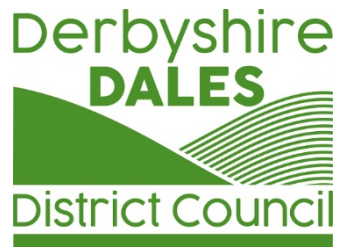


# **MINUTE BOOK**

17 November 2022 to 13 December 2022



# MINUTE BOOK INDEX

**17 November 2022 to 13 December 2022**

Committee	Date	Page Nos
<b>Non Exempt Minutes to be Received</b>		
Ernest Bailey Committee	17/11/22	03 – 08
Governance & Resources Committee	22/11/22	09 – 12
Council	24/11/22	13 – 26
Community & Environment Committee	07/12/22	27 – 30
Planning Committee	13/12/22	31 - 37
<b>Exempt Minutes to be Received</b>		
The following minutes are excluded from the meeting because they result in exempt information being disclosed		



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

For assistance in understanding or reading this document or specific information about this Agenda or on the “Public Participation” initiative please call the Committee Team on 01629 761133 or email

[committee@derbyshiredales.gov.uk](mailto:committee@derbyshiredales.gov.uk)

## **Ernest Bailey Charity Committee**

**Minutes of an Ernest Bailey Charity Committee meeting held at 6.00 pm on Thursday, 17th November, 2022 in the Council Chamber, Town Hall, Matlock, DE4 3NN.**

### **PRESENT**

Councillor Andrew Statham - In the Chair

Councillors: Jason Atkin, Sue Burfoot, Paul Cruise, David Hughes, Mark Salt and Steve Wain

Karen Henriksen (Director of Resources), Emma Mortimer (Community Development Officer), Carolyn Lucas (Senior Estates Surveyor) and Lucy Harrison (Democratic Services Assistant)

### **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): Matt Buckler, Martin Burfoot, Steve Flitter, Dermot Murphy, Garry Purdy and Colin Swindell

### **194/22 - ELECTION OF THE CHAIRMAN**

It was moved by Councillor Jason Atkin, seconded by Councillor Mark Salt and

### **RESOLVED** (unanimously)

That Councillor Andrew Statham be elected as Chair of the Ernest Bailey Charity Committee for the 2022/23 municipal year.

### **195/22 - APPROVAL OF MINUTES OF PREVIOUS MEETING**

It was moved by Councillor Sue Burfoot, seconded by Councillor Mark Salt and

**RESOLVED** (unanimously)

That the minutes of the meeting of the Ernest Bailey Charity Committee held on 11th November 2021 be approved as a correct record.

The Chairman declared the motion **CARRIED**.

**196/22 - INTERESTS**

**Item 8 - Distribution of Charitable Funds**

Councillor Steve Wain declared a pecuniary interest in Item 8 Application 2/22 Cavendish Sports Field Association due to being an employee of the Association.

**197/22 - STATEMENT OF FINANCIAL POSITION**

The Director of Resources introduced a report setting out the financial position of the Charity as of the end of the 2021/22 financial year and providing estimates for 2022/23. The report also sought approval for the investment of the Charity's funds.

The charitable fund administered by the District Council had earned on average an interest rate of 0.28% during the year.

It was noted that the amount available in the distribution fund (excluding provision) was £34,071.45. In accordance with normal practice, the amount available for distribution this was £1,357, being equal to the estimated interest receivable in the year. The Committee were informed that, should they wish to do so, they could award grants totalling £1,357 plus up to £4,747 and still retain the £150,000 investment. The Committee agreed to use £3,980 this year.

The Committee noted that the Review remained on hold for the time being, with no further progress being made due to other priorities.

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

**RESOLVED** (unanimously)

1. That the financial statement for the 2021/22 financial year be received.
2. That the funds of the Charity continue to be invested with Derbyshire Dales District Council.
3. That progress on the Review be noted.

The Chairman declared the motion **CARRIED**.

**198/22 - EXCLUSION OF PUBLIC AND PRESS**

At this point the Committee excluded the public and press from the meeting for consideration of the remaining items of business for the reasons shown in italics.

It was moved by Councillor Andrew Statham, seconded by Councillor Jason Atkin and

**RESOLVED** (unanimously)

That the public and press be excluded for the remaining items of business for the reasons as set out in the report.

*(The following applications are exempt because they contain information relating to individuals.)*

The Chairman declared the motion **CARRIED**.

**199/22 - LAND AT POPE CARR ROAD, MATLOCK**

The Senior Estates Surveyor introduced a report updating the Committee in relation to a site that is held by the Council on behalf of the Trust. The report sought to update Members on the part sale of a section of the site affected by encroachment and provided information on the remaining land holding.

Members were reminded that at the last meeting of the Committee a request was made by Trustees for the site to be valued and its potential as a residential development site explored. Following this an environmental report had been obtained and an independent valuation report commissioned.

It was noted that in relation to the encroachment, negotiations had progressed to regularise the position and the sale, subject to contract which had been agreed with the purchaser.

It was moved by Councillor Paul Cruise, seconded by Councillor David Hughes and

**RESOLVED** (unanimously)

1. That the action proposed to regularise the encroachment of land by the freehold sale of a section of the site be approved, as outlined in 2.1.
2. That the valuation report for the remainder of the site be noted.
3. That authority be delegated to the Estates and Facilities Manager to appoint a consultant to seek planning permission to maximise the potential value of the site, and explore the viability of use of the land comparing affordable and private housing, in order for a business case to be produced.
4. That once the business case is produced, the Ernest Baily Charity Committee shall reconvene to consider the case for development.

The Chairman declared the motion **CARRIED**.

**200/22 - DISTRIBUTION OF CHARITABLE FUNDS**

The Committee considered a total of 17 applications for Grant Aid.

It was moved by Councillor Jason Atkin, seconded by Councillor Mark Salt and

**RESOLVED** (unanimously)

1. That consideration is given to the applications for grant aid as set out in the attached schedules.
2. That grant awards be made conditional upon them being used for the purpose for which the application was made and in accordance with the objects of the Trust.

#### **APPLICATION NO 1/21 – Bonsall PCC**

That a grant of £500 be awarded towards improving the building for the community, disabled toilets and accessible drinking water.

#### **APPLICATION NO 2/22 – Cavendish Sports Field Association**

**Councillor Steve Wain left the meeting during consideration of this item due to previously declaring a pecuniary interest.**

That a grant of £500 be awarded towards a new 3G all weather sport pitch.

#### **APPLICATION NO 3/22 – Cromford Institute**

That a grant of £100 be awarded towards Opaque film for windows.

#### **APPLICATION NO 4/22 – Quantum Explorer Scouts Unit**

That a grant of £350 be awards towards the purchase of an ex-army stretch tent.

#### **APPLICATION NO 5/22 – Darley Dale Scout Group**

That a grant of £150 be awarded towards a Green planet project, creating a bush craft area and environmental activities.

#### **APPLICATION NO 6/22 – First Movement**

That a grant of £200 be awarded towards the employment of creative practitioners to deliver free tester sessions.

#### **APPLICATION NO 7/22 – Matlock Netball Club**

That a grant of £200 be awarded towards kit, advanced training sessions and to help with transport to matches.

#### **APPLICATION NO 8/22 – Matlock Preschool Play Group**

That a grant of £75 be awarded towards a book bag for 25 new starters.

#### **APPLICATION NO 9/22 – River Network**

That a grant of £75 be awarded towards venue hire, expenses for tuck shop, sessional staff, volunteers and training.

**APPLICATION NO 10/22 – St Helen’s Church Darley Dale**

That a grant of £200 be awarded towards providing hot lunches to those in need in the community.

**APPLICATION NO 11/22 – Wensley Reading Room**

That a grant of £500 be awarded towards the upkeep of the building including a new roof.

**APPLICATION NO 12/22 – Starkholme Allotment Association**

That a grant of £200 be awarded towards an ecology report and alternative report site report.

The Chairman declared the motion **CARRIED**.

**APPLICATIONS: 13/22 to 17/22 (5 LOCAL RESIDENTS)**

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

**RESOLVED** (unanimously)

That a grant of £100 be awarded to a Matlock resident to help pay for utility bills, toddler clothing and bedding and draft strips.

That a grant of £230 be awarded to a Matlock resident to help make their home and garden more habitable.

That a grant of £200 be awarded to a Matlock resident to help their disabled daughter go on a school trip.

That a grant of £300 be awarded to a Matlock resident to help finish a garden.

That a grant of £100 be awarded to a Matlock resident to help pay utility bills.

The Chairman declared the motion **CARRIED**.

**Meeting Closed: 6.47 pm**

**Chairman**

This page is intentionally left blank





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

For assistance in understanding or reading this document or specific information about this Agenda or on the "Public Participation" initiative please call the Committee Team on 01629 761133 or email

[committee@derbyshiredales.gov.uk](mailto:committee@derbyshiredales.gov.uk)

## Governance & Resources Committee

**Minutes of a Governance & Resources Committee meeting held at 6.00 pm on Tuesday, 22nd November, 2022 in the Council Chamber, Town Hall, Matlock, DE4 3NN.**

### PRESENT

Councillor Tom Donnelly - In the Chair

Councillors: David Chapman, Helen Froggatt, Susan Hobson, Stuart Lees, Dermot Murphy, Garry Purdy, Robert Archer, Paul Cruise, Steve Flitter, Neil Buttle and Mike Ratcliffe

Present as substitute – Councillor(s): Mark Wakeman

Paul Wilson (Chief Executive), Karen Henriksen (Director of Resources), James McLaughlin (Director of Corporate and Customer Services (Monitoring Officer)), Jim Fearn (Communications & Marketing Manager), Jenny Williams (Head of the Internal Audit Consortium) and Tommy Shaw (Democratic Services Team Leader)

### 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): Sue Bull, Alyson Hill, Alasdair Sutton, Claire Raw and Colin Swindell

### 201/22 - APPROVAL OF MINUTES OF PREVIOUS MEETING

It was moved by Councillor Susan Hobson, Seconded by Councillor Stuart Lees and

**RESOLVED** (unanimously)

That the minutes of the meeting of the Governance and Resources Committee held on 22 September 2022 be approved as a correct record.

The Chairman declared the motion **CARRIED**.

### **202/22 - PUBLIC PARTICIPATION**

There was no public participation.

### **203/22 - INTERESTS**

There were no declarations of interest.

### **204/22 - COMMUNICATIONS AND MARKETING STRATEGY - ANNUAL REPORT 2022**

The Communications and Marketing Manager introduced the annual report regarding the Communication and Marketing Strategy, a strategy which sets out how residents, employees and service users are kept informed about what the District Council is doing, how it is spending public money, and the services they can access. The report gave a review of the 2022 Action Plan and sought approval of the Action Plan for 2023. The report also presented information to Members regarding the strategic framework of the current Communications and Marketing Strategy to be noted.

The report detailed the history of the current Communications and Marketing Strategy since its adoption in 2014, and outlined the ambitious yet realistic targets going forward, to support the Council's Corporate Objectives and core values.

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

**RESOLVED** (unanimously)

1. That the strategic framework of the current Communications and Marketing Strategy be noted.
2. That the Action Plan for 2023 be approved.

The Chairman declared the motion **CARRIED**.

### **205/22 - REVIEW OF INTERNAL AUDIT CHARTER**

The Head of the Internal Audit Consortium introduced a report which informed Members of the results of a review of the Internal Audit Charter. The report explained the requirement of the Public Sector Internal Audit Standards (PSIAS) that the purpose, authority and responsibility of internal audit must be formally defined in an Internal Audit Charter. The requirement for this to be periodically reviewed by the Head of Internal audit and presented to the relevant Committee for approval was also noted.

It was moved by Councillor Steve Flitter, Seconded by Councillor Mike Ratcliffe and

**RESOLVED** (unanimously)

1. That Members note the outcome of the review of the Internal Audit Charter.
2. That the Internal Audit Charter be agreed.

3. That the agreed Internal Audit Charter be reviewed in three years' time or sooner in the event of any significant changes being made to the Public Sector Internal Audit Standards.

The Chairman declared the motion **CARRIED**.

### **206/22 - PROGRESS UPDATE ON THE 2022/23 INTERNAL AUDIT PLAN**

The Head of the Internal Audit Consortium presented a report which presented Members with a progress update in respect of the 2022/23 Internal Audit Plan. The report also included a summary of internal audit reports issued since the last meeting of this committee.

The plan provides a framework by which service functions are reviewed to test and report on the adequacy and effectiveness of the governance, risk and control arrangements in place. Completion of the plan enables the Head of Internal Audit to provide an annual opinion on the governance, risk and control arrangements in place.

The report also detailed the key internal audit related issues being faced by the authority, including difficulties in recruitment and resources along with the reports already issued for the current municipal year and the assurance levels provided.

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

**RESOLVED** (unanimously)

1. That the report be noted.

The Chairman declared the motion **CARRIED**.

### **207/22 - ASSET MANAGEMENT PLAN - LAND HOLDINGS REVIEW PHASE 4**

The Chief Executive introduced a report which represented the fourth phase of an ongoing review of the Council's land and property assets in accordance with the Asset Management Plan. The report informed Members that the current phase of the Land Holdings Review covers four sites across the District in which expressions of interest had been received for Community Asset Transfers.

The report detailed the intention of the Asset Management Plan 2019-2023 to set out the Council's strategic approach to the management of its land and property, and how the plan provides a framework within which property asset decisions can be made in support of the Council's corporate aims and objectives. The report also detailed the key issues relating to the fourth phase of the Land Holdings Review.

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

**RESOLVED** (unanimously)

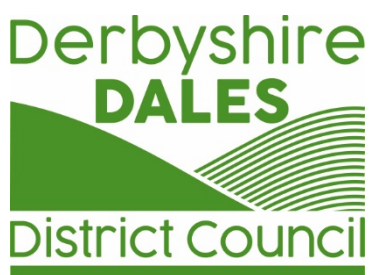
1. That site no. 1, Grey Ditch Bradwell be transferred to Bradwell Parish Council on the terms outlined in Appendix 1 of the report as a Community Asset Transfer of the freehold title.

2. That site no. 2, Knabhall Lane, Tansley be transferred to Tansley Parish Council on the terms outlined in Appendix 1 of the report as a Community Asset Transfer of the freehold title.
3. That site no. 3, Allotments and adjoining land at Church Road, Darley Dale be transferred to Darley Dale Town Council on the terms outlined in Appendix 1 of the report as a Community Asset Transfer of the freehold title.
4. That site no. 4, Tennis Court and Bowling Green, Matlock Bath be transferred to Matlock Bath Parish Council on the terms outlined in Appendix 1 of the report as a Community Asset Transfer by way of long lease.
5. That it be noted that the disposal of sites 1, 2, 3 and 4 (either by lease or freehold title transfer) comprise an undervalue transaction permitted under the General Disposal Consent 2003.
6. That each party will bear their own legal costs in respect of sites 1, 2, 3 and 4.

The Chairman declared the motion **CARRIED**.

**Meeting Closed: 6.45 pm**

**Chairman**



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

For assistance in understanding or reading this document or specific information about this Agenda or on the "Public Participation" initiative please call the Committee Team on 01629 761133 or email [committee@derbyshiredales.gov.uk](mailto:committee@derbyshiredales.gov.uk)

## Council

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

**PRESENT** Councillor Andrew Shirley - In the Chair

Councillors: Jacqueline Allison, Jason Atkin, Richard Bright, Martin Burfoot, Neil Buttle, David Chapman, Paul Cruise, Tom Donnelly, Graham Elliott, Steve Flitter, Helen Froggatt, Chris Furness, Clare Gamble, Alyson Hill, Susan Hobson, David Hughes, Stuart Lees, Michele Morley, Tony Morley, Dermot Murphy, Peter O'Brien, Mike Ratcliffe, Janet Rose, Peter Slack, Andrew Statham, Alasdair Sutton, Steve Wain and Mark Wakeman

Paul Wilson (Chief Executive), James McLaughlin (Director of Corporate and Customer Services (Monitoring Officer)), Karen Henriksen (Director of Resources), Ashley Watts (Director of Community and Environmental Services), Robert Cogings (Director of Housing), Kerry France (Legal Services Manager), Samantha Grisman (Clean & Green Manager), Rebecca Cummins (Community Development Manager), Jeremy Rowe (Operations Director for Freedom Leisure), Alistair Gould (Area Manager for Freedom Leisure) and Lucy Harrison (Democratic Services Assistant)

### **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): Sue Bull, Robert Archer, Matt Buckler, Sue Burfoot, Richard FitzHerbert, Dawn Greatorex, Garry Purdy, Claire Raw, Mark Salt and Colin Swindell.

## **208/22 - PUBLIC PARTICIPATION**

### **Re: Agenda Item 15 – Establishment of Gypsy and Traveller Site Provision Working Group**

In accordance with the procedure for public participation a statement was received from Northwood & Tinkersley Parish Council, John Youatt on behalf of the owners of the Woodyard and a letter from Rowsley Parish Council.

## **209/22 - 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 a meeting of Council held on 29<sup>th</sup> September 2022 be approved as a correct record.

The Chairman declared the motion **CARRIED**.

## **210/22 - INTERESTS**

### **Item 11 - Additional Funding for Freedom Leisure due to the Increased Cost of Energy**

Councillor Alasdair Sutton declared a non-pecuniary interest in Item 11 due to a family member being a regular user of services provided by Freedom Leisure and left the room during consideration of this item.

### **Item 12 - Hurst Farm Heritage Trail Lottery Bid Approval**

Councillor Steve Flitter declared a pecuniary interest in Item 12 due to being a trustee of the Friends of Hurst Farm and the beginning of the trail running adjacent to his property. Councillor Steve Flitter left the room during consideration of this item.

Councillor Paul Cruise declared a non-pecuniary interest in Item 12 due to being a trustee of the Friends of Hurst Farm.

## **211/22 - LEADERS' ANNOUNCEMENTS**

Due to Councillor Garry Purdy's absence, Leaders' Announcements were not presented.

## **212/22 - CHAIRMAN'S ANNOUNCEMENTS**

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

*"My thanks to the town mayor Cllr Paul Cruise for the invite to attend the remembrance parade in Matlock on the 13th. The road was lined with onlookers as we marched from the Edgefold club into Crown Square. The Parkhead was packed and it was good to see so many younger people and children attending the event. I had the honour of laying the wreath on behalf of DDDC. A moving and Solemn occasion.*

*A quick thank you to fellow councillors Alyson Hill. Stuart Lees. Jason Atkin and Mike Ratcliffe who attended services and laid wreaths in their respective wards on behalf of this council.”*

## **213/22 - COMMITTEES**

Councillor O'Brien raised concerns regarding the recommendation included in minute 176/22 of Community and Environment Committee on the 1<sup>st</sup> November 2022. The Monitoring Officer confirmed that this recommendation would be considered at a future meeting of Council.

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

**RESOLVED** (unanimously)

That the non-exempt minutes of the Committees listed in the Minute Book for the period 13th September 2022 to 08th November 2022 be received.

The Chairman declared the motion **CARRIED**.

## **214/22 - QUESTIONS (RULE OF PROCEDURE 15)**

**Question from Councillor Mike Ratcliffe to Councillor Garry Purdy, Leader of the Council and Councillor Jason Atkin, Chair of Planning Committee:**

*“A number recent planning committee meetings have been in session for well over 4 hours. This inordinate length has a clear detrimental impact upon members, officers and the public who attend. Given that the regulatory and statutory function of the DDDC as a Planning Authority demands the highest standards of protocol and procedure, is it not now time for an urgent review into the governance process involved?”*

**In Councillor Garry Purdy's absence, Councillor Susan Hobson provided a verbal response:**

Thanks for your question, Cllr Ratcliffe. Like you, I am becoming increasingly concerned at the length of Planning Committee meetings in recent months. I know that the Monitoring Officer has indicated a few months ago that he was keeping a close eye on the committee and the way it operates, so I expect that he will bring forward proposals for consideration in due course. Members can send their thoughts directly to him if there are specific issues they would wish to be considered.

However, the responsibility is not just with officers, but also with Members. It is not unreasonable to expect that Members prepare fully in advance of meetings so that the best use of time can be achieved for all attendees. In the recent training provided to members of the Planning Committee, there was a reminder that Members should approach case officers to put questions in advance of the meeting and not leave them until the night of the meeting. This is not only a better use of officer time to avoid lengthy questions in meetings but should also allow more focus on the contributions to debate that Members make to enable the Committee to reach a decision – which should influence the way in which the committee chooses to vote.

**Questions from Councillor Martin Burfoot to Councillor Garry Purdy, Leader of the Council:**

*“From documents currently available it appears that over £3.5million collected from developers in lieu of affordable housing provision has been received, but not spent or yet allocated to any affordable housing project, as of March 2021.*

*Can Cllr Purdy confirm the above figure and provide a more up-to-date figure to show the current situation as regards S106 money held by the Council?*

*Does Cllr Purdy also agree with me that, given the Council’s Climate Change mitigation target, we should explore using some of this cash by championing energy efficient homes, with up to date insulation and renewable energy measures applied to all new build housing developments?”*

**In Councillor Garry Purdy’s absence, Councillor Susan Hobson provided a verbal response:**

Part 1:

I can refer Cllr Burfoot to Appendix C of the Capital Programme report which provides the up to date forecast for all of the capital reserves. The projected opening balance for the Section 106 reserve at 1<sup>st</sup> April 2023 is £4,019,683.

Part 2:

The District Council has played a key role in both enabling access to funds to support the cost of retrofitting existing homes with energy efficiency measures in the social housing and private sector, as well as supporting the adoption of higher standards in new build social housing. S106 income can only be spent on affordable housing and so the council’s investment is vital to support the majority of affordable housing schemes either delivered directly by the council or through housing associations. In terms of the Council’s own housing stock, we are investing s106 funding to ensure the existing homes we buy reach a minimum of EPC B and we have achieved this on two homes already, one in Matlock and one in Darley Dale. In Ashbourne we are buying 3 homes from a private developer which will be finished to a higher energy efficiency standard, through solar pv and battery technology, than the private homes on the same site. In Monyash we are taking on 5 homes and investing in the renovation and retrofit of the properties to improve their energy efficiency.

Members will recall that previously the Council approved a substantial grant to Nottingham Community Housing Association that will see 33 new homes on Mayfield Road in Ashbourne. This will be the most energy efficient housing development in the district, with no gas boilers and instead be heated by air source heat pumps. The wooden frame homes will be highly energy efficient and include solar panels.

Working with our local Almshouse Trusts we are also delivering substantial energy efficiency improvements with challenging ‘hard to treat’ homes including those in Matlock, Wirksworth and Calver. Works include solar panels, air source heat pumps, internal wall insulation, insulated floors, battery technology and ‘power walls’ along with a range of other energy saving features. The Council’s progress in retrofit activity was highlighted when the Council was shortlisted in the national ‘Retrofit Academy Awards’ earlier this year.

In summary the Council is leading the way by directly providing our own new energy efficient homes and supporting our existing partners to go beyond the existing building regulations.



## **215/22 - PROPOSAL OF A NOTICE OF MOTION (RULE OF PROCEDURE 16)**

The Council considered a motion submitted by Councillor Peter Slack in accordance with rule of procedure 16.

It was moved by Councillor Peter Slack, seconded by Councillor Steve Wain and

### **RESOLVED**

1. That the Councils for Fair Tax Declaration be approved and adopted.
2. That the Director of Corporate and Customer Services and Director of Resources prepare a report for a future meeting setting out the resource and legal implications associated with:
  - Leading by example and demonstrate good practice in our tax conduct, right across our activities
  - Ensuring IR35 is implemented robustly and contract workers pay a fair share of employment taxes.
  - Not using offshore vehicles for the purchase of land and property, especially where this leads to reduced payments of stamp duty.
  - Undertaking due diligence to ensure that not-for-profit structures are not being used inappropriately by suppliers as an artificial device to reduce the payment of tax and business rates.
  - Demanding clarity on the ultimate beneficial ownership of suppliers UK and overseas and their consolidated profit & loss position, given lack of clarity could be strong indicators of poor financial probity and weak financial standing
  - Promoting Fair Tax Mark certification especially for any business in which we have a significant stake and where corporation tax is due
  - Supporting Fair Tax Week events in the area, and celebrating the tax contribution made by responsible businesses are proud to promote responsible tax conduct and pay their fair share of corporation tax.
  - Supporting calls for urgent reform of UK procurement law to enable local authorities to better penalise poor tax conduct and reward good tax conduct through their procurement policies.

### **Voting**

**28 For**

**01 Against**

**00 Abstentions**

The Chairman declared the motion **CARRIED**.

## **216/22 - APPOINTMENT OF A CHAIR AND VICE-CHAIR TO SCRUTINY COMMITTEE**

It was proposed by Councillor Susan Hobson and seconded by Councillor Tom Donnelly that Councillor Tony Morley be nominated as Chair of the Scrutiny Committee and Councillor Alyson Hill be nominated as Vice-Chair.

It was then proposed by Councillor Peter O'Brien and seconded by Councillor Neil Buttle that Councillor Clare Gamble be nominated as Vice-Chair of the Scrutiny Committee.

The nominations were then put to the vote as detailed below and

## **RESOLVED**

That Councillor Tony Morley be elected as Chair and Councillor Alyson Hill be elected as Vice-Chair of Scrutiny Committee.

### **Voting**

Councillor Tony Morley be elected as Chair:

**28 For**  
**00 Against**  
**01 Abstention**

Election of Vice-Chair:

**18 Councillor Alyson Hill**  
**12 Councillor Clare Gamble**

The Chairman declared the motion **CARRIED**.

## **217/22 - ADDITIONAL FUNDING FOR FREEDOM LEISURE DUE TO THE INCREASED COST OF ENERGY**

Councillor Alasdair Sutton left the room during the consideration of this Item due to previously declaring an interest.

The Director of Community & Environment Services introduced a report seeking approval for additional funding for Freedom Leisure to operate the four leisure centres across the district due to the increased cost of energy up to 31<sup>st</sup> March 2023.

Members were informed that following the government announcement of the Energy Bill Relief Scheme, Freedom Leisure could confirm that the total impact of the latest energy price increase was £272,397 this financial year and £578,693 for the next financial year, assuming the continuation of the central government support 'cap' after April 2023.

For this financial year Freedom Leisure forecasted a deficit after the utility increases of £325,000 and this was compounded by the effect of the lack of full income recovery after the global Covid-19 Pandemic and the subsequent inflationary rises in wages, goods, supplies and services. When the additional utility costs were included in the projections for next year it was noted that Freedom Leisure predicted a deficit of £739K in the financial year 2023-24.

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

## **RESOLVED**

1. That approval be given to a supplementary revenue budget, financed from the General Reserve, to support the partnership to the value of 75% of the significant increase in energy costs to the value of £204,000.

2. That support be ring-fenced to the Derbyshire Dales contract and paid on a monthly basis through open book accounting and monthly meetings with the contract managers up until 31st March 2023.
3. That further investigation be undertaken in January 2023, regarding options to mitigate costs and to review further information or support provided by central government.
4. That an update report be submitted to Council in March 2023.

### **Voting**

**25 For**

**02 Against**

**01 Abstained**

The Chairman declared the motion **CARRIED**.

### **218/22 - HURST FARM HERITAGE TRAIL LOTTERY BID APPROVAL**

At 7:36pm, Councillors Steve Flitter and Neil Buttle left the meeting during consideration of this item.

The Director of Housing introduced a report giving an update on the Hurst Farm Regeneration project which had been in place since September 2017. It was noted that the project was delivering across several headings, the most recent being the award of a £1.2m Heritage Lottery Fund (HLF) grant that would deliver a new footpath around the estate, linking four key heritage assets.

It was also detailed in the report that the Hurst Farm Heritage Trail project would seek to deliver a £1,222,841 Heritage Lottery grant awarded to the Council for the creation of the Hurst Farm Heritage Trail. The HLF grant of £1,009,000 with the balance match funding from existing Council budgets and estimated value of volunteer time.

Members were also informed of how the Heritage Trail project would act as a key part of the wider Hurst Farm Regeneration Vision created in partnership with the Hurst Farm community and other partners. The trail planned to restore 14.4 hectares of woodland adjacent to the Hurst Farm Estate, using natural and built heritage as a catalyst to improve the landscape, conserve nature, support a disadvantaged community, improve wellbeing and assist in regenerating a deprived area.

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

### **RESOLVED** (unanimously)

1. That the Director of Resources be authorised to sign the Funding Agreement and notes that the Council will be bound by the terms of the agreement.
2. That the terms of the HLF grant conditions be accepted and agreed and that the Director of Housing be authorised to submit the required information to the HLF.

3. That £682,885 (£565,034 plus £36,722 inflation and £81,129 contingencies) be added to the Council's capital programme in respect of the Hurst Farm Heritage Trail project, with the expenditure being financed by the HLF grant.
4. That a supplementary revenue budget of £326,115 (£272,942 plus £7,927 for inflation and £45,246 contingencies) be approved for 2022/23 in respect of revenue expenditure on the Hurst Farm Heritage Trail project, to be financed by a grant from the HLF.

The Chairman declared the motion **CARRIED**.

## **219/22 - CAPITAL PROGRAMME BUDGET MONITORING 2022/23 AND FURTHER CAPITAL PROJECTS PROPOSALS**

The Director of Resources introduced a report presenting the current financial position of spend against the 2022/23 Capital Programme as at 30th September 2022 and sought approval for the updated 2022/23 to 2024/25 Capital Programme and associated financing.

Members were reminded that at the Council meeting on 29<sup>th</sup> September 2022, the revised Capital Programme for 2022/23 of £8,801,014 was approved.

The report sought to set more accurate budgets for projects based upon previous tendering experience, which in turn should minimise the risk of overspend. It was also noted that the risk had increased at the time of rapidly increasing inflation, however it had been mitigated somewhat with the inclusion of contingencies within the estimated costs.

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

### **RESOLVED**

1. That the Capital Programme spend to 30th September 2022 be noted.
2. That re-phasing of existing projects for completion over the next 3 years and the removal of projects not proceeding be approved.
3. That new projects and revisions set out in paragraph 3.1.1 of the report, totalling £1,723,312, be approved for inclusion in the Capital Programme.
4. That the updated capital programme for 2022/23 to 2024/25 set out in Appendix B to the report totalling £13,431,568 be approved.
5. That financing of the Capital Programme from the sources summarised at paragraph 3.3 be approved.

### **Voting**

**27 For**

**00 Against**

**02 Abstained**

The Chairman declared the motion **CARRIED**.

## **220/22 - AMENDED REVENUE OUTTURN 2021/22**

At 7:49pm Councillor Janet Rose left the meeting, returning at 7:53pm prior to completion of the consideration of this item.

The Director of Resources introduced a report outlining the amended revenue outturn 2021/22. Members were reminded that in July 2022 the provisional outturn was calculated as £732,113. This was approved by Council on 28<sup>th</sup> July 2022. Following the July report, the production of the statutory Statement of Accounts continued. This process highlighted a number of errors which needed to be corrected, some of which had adjusted the overall surplus. The report described the impact of these corrections and sought approval for the additional surplus to be transferred to specific reserves.

As a consequence of the corrections to the 2021/22 revenue outturn, there had been a positive impact on the revenue account surplus with a further £1.66m, which would be available to fund one-off expenditure pressures and transition costs within the medium term financial plan. Notwithstanding the surplus in 2021/22, it was noted that the Council continued to face real terms budgetary pressures during a period of intense inflationary increases.

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

**RESOLVED** (unanimously)

1. That the amended revenue outturn for 2021/22 and variance analysis be noted.
2. That an additional transfer of £1,610,572 to the General Reserve be approved.
3. That an additional transfer of £52,350 to Committed Expenditure Reserve be approved.

The Chairman declared the motion **CARRIED**.

## **221/22 - DURATION OF MEETING (MOTION TO CONTINUE)**

At **8:23pm**, during the discussion of **Item 15 – Gypsy and Traveller Temporary Site Provision in the District**.

It was moved by Councillor Steve Flitter, seconded by Councillor Susan Hobson and

**RESOLVED**

That, in accordance with Rule of Procedure 13, the meeting continue to allow for the consideration of further Council business.

**Voting:**

**26 For**

**03 Against**

**00 Abstention**

The Chairman declared the motion **CARRIED**.

## **222/22 - GYPSY AND TRAVELLER TEMPORARY SITE PROVISION IN THE DISTRICT**

Councillor Susan Hobson, Chair of the Gypsy and Traveller Site Provision Working Group introduced the report, reiterating that the District Council acknowledges its duty as the Housing Authority to provide accommodation to those specific Traveller families with an accepted local connection to the Derbyshire Dales. The report detailed the work and conclusions reached by the Members of the Working Group but should be viewed as a stepping stone that moves the Council forward in identifying potential temporary sites.

Whilst two sites had been recommended for designation as temporary sites, only one was noted as suitable for all-year round designation as a temporary site. No sites in the Council's ownership had been identified in the south of the District, although there were other options in the southern and central areas of the Derbyshire Dales which were not in the District Council's ownership that may be feasible and require further investigation and evaluation by the Working Group with the assistance of independent consultants.

The recommendations were endorsed for submission to Council by 9 Members of the Working Group (Councillors Jacqueline Allison and Steve Flitter were not present at the meeting where these proposals were agreed and did not indicate their consent).

The recommendations as set out in the report were moved by Councillor Tony Morley and seconded by Councillor Mike Ratcliffe.

During debate, an amendment to recommendation 1 was proposed by Councillor Peter O'Brien and seconded by Councillor David Hughes, this was detailed as follows:

"That the Council formally endorse and support the Urgent Decision taken by the Director of Corporate and Customer Services, on the recommendation of the Working Group and with the consent of the Chairman of the Council and the Leader of the Council, to designate the land at Matlock Bath Station Yard Car Park as a temporary site for use by a specific Traveller family until 31 January 2023 or until a suitable temporary or permanent site be identified"

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

### **Voting:**

**For - 9 Councillors:** Jacqueline Allison, Neil Buttle, Paul Cruise, Clare Gamble, David Hughes, Peter O'Brien, Mike Ratcliffe, Peter Slack and Steve Wain.

**Against - 18 Councillors:** Jason Atkin, Martin Burfoot, David Chapman, Tom Donnelly, Graham Elliott, Helen Froggatt, Chris Furness, Alyson Hill, Susan Hobson, Stuart Lees, Tony Morley, Michele Morley, Dermot Murphy, Janet Rose, Andrew Shirley, Andrew Statham, Alasdair Sutton and Mark Wakeman.

**Abstention - 1 Councillor:** Steve Flitter

The Chairman declared the amendment **Lost**.

In accordance with **Rule of procedure 19d**, a recorded vote was requested by Councillor Jason Atkin, seconded by Councillor Dermot Murphy. The substantive motion amendment was put to the vote and the votes recorded as follows:

**Voting:**

**For - 16 Councillors:** Jason Atkin, David Chapman, Tom Donnelly, Graham Elliott, Helen Froggatt, Alyson Hill, Susan Hobson, Stuart Lees, Tony Morley, Michele Morley, Dermot Murphy, Janet Rose, Andrew Shirley, Andrew Statham, Alasdair Sutton and Mark Wakeman.

**Against - 10 Councillors:** Jaqueline Allison, Martin Burfoot, Neil Buttle, Paul Cruise, Steve Flitter, Clare Gamble, David Hughes, Peter O'Brien, Peter Slack and Steve Wain.

**Abstention - 1 Councillor:** Mike Ratcliffe.

It was therefore

**RESOLVED**

1. That the Council formally endorse and support the Urgent Decision taken by the Director of Corporate and Customer Services, on the recommendation of the Working Group and with the consent of the Chairman of the Council and the Leader of the Council, to designate the land at Matlock Bath Station Yard Car Park as a temporary site for use by a specific Traveller family until 31 January 2023.
2. That the land at the north of Derwent Way Car Park in Matlock be formally designated as a temporary site for use by a specific Traveller family with an accepted local connection to the Derbyshire Dales.
3. That officers be authorised to install appropriate utilities for use by the specific Traveller family at that site.
4. That the Chief Executive, Director of Corporate and Customer Services or Director of Regulatory Services, in consultation with the Chairman of the Council, be authorised to instruct specific Traveller families to vacate designated temporary sites and direct to alternative temporary sites (as identified and approved by the full Council) and that Ward Members be notified of any such instructions and directions.
5. That the Working Group be authorised to continue its work to investigate and evaluate other sites that have been identified in the southern and central areas of the Derbyshire Dales that are not in the ownership of the District Council, engage with the specific Traveller families and report its findings and recommendations to a meeting of the Council in January 2023.
6. That authority be delegated to officers to appoint consultants for the purpose of supporting the working group in determining whether other sites outside of the Council's ownership in the southern and central areas of the Derbyshire Dales are viable and suitable for recommendation to the Council for development as temporary sites for use by Gypsies and Travellers.

7. That the need for the Council to identify an additional temporary site to be utilised from 31 January 2023 and the legal implications of failing to designate an additional temporary site within that timeframe be noted.
8. That having considered the views of Town/Parish Councils, local residents, businesses and Ward Members, the following sites not be considered as suitable for designation by the Council as potential temporary sites for Gypsies and Travellers with a local connection to the Derbyshire Dales:
  - i. Auction Close Car Park, Ashbourne
  - ii. Leisure Way Car Park, Ashbourne
  - iii. Clifton Road Coach and Car Park, Ashbourne
  - iv. Cokayne Avenue Recreation Ground, Ashbourne
  - v. Cokayne Avenue Car Park
  - vi. Shawcroft Car Park, Ashbourne
  - vii. Fish Pond Meadow Overspill Car Park, Ashbourne
  - viii. Fish Pond Meadows Playing Fields, Ashbourne
  - ix. Playing Field, Ashes Avenue, Hlland Ward
  - x. Old Station Close Car Park, Rowsley
  - xi. Land north west of Middleton Cemetery, New Road, Middleton
  - xii. Land adjacent to 26 Griggs Gardens, Wirksworth
  - xiii. Land to South East of Hopton Works, Middleton Road, Wirksworth
  - xiv. Arc Leisure Car Parks, Morledge
  - xv. Temple Walk Car Park, Matlock Bath
  - xvi. Artist Corner Car Park, Dale Road, Matlock Bath
  - xvii. Huntsbridge Recreation Ground, Alfreton Road, Tansley
  - xviii. Town Hall Rear Car Park, Edgefold Road, Matlock
  - xix. High Tor, Matlock
  - xx. Land at Harrison Way, Northwood
  - xxi. Monsal Head Car Park, Ashford
  - xxii. Land to the south of 59 Yeld Close, Bakewell
  - xxiii. Car Park at Agricultural Way, Bakewell
  - xxiv. Nether End Car Park, Baslow
  - xxv. Hawkhill Road Car Park, Eyam
  - xxvi. Parsons Croft Car Park, Mill Lane, Hartington
  - xxvii. Land to the rear of Edge View, Stoney Middleton

\*This would not preclude third parties from approaching the Council in respect of these sites or submitting planning applications for the development of these sites. This decision would not indicate predetermination in respect of any future deliberation in respect of these landholdings of the Council.

The Chairman declared the motion **CARRIED**.

Councillor Richard Bright left the meeting at 8:23pm during consideration of this item.

Councillor Chris Furness left the meeting at 8:52pm during consideration of this item.

Councillor Graham Elliott and Councillor David Chapman left the meeting at 8:58pm.



## **223/22 - EAST MIDLANDS DEVOLUTION DEAL AND MAYORAL COMBINED COUNTY AUTHORITY**

At 8:58pm Councillor Michele Morley left the meeting, returning at 8:59pm prior to completion of the consideration of this item.

The Chief Executive introduced a report updating Members of the details contained within the East Midlands Devolution Deal along with the progress so far and the next steps. The report also sought Council agreement to participate in discussions related to the implementation of the deal.

Members were informed that in February 2022, the Government published its White Paper on Levelling up, a significant set of proposals which look to address geographical disparities in funding, productivity and growth across England.

As part of the Levelling Up White Paper, the Government announced that Derbyshire and Derby City were one of only nine areas invited to agree new county deals, extending devolution across England.

Securing a devolution deal has been a long-standing ambition for leaders in Derbyshire, Derby, Nottinghamshire and Nottingham, in order to address the lasting impact caused through decades of underfunding (when compared to other areas). The four upper tier councils therefore agreed to cooperate at pace on the creation of a new devolution deal that would cover the D2N2 LEP area by establishing a Mayoral Combined County Authority.

It was moved by Councillor Peter O'Brien and seconded by Councillor Clare Gamble that recommendations 1,3 and 4 be agreed with the omission of recommendation 2. The motion was put to the vote as follows

1. Council formally acknowledges the content of the East Midlands Devolution Deal signed by the four upper tier authorities on 30th August 2022.
3. Council delegates authority to the Leader of the Council and the Chief Executive, to continue to represent the interests of the District Council in ongoing discussions with the upper tier authorities and other Derbyshire districts/boroughs.
4. Where formal decisions are required to be made on behalf of the District Council, future reports be presented to Members for consideration.

### **Voting**

**11 For**

**14 Against**

**00 Abstention**

The Chairman declared the motion **Lost**.

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

### **RESOLVED**

1. That the Council formally acknowledges the content of the East Midlands Devolution Deal signed by the four upper tier authorities on 30th August 2022.
2. That the Council endorses in principle support for the East Midlands Devolution Deal.

3. That the Council delegates authority to the Leader of the Council and the Chief Executive, to continue to represent the interests of the District Council in ongoing discussions with the upper tier authorities and other Derbyshire districts/boroughs.
4. That where formal decisions are required to be made on behalf of the District Council, future reports be presented to Members for consideration.

### **Voting**

**16 For**

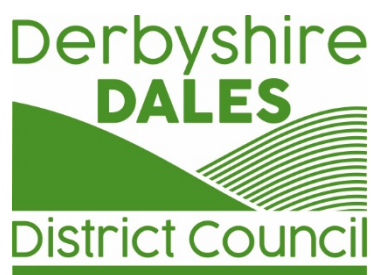
**09 Against**

**00 Abstention**

The Chairman declared the motion **CARRIED**.

**Meeting Closed: 9.29 pm**

**Chairman**



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

For assistance in understanding or reading this document or specific information about this Agenda or on the “Public Participation” initiative please call the Committee Team on 01629 761133 or email

[committee@derbyshiredales.gov.uk](mailto:committee@derbyshiredales.gov.uk)

## Community & Environment Committee

**Minutes of a Community & Environment Committee meeting held at 6.00 pm on Wednesday, 7th December, 2022 in the Council Chamber, Town Hall, Matlock, DE4 3NN.**

**PRESENT** Councillor Helen Froggatt - In the Chair

Councillors: Chris Furness, Dermot Murphy, Andrew Statham, Alasdair Sutton, Susan Hobson, Martin Burfoot, David Hughes, Steve Wain, Matt Buckler, Neil Buttle, Mike Ratcliffe and Peter O'Brien

Present as substitute – Councillor(s): Jason Atkin

### **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): Sue Bull, Tony Morley, Garry Purdy and Janet Rose

### **224/22 - APPROVAL OF MINUTES OF PREVIOUS MEETING**

It was moved by Councillor Neil Buttle, Seconded by Councillor Susan Hobson and

**RESOLVED** (unanimously)

That the minutes of the meeting of the Community and Environment Committee held on 01 November 2022 be approved as a correct record.

The Chairman declared the motion **CARRIED**.

## **225/22 - PUBLIC PARTICIPATION**

In accordance with the procedure for public participation, Mr Peter Dobbs made a statement and asked questions regarding the air quality management action plan (AQMA) for Ashbourne.

## **226/22 - INTERESTS**

There were no declarations of interest.

## **227/22 - QUESTIONS PURSUANT TO RULE OF PROCEDURE NUMBER 15**

No questions were submitted.

## **228/22 - HOUSEHOLD SUPPORT FUND - ROUND 3**

**Councillor Andrew Statham entered the meeting at 18:15 prior to debate on this item.**

The Director of Housing introduced a report which informed Members of round 3 of the Household Support Fund. The Department for Work and Pensions (DWP) made a further round of funding available to upper tier authorities. In Derbyshire the County Council confirmed allocation of £92,729 to the District Council. Members were also informed of the plans for the additional funding available to be utilised to further support households facing financial hardship and/or threatened with homelessness.

Approval was therefore sought from Council that as with rounds 1 and 2, the grants would be delivered direct to residents through the Housing Team and Revenues and Benefits service authorised by the Homelessness Leader and Benefits Manager. Derbyshire Dales District Council would not advertise the fund, staff from the Housing Team and Housing Benefit & Council Tax would review existing cases. The District Council would also work with CAB, Age UK and the Council's unique Housing Support Service to target vulnerable households experiencing financial hardship.

It was moved by Councillor Jason Atkin, Seconded by Councillor Susan Hobson and

## **RESOLVED**

1. That approval be given to the delivery of Round 3 of the Household Support Fund as set out in the report.

## **Voting**

**13 For**

**00 Against**

**01 Abstained**

The Chairman declared the motion **CARRIED**.

## **229/22 - DERBYSHIRE HOMELESSNESS AND ROUGH SLEEPER STRATEGY**

The Director of Housing introduced a report which detailed the Derbyshire Homelessness and Rough Sleeper Strategy, it was noted that the strategy had been developed through close collaboration between the Derbyshire Homelessness Officers Group (DHOG),

Derbyshire County Council, Public Health, NHS, Police, Probation, and a wide range of partner agencies including from the voluntary sector.

The report informed Members of the aim of the report which was to lock in the new partnerships and joined up working formed over the previous two years in order to improve homelessness provision for our residents. The report sought the endorsement of the strategy as set out in the Agenda Item 7, Appendix 1d, which would then require formal adoption by Council at its meeting on 26 January 2023.

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

**RESOLVED** (unanimously)

1. That the report be noted.
2. That the Derbyshire Homelessness and Rough Sleeper Strategy be endorsed and that Council be recommended to adopt the Strategy.

The Chairman declared the motion **CARRIED**.

### **230/22 - BIODIVERSITY REPORT UPDATE**

The Community Development Manager introduced a report updating and informing Members on the progress of the biodiversity of road verges and public open spaces project and seeking approval for the next phase for 2023/24.

It was moved by Councillor Matthew Buckler, Seconded by Councillor Martin Burfoot and

**RESOLVED** (unanimously)

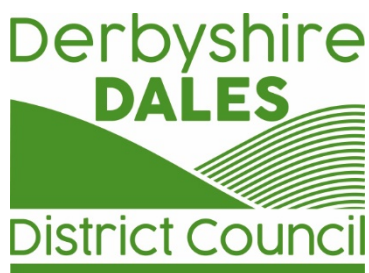
1. That the progress of the project in year 2 be noted.
2. That approval be given to the next steps for 2023/24 as outlined in the report.
3. That community groups and organisations be supported to improve the biodiversity in their area and to help them inform & educate their local community on the importance of the work.

The Chairman declared the motion **CARRIED**.

**Meeting Closed: 7.03 pm**

**Chairman**

This page is intentionally left blank



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

For assistance in understanding or reading this document or specific information about this Agenda or on the “Public Participation” initiative please call the Committee Team on 01629 761133 or email [committee@derbyshiredales.gov.uk](mailto:committee@derbyshiredales.gov.uk)

## Planning Committee

### Minutes of a Planning Committee meeting held at 6.00 pm on Tuesday, 13th December, 2022 in the Council Chamber, Town Hall, Matlock, DE4 3NN.

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

Councillors: Jacqueline Allison, Robert Archer, Sue Burfoot, Neil Buttle, Tom Donnelly, Graham Elliott, Richard FitzHerbert, David Hughes, Stuart Lees, Peter O'Brien, Garry Purdy, Janet Rose and Peter Slack

Present as Substitute - Councillors: Mark Wakeman

Members of the Public – 41

#### **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): Helen Froggatt

#### **237/22 - 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 08 November 2022 be approved as a correct record.

The Chairman declared the motion **CARRIED**.

#### **238/22 - INTERESTS**

Councillor Janet Rose declared a non-pecuniary interest in Item 5.1 Application No. 22/01011/FUL The Knockerdown Inn, Knockerdown, Ashbourne DE6 1NQ

### **239/22 - APPLICATION NO. 22/01011/FUL**

At **6.04pm** Councillor Janet Rose left the meeting during consideration of this application due to 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.

In accordance with the procedure for public participation, Alex Millward (Local Resident) and Dan Macken (Applicant) spoke in support of the application. Cllr Louise Corbett (Carsington and Hopton Parish Council), Cllr. Chris Stait (Hognaston Parish Council (Steering Group)), Mr Tim Fowlow (Local Resident), and Cllr Rob Savage (Chairman Kniveton Parish Council) spoke against the application and Cllr. Janet Rose, (Ward Member) commented on the application.

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

Correspondence received after publication of the agenda was distributed at the meeting. This comprised of comments received from the Peak District National Park, Angelique Foster, Derbyshire Police and Crime Commissioner, Derbyshire CPRE, DJOGS Ltd and a letter from the Applicant. 18 late representations were received in objection, a petition with 483 signatories was received in objection and 10 late representations were received in support.

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

**RESOLVED** (unanimously)

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

The Chairman declared the motion **CARRIED**.

### **240/22 - APPLICATION NO. 22/00378/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 Stuart Clark (Agent) spoke in support of the application and Cllr. Dave Walsh (Deputy Chair Yeaveley Parish Council) spoke against the application.

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

Correspondence received after publication of the agenda was distributed at the meeting. This comprised of two representations received from the Deputy Chair and the Clerk of Rodsley and Yeaveley Parish Council.



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 in the report.

**Voting**

**14 For**

**01 Against**

**00 Abstentions**

The Chairman declared the motion **CARRIED**.

**241/22 - APPLICATION NO. 22/00721/VCOND**

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, Ms Louie Sheddon (Agent) spoke in support of the application.

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

Correspondence received after publication of the agenda was distributed at the meeting. This comprised of corrections to the report and condition 2 and representations from local residents.

During debate Councillor Hughes moved to defer the application until a revised Noise Monitoring Plan had been received, this was seconded by Councillor Sue Burfoot and put to the vote as follows:

**Voting**

**07 For**

**08 Against**

**00 Abstentions**

The Chairman declared the motion **LOST**.

It was moved by Councillor Richard FitzHerbert that planning permission be approved subject to the conditions in the report with the addition as set out below:

“That authority be delegated to the Council’s Development Manager or Principal Planning Officer to amend further condition 2 and the Noise Monitoring Plan to include a review of noise monitoring and complaints yearly with amendments made to the plan if required.”

This was then seconded by Councillor Tom Donnelly and

**RESOLVED** (unanimously)

That planning permission be approved subject to the conditions set out in section 8.0 of the report with the following addition:

“That authority be delegated to the Council’s Development Manager or Principal Planning Officer to amend further condition 2 and the Noise Monitoring Plan to include a review of noise monitoring and complaints yearly with amendments made to the plan if required.”

**Voting**

**14 For**

**00 Against**

**01 Abstentions**

The Chairman declared the motion **CARRIED**.

**At 7:50pm the meeting adjourned for 15 minutes.**

**242/22 - DURATION OF MEETING (MOTION TO CONTINUE)**

At **8.05pm** 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 to enable the business on the agenda to be concluded.

The Chairman declared the motion **CARRIED**.

**243/22 - APPLICATION NO. 22/00938/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 Richard West (Agent) spoke in support of the application. Mr Michael Lyon (Doveridge Parish Council), Ms Suzanne Millership-Liddle (Local Resident), Mr Norman Lunnun (Local Resident) and Ms Anna Hutton (Local Resident) spoke against the application.

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

Correspondence received after publication of the agenda was distributed at the meeting. This comprised of corrections to the plan numbers in Conditions 2 and 3 and an additional recommended condition relating to noise.

During debate Councillor Sue Burfoot moved to refuse the application due to the noise impact on surrounding properties, this was then seconded by Councillor Jaqueline Allison and put to the vote as follows:

## **Voting**

**07 For**

**08 Against (including Chairman's casting vote)**

**01 Abstentions**

The Chairman declared the motion **LOST**.

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

## **RESOLVED**

That authority be delegated to the Development Manager or Principal Planning Officer to grant planning permission, subject to conditions upon completion of a s106 legal agreement to secure the following:

- 6 affordable dwelling units on-site,
- £72,663.30 towards the provision of 4 Primary places at Doveridge Primary school and additional education facilities.
- £140,165.35 towards the provision of 5 secondary with post 16 places at Queen Elizabeth Grammar School and additional education facilities.
- A contribution of ££3,061.80 towards the provision of children's play off –site.
- A contribution of £1,063.80 towards the provision of allotments off –site.

## **Voting**

**07 For**

**06 Against**

**02 Abstentions**

The Chairman declared the motion **CARRIED**.

**At 9.02 pm Councillor Graham Elliott left the meeting.**

## **244/22 - APPLICATION NO. 22/01044/OUT**

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 Christopher Lindley (Agent) spoke in support of the application. Mr Colin Fowles (Local Resident) and Ms Marion Barton (Local Resident) spoke against the application, Mr Alan Piper (Matlock Moor Methodist Church) and Mrs Christina Piper (Local Resident) commented on the application.

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

Correspondence received after publication of the agenda was distributed at the meeting. This comprised of corrections to the conditions numbering, comments received from Councillor Steve Wain and objections from CPRE Derbyshire.

During debate Councillor David Hughes asked for 2 information conditions to be added regarding the materials used and links to footpaths.

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

## **RESOLVED**

That authority be delegated to the Development Manager or Principal Planning Officer to grant outline planning permission, subject to conditions as set out in the report, with the addition of two informative points relating to building materials and footpaths following the completion of s106 agreement to secure the following:

- 30% of the dwellings as affordable units on-site,
- A contribution of £588,694.47 towards the provision of 21 secondary places with post 16 at Highfield School + additional education facilities.
- A contribution of £67,680 for enhancing capacity / infrastructure within the existing local practices of Imperial Road Surgery Matlock and Ashover Branch and Lime Grove Surgery, Matlock.
- A contribution of £5,280 to mitigate the additional demand on library services.
- A contribution of £3,750 which is to be payable towards Travel Plan monitoring.
- A contribution of £4,432.50 towards the provision of allotments off –site.
- Compensatory parking for the Methodist Church and the occupants of Brickyard Cottages

## **Voting**

**08 For**

**05 Against**

**01 Abstentions**

The Chairman declared the motion **CARRIED**.

## **245/22 - APPLICATION NO. 22/01092/FUL**

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

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

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

**At 10:00pm**, Councillor Richard FitzHerbert left the meeting.

It was moved by Councillor Peter Slack, 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**.

**246/22 - APPEALS PROGRESS REPORT**

The Development Manager gave an update on Appeal Decisions.

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

**RESOLVED** (unanimously)

That the report be noted.

The Chairman declared the motion **CARRIED**.

**Meeting Closed: 10.02 pm**

**Chairman**

This page is intentionally left blank