chris Whitmore (Development Control Manager), Sarah Arbon (Senior Planning Officer), Tommy Shaw (Democratic Services Team Leader) and Angela Gratton (Democratic Services Officer)

Members of the Public – 16

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, Graham Elliott and Helen Froggatt

48/22 - 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 14 June 2022 be approved as a correct record.

49/22 - INTERESTS

Councillor Mark Wakeman declared a non-pecuniary interest in Item 5.7. Application No. 22/00383/FUL Derwent Gardens.

50/22 - APPLICATION NO. 22/00441/FUL

The Senior 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 Tim Allen (Agent) spoke in support of the application. Ms Louise Redfern (Local resident), Mr William Hibbert (Biggin Parish meeting), Ms Geogina Geraghty (Kirk Ireton Parish Council) and Ms Wendy Whitbread (Local resident) spoke against the application.

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

Following publication of the agenda:

A representation had been received from Kate Chubb and it is summarised below.

The original Georgian farmhouse ought to be preserved and enhanced, not razed just because VAT is not payable on new builds.

At no 80 of NPPF "Planning policies should avoid the development of isolated homes in the countryside unless one of 5 exceptions apply". Not one single exception applies.

The numerous car parking spaces show that carbon and climate change is not being addressed. Far from it. How do we know that all vehicles are carbon free and all visitors' cars too? Unless applications can demonstrate biodiversity net gain, they ought to be refused.

Huge swathes of fenestration due south, (like a light house or oil rig) will send wildlife, flora and fauna as far away as it can get. The light pollution will therefore quietly decimate a large area.

The justification to demolish the original Georgian farmhouse is absurd. Most Georgian structures do not comply with modern building regs either! Preservation of the original Georgian Farmhouse (which is fine) along with the original Georgian fireplace in uniquely distinctive Derbyshire stone ought to be left intact. (NPPF chapter 16)

Another absurdity: The report says the original Georgian farmhouse can be obliterated because it is "outside any framework boundary" as if again, it was the Georgians who were mistaken. The official address at Nether Hillside Farm is very much Biggin-based. Planners are completely wrong to arbitrarily conclude (like Colonial field Marshalls dividing up countries) who does or does not belong to which community. It is not their decision or call.

The application architects hope that the area is insensitive to change, obviously, but if we look at Kirk Ireton's Neighbourhood Plan we see a chapter called "Policy P2 Protecting Views" and in the examiner's report, (pp13) he says, "it is evident that the situation of Kirk

Ireton on high ground means that long-distance views assume a particular significance". This would include Nether Hillside Farm, "on high ground" and a mere 3 fields away from Kirk Ireton.

The new building is not on the original footprint but situated to cause as much light pollution as possible.

Officer Response:

The original farmhouse is later 18th Century and in the early 1980s the Government initiated a major national re-survey of historic buildings in England and during the re-survey all historic buildings were considered and those worthy of statutory listing were included on the national heritage list for England. For the outcomes of the national re-survey this building was not included on the national list. All other comments have been addressed in the committee report.

An additional condition is required that reads:-

Prior to first occupation or use of the hereby approved dwellings a scheme of measures to mitigate the effects of and adapt to climate change at the site and associated timetable shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall thereafter be carried out in accordance with the approved details.

During debate, it was moved by Councillor Peter O'Brien and seconded by Councillor Sue Burfoot that planning permission be refused as the new development did not reflect the character of the local area and was not considered to make a positive design contribution.

This was then put to the vote as follows:

Voting:

| | |
|-------------------|----------|
| For | 4 |
| Against | 6 |
| Abstention | 0 |

The Chairman declared the motion **FALLEN**.

Members raised concerns regarding the amount of glazing and reflection.

Councillor Stuart Lees moved the Officer recommendations with an additional condition to use anti-glare glass, this was then seconded by Councillor Mark Wakeman and

RESOLVED That planning permission be approved subject to the conditions set out in the report with the addition of a further condition as set out below:
- That anti-glare glass to be utilised.

Voting:

| | |
|-------------------|----------|
| For | 6 |
| Against | 3 |
| Abstention | 1 |

The Chairman declared the motion **CARRIED**.

51/22 - APPLICATION NO. 21/01455/FUL

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

The Committee visited the site on the 13th June 2022 to allow Members to appreciate the proposal in the context of its surroundings.

In accordance with the procedure for public participation, Mr Dan Greenway (Agent) spoke in support of the application. Ms Teresa Hitchcock (Local resident) spoke against the application.

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

Following publication of the agenda:

Teresa Hitchcock notified the LPA that a call in request has been made to the Secretary of State for determination at national level. The Planning Casework Unit of the Department for Levelling up, Housing and Communities are aware of the request and that the application is due to be determined at Planning Committee on the 12th July and advise the LPA not to issue the decision notice until such time as the SOS has considered whether it would be appropriate to call the application in. Delegated agreement is thus required as follows:

Authority be delegated to the Development Manager, to approve the application subject to conditions following confirmation from the Secretary of State that they do not wish to call in the application in for consideration by the end of the week commencing the 18th July 2022.

It was moved by Councillor Garry Purdy, seconded by Councillor Richard FitzHerbert and

RESOLVED That authority be delegated to the Development Manager, to approve
(unanimously) the application subject to conditions following confirmation from the Secretary of State that they do not wish to call in the application for consideration by the end of the week commencing the 18th July 2022.

The Chairman declared the motion **CARRIED**.

52/22 - APPLICATION NO. 22/00219/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 Andrew Turner (Applicant) spoke in support of the application.

Consultation responses were set out in section 6 of the report.

The Development Manager confirmed that the Local Highways Authority had made a physical visit to site to review the vehicular access and as in point 8.6 of the report, their conclusion was that access would not be achievable for highway safety without making significant changes.

It was moved by Councillor Garry Purdy, seconded by Councillor Tom Donnelly and

RESOLVED That planning permission is refused for the following reasons set out in the report.

Voting:

| | |
|-------------------|----------|
| For | 9 |
| Against | 1 |
| Abstention | 0 |

The Chairman declared the motion **CARRIED**.

There followed a short adjournment at **8.17pm**, returning at **8.30pm**.

53/22 - APPLICATION NO. 21/01246/OUT

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 Jamie Foot (Agent) spoke in support of the application. Mr Stephen Brown (Local Resident) spoke against the application.

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

It was moved by Councillor Peter Slack, seconded by Councillor Richard FitzHerbert and

RESOLVED That planning permission be granted subject to the conditions set out in the report

Voting:

| | |
|-------------------|----------|
| For | 8 |
| Against | 0 |
| Abstention | 2 |

The Chairman declared the motion **CARRIED**.

54/22 - APPLICATION NO. 21/01412/OUT

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 Jamie Foot (Agent) spoke in support of the application. Mr Stephen Brown (Local Resident) spoke against the application.

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

The officer recommendations, as set out in the report, were moved by Councillor Stuart Lees and seconded by Councillor Richard FitzHerbert.

During debate, Members asked for clarification that, if outline permission were approved, the application would come back to the Planning Committee for approval of the final design.

The Development Manager informed Members that if outline permission were approved, this would be the design and it would not come back to the committee. He suggested that Members should defer consideration of the Item to a future meeting if they were not happy with the proposed layout.

Councillor Stuart Lees therefore withdrew his previous motion and moved a deferment, this was then seconded by Councillor Richard FitzHerbert and

RESOLVED That consideration of the item be deferred to a future meeting of the Committee in order for negotiations to take place regarding the layout of the proposed development and its relationship with the junction of Malvern Gardens and Smedley Street.

Voting:

| | |
|-------------------|----------|
| For | 9 |
| Against | 1 |
| Abstention | 0 |

The Chairman declared the motion **CARRIED**.

55/22 - DURATION OF MEETING (MOTION TO CONTINUE)

At **8:30pm** 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 to enable the business on the agenda to be concluded.

The Chairman declared the motion **CARRIED**.

56/22 - APPLICATION NO. 21/01447/OUT

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 Jamie Foot (Agent) spoke in support of the application. Mr Stephen Brown (Local Resident) spoke against the application.

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

It was moved by Councillor Garry Purdy, seconded by Councillor Peter Slack and

RESOLVED That planning permission be approved subject to the conditions set out in the report.

Voting:

| | |
|-------------------|----------|
| For | 9 |
| Against | 0 |
| Abstention | 1 |

The Chairman declared the motion **CARRIED**.

57/22 - APPLICATION NO. 22/00383/FUL

Councillor Mark Wakeman left the meeting during consideration of this application due to previously declaring a non-pecuniary interest in the application.

The Senior 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.

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

It was moved by Councillor Garry Purdy, seconded by Councillor Tom Donnelly and

RESOLVED (unanimously) That planning permission be approved subject to the conditions set out in the report.

The Chairman declared the motion **CARRIED**.

58/22 - APPEALS PROGRESS REPORT

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

RESOLVED That the report be noted.
(unanimously)

The Chairman declared the motion **CARRIED**.

Meeting Closed: 8.40 pm

Chairman