



# **MINUTE BOOK**

12 December 2022 to 16 February 2023



# MINUTE BOOK INDEX

**12 December 2022 to 16 February 2023**

Committee	Date	Page Nos
<b>Non Exempt Minutes to be Received</b>		
Licensing and Appeals Sub-Committee	12 December 2022	03 - 04
Licensing and Appeals Committee	17 January 2023	05 - 07
Planning Committee	24 January 2023	09 - 15
Council	26 January 2023	17 - 29
Community and Environment Committee	09 February 2023	31 - 37
Planning Committee	14 February 2023	39 - 42
Governance and Resources Committee	16 February 2023	43 - 48
<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)

## **Licensing & Appeals Sub-Committee**

**Minutes of a Licensing & Appeals Sub-Committee meeting held at 10.30 am on Monday, 12th December, 2022 in the Committee Room, Town Hall, Matlock DE4 3NN.**

**PRESENT** Councillor Steve Wain - In the Chair

Councillors: Graham Elliott

Eileen Tierney (Licensing Manager), Kerry France (Legal Services Manager), Lucy Harrison (Democratic Services Assistant) and Tommy Shaw (Democratic Services Team Leader)

The Applicant

### **APOLOGIES**

Apologies were received from Councillor(s): Stuart Lees

### **231/22 - ELECTION OF A CHAIRMAN**

It was moved by Councillor Graham Elliott, seconded by Councillor Steve Wain and

**RESOLVED** (Unanimously)

That Councillor Steve Wain be elected as Chairman of the Committee.

### **232/22 - INTERESTS**

There were no declarations of interest.

### **233/22 - EXCLUSION OF PUBLIC AND PRESS**

It was moved by Councillor Steve Wain, seconded by Councillor Graham Elliott and

**RESOLVED** (Unanimously)

That in accordance with Section 100(a) of the Local Government Act 1972 the public and press be excluded because it is likely that the nature of the business to be transacted would result in exempt information being disclosed.

At this point the Sub-Committee excluded the public and press because in determining the Licence, Members would need to consider personal information relating to the Licence Applicant.

### **234/22 - RENEWAL OF COMBINED TAXI / PRIVATE HIRE VEHICLE DRIVER'S LICENCE - MOTORING CONVICTIONS**

It was reported that, in accordance with the Council's Licensing procedures, the Applicant for a Private Hire Vehicle Driver Licence had been referred to the Licensing and Appeals Sub-Committee in accordance with the Council's current Taxi and Private Hire Licensing Policy due to the number of points currently held on their driving licence.

The Licensing Manager explained the circumstances of the Applicant's referral to the Sub-Committee. The Sub-Committee and the Applicant were given an opportunity to question the Licensing Manager.

The Applicant then presented their case.

The Sub-Committee and the Licensing Manager were given an opportunity to question the Licence Applicant.

The Sub-Committee confirmed they had enough information to determine the matter.

### **235/22 - DECISION**

It was moved by Councillor Steve Wain, seconded by Councillor Graham Elliott and

**RESOLVED** (Unanimously)

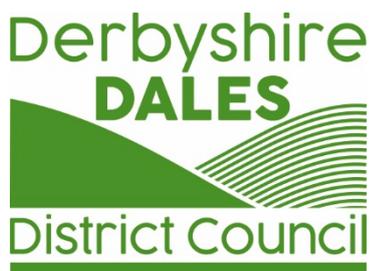
That having considered all the evidence put before it, the Sub-Committee has determined that the Applicant is fit and proper to be granted a 3 year licence to drive a Private Hire Vehicle

#### Reason for Decision

The Sub-Committee accepted the explanation of how the points were obtained and the reasons why the Council were not alerted when the points were received.

**Chairman**

**Meeting Closed:** 11.15 am



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)

## Licensing & Appeals

**Minutes of a Licensing & Appeals meeting held at 6.00 pm on Tuesday, 17th January, 2023 in the Council Chamber, Town Hall, Bank Road Matlock DE4 3NN.**

### PRESENT

Councillor Andrew Statham - In the Chair

Councillors: Mark Wakeman, Graham Elliott, Janet Rose, Stuart Lees, Steve Wain, Jacqueline Allison, Neil Buttle and Colin Swindell

Tim Braund (Director of Regulatory Services), Eileen Tierney (Licensing Manager), Karen Henriksen (Director of Resources), Kerry France (Legal Services Manager) and Angela Gratton (Democratic Services Officer)

### 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): Tom Donnelly, Dermot Murphy, Paul Cruise and Dawn Greatorex

### 253/22 - APPROVAL OF MINUTES OF PREVIOUS MEETING

It was moved by Councillor Colin Swindell, Seconded by Councillor Graham Elliott and

### RESOLVED (unanimously)

That the minutes of the meeting of the Licensing and Appeals Committee held on 21 September 2022 be approved as a correct record.

The Chairman declared the motion **CARRIED**.

## **254/22 - INTERESTS**

There were no declarations of interest.

## **255/22 - PUBLIC PARTICIPATION**

There was no public participation.

## **256/22 - REVIEW OF HACKNEY CARRIAGE (TAXI) AND PRIVATE HIRE LICENSING POLICY 2023 - CONSULTATION**

The Licensing Manager provided Members with an update on the review of the Council's Taxi and Private Hire Licensing Policy, three recommendations were given in connection with the report, all of which related to approval of the draft Taxi and Private Hire Licensing Policy so that a consultation exercise could be carried out, and for the results of the consultation to be reported to a future meeting of the Committee.

The Licensing Manager went through the key issues detailed in the report that the Department for Transport considered all Councils need to include as part of their Taxi and Private Hire Licensing Policy if not already covered. It was noted that 4 of the key issues had not been addressed in the draft policy document and it was recommended that they should be included in the document, if the consultation exercise was approved.

Members were informed that the full consultation on the proposed revisions to the policy would include not only the Taxi and Private Hire trade, but other stakeholders, for example, the general public, fare paying passengers, minority groups, organisations with a wider transport interest, eg Derbyshire County Council's Special Needs Education Transport Team, etc, other teams within the Council, and other statutory bodies, such as the police, local safeguarding, HMRC and the Immigration Office.

It was moved by Councillor Steve Wain, Seconded by Councillor Graham Elliott and

### **RESOLVED** (unanimously)

1. That the Draft Taxi and Private Hire Licensing Policy (detailed in Appendix 1) be approved for consultation purposes with the addition of the following key issues:
  - That Taxi & PHV licensed drivers be required to self-report within 48 hours of an arrest and release, charge or conviction of any sexual offence, any offence involving dishonesty or violence and any motoring offence.
  - Where to find details of the Council's procedure for making complaints about licensed drivers/operators.
  - Where to find details of the Licensing Authority's whistle-blowing policy for Officers and Councillors.
2. That consultation on the draft policy be undertaken for an 8-week period from 1<sup>st</sup> February to 31<sup>st</sup> March 2023.
3. That the results of the consultation exercise be reported to a future meeting of this Committee for further consideration, so that a Final Draft Taxi and Private Hire Licensing Policy can be agreed for referral to Council seeking approval to adopt and republish.

The Chairman declared the motion **CARRIED**.

## **257/22 - APPEAL AGAINST OFFICER DECISION TO REJECT AN APPLICATION FOR DISCRETIONARY RATE RELIEF**

The Director of Resources introduced a report which asked Members to determine an appeal against an officer decision to reject an application for discretionary rate relief. The Council has a policy for Discretionary Rate Reliefs, which was shown in Appendix 1 of the report.

The rate payer's original application for hardship relief and supporting information were reproduced in Appendix 2 to the report.

The application was considered by the Director of Resources and assessed against the criteria set out in the Policy, especially the section of the Policy on "Business Rate Relief on the Grounds of Hardship".

The Director of Resources informed Members of the reasons behind the officer decision to reject the application, as were detailed in Appendix 3 to the report, referring to the appropriate policy criteria. It was also suggested that a payment plan be offered.

The rate payer's request for an appeal, grounds for the appeal and further information were reproduced in Appendix 4 to the report.

**At 6:50pm the Chairman excluded the Officers and they left the meeting whilst Members considered the item.**

It was moved by Councillor Jacqueline Allison, Seconded by Councillor Colin Swindell and

**RESOLVED** (unanimously)

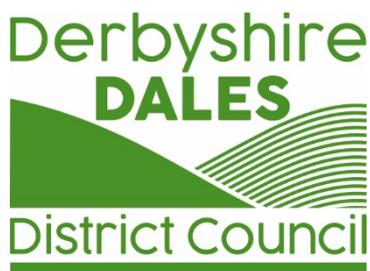
1. That the procedure outlined in paragraph 2.3 of the report be adopted for this hearing.
2. That the Officer decision be upheld and the appeal dismissed.

The Chairman declared the motion **CARRIED**.

**Meeting Closed: 7.00 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, 24th January, 2023 in the Council Chamber, Town Hall, Matlock, DE4 3NN.**

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

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

Present as Substitute - Councillors: Mark Wakeman

Kerry France (Legal Services Manager), Chris Whitmore (Development Control Manager), Adam Maxwell (Principal Planning Officer), Joseph Baldwin (Senior Planning Officer), Tommy Shaw (Democratic Services Team Leader) and Angela Gratton (Democratic Services Officer)

Members of the Public – 26

### **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): Robert Archer and Graham Elliott

### **258/22 - 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 13 December 2023 be approved as a correct record.

The Chairman declared the motion **CARRIED**.

## **259/22 - INTERESTS**

Item 5.4 Application No 22/01113/FUL

Councillor Richard FitzHerbert declared a non-pecuniary interest in Item 5.4 Application No 22/01113/FUL - Conversion of Stables, The Old Mill House, Bradbourne.

## **260/22 - APPLICATION NO. 22/00731/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.

In accordance with the procedure for public participation, Ms Sarah Whitehead (Local Resident) and Mr Barry Thomas 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 a further letter of representation in objection to the application.

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

## **RESOLVED**

That planning permission be refused for the following reasons:

1. The amount of rooflights on the currently plain / blank rear roof slopes of the property would fail to preserve the special architectural interest and significance of this grade II listed building. The level of harm that would result from the proposals would be less than substantial harm to the significance of the designated heritage asset, however, this would not be outweighed by any public benefit. As such, the proposals are contrary to the National Planning Policy Framework - 2021 (Conserving and Enhancing the Historic Environment), National Planning Practice Guidance and the Historic England Advice Note 2 - Making Changes to Heritage Assets (2016).

## **Voting**

**12 For**

**02 Against**

**00 Abstention**

The Chairman declared the motion **CARRIED**.

## **261/22 - APPLICATION NO. 22/01082/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, Ms Kathryn Stirling (Local Resident) and Mr Mark Young (Local Resident) spoke against the application. Cllr. Jason Farmer (Darley Dale Town Council) 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 a further letter of representation in objection to the application.

It was moved by Councillor Garry Purdy, seconded by Councillor Helen Froggatt and

**RESOLVED** (unanimously)

That planning permission be refused for the following reasons:

1. The provision of 3 no. dwellinghouses on the site would be at odds with the prevailing character of development on the eastern side of Wheatley Road and result in significant harm to settlement pattern and the local landscape / defining characteristics of the countryside setting of Two Dales. The development would therefore be in direct conflict with policies S1, PD1 and PD5 of the Adopted Derbyshire Dales Local Plan (2017), policy NP16 of the Darley Dale Neighborhood Plan (2020) and the National Planning Policy Framework (2021).
2. The proposed development would be on land which forms part of the setting of the adjacent grade II listed building 'The Cottage' dating from 1704. The loss of part of this historic setting would be harmful to the authenticity of the surroundings to the listed building thereby causing less than substantial harm to its significance that would not be outweighed by the public benefits to be derived. The development would therefore conflict with Policy PD2 of the Adopted Derbyshire Dales Local Plan (2017) and the National Planning Policy Framework (2021).

The Chairman declared the motion **CARRIED**.

## **262/22 - APPLICATION NO. 22/01113/FUL**

At **6.44 pm** Councillor Richard FitzHerbert left the meeting during consideration of this application due to declaring a non-pecuniary interest in the application.

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

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

In accordance with the procedure for public participation, Mr David Potter (Applicant) spoke in favour of the application.

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

It was moved by Councillor Janet Rose, seconded by Councillor David Hughes and

## RESOLVED

That planning permission be approved subject to the following conditions:

1. The development hereby permitted must be begun before the expiration of three years from the date of this permission.
2. The development hereby approved shall be carried out in accordance with Amended Drawing Nos. 7504-LAT-XX-XX-DP-A-1200-A1-P04, 7504-LAT-XX-XX-DP-A-1400-A1- P05, 7504-LAT-XX-00-DP-A-2200-A1-P04, 7504-LAT-XX-01-DP-A-2201-A1-P04, 7504- LAT-XX-XX-DE-A-3200-A1-P03,7504-LAT-XX-ZZ-DS-A-4200-A1-P03 received on 2nd December 2022 except insofar as required by other conditions to which this permission is attached. Page 2 of 6 22/01113/FUL
3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification) no external alterations or additions shall be made to the holiday let hereby approved and no buildings, extensions, gates, fences or walls (other than those expressly authorised by this permission) shall be carried out within the curtilage of the building without the prior written approval of the Local Planning Authority upon an application submitted to it.
4. The holiday let hereby approved shall be used solely for the purposes of temporary holiday accommodation and shall not at any time be occupied as permanent residential accommodation. No person shall occupy the holiday accommodation for a continuous period of more than 28 days in any calendar year or more than a total of 8 weeks in a calendar year and it shall not be re-occupied by the same person/s within 28 days following the end of that period. The owner shall maintain a register of occupants for each calendar year which shall be made available for inspection by the Local Planning Authority upon request.
5. The measures to encourage sustainable travel, as set out in Supplementary Statement from Lathams dated 9th January 2023 shall be provided / made available to all users of the holiday let hereby approved. Where the measures to encourage sustainable travel cannot be provided an alternative scheme shall be submitted to and approved in writing by the Local Planning Authority and thereafter implemented in accordance with the approved details throughout the lifetime of the development.

## Voting

**12 For**

**01 Against**

**00 Abstentions**

The Chairman declared the motion **CARRIED**.

**At 7.15 pm the meeting adjourned for 15 minutes.**

**At 7.30 pm the meeting reconvened.**

**263/22 - APPLICATION NO. 22/00910/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.

It was moved by Councillor Stuart Lees, 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**.

#### **264/22 - APPLICATION NO. 22/00799/FUL**

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

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

In accordance with the procedure for public participation, Mr Alex Job (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 a further representation received which raised significant health and safety concern on the delivery of the project if planning permission was approved.

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

**RESOLVED** (unanimously)

That planning permission be approved subject to the conditions set out in the report and the following additional condition:

1. No site machinery or plant shall be operated, no process shall be carried out and no construction related deliveries received or dispatched from the site except between the hours of 8am-6pm Monday to Friday, 8am-1pm Saturday and at no time on Sundays, Bank or Public Holidays. Reason: In the interests of preserving local amenity in accordance with Policy PD1 of the Adopted Derbyshire Dales Local Plan (2017).

The Chairman declared the motion **CARRIED**.

#### **265/22 - APPLICATION NO. 22/00529/FUL**

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

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

In accordance with the procedure for public participation, Mr Roger Yarwood (Agent) spoke in support of the application. Mr Jonathon Wood (Local Resident) spoke against the application.

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

Correspondence received after publication of the agenda was distributed at the meeting. This comprised of comments received from a local resident who expressed concerns regarding the ground levels supplied in the application.

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 with the following additional condition:

No site machinery or plant shall be operated, no process shall be carried out and no construction related deliveries received or dispatched from the site except between the hours of 8am-6pm Monday to Friday, 8pm-1pm Saturday and at no time on Sundays, Bank or Public Holidays. Reason: In the interests of preserving local amenity in accordance with Policy PD1 of the Adopted Derbyshire Dales Local Plan (2017).

## **Voting**

**13 For**

**00 Against**

**01 Abstentions**

The Chairman declared the motion **CARRIED**.

## **266/22 - DURATION OF MEETING (MOTION TO CONTINUE)**

At **8.20 pm** it was moved by Councillor Jason Atkin, seconded by Councillor David Hughes and

**RESOLVED** (Unanimously)

That, in accordance with Rule of Procedure 13, the meeting continue for an additional 15 minutes to enable the business on the agenda to be concluded.

The Chairman declared the motion **CARRIED**.

## **267/22 - APPLICATION NO. 22/01293/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 Edward Grove (Agent) spoke in support of the application. Mr Michael Tunnicliffe (Clerk to Longford Parish Council), Mr

Edward Lovatt (Local Resident) and Ms Mary Hall (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 a correction to the Officer's report – 'Longford Parish Council object to this planning application'.

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

### **RESOLVED**

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

### **Voting**

**08 For**

**05 Against**

**01 Abstentions**

The Chairman declared the motion **CARRIED**.

### **268/22 - DURATION OF MEETING (MOTION TO CONTINUE)**

At **8.40 pm** it was moved by Councillor Jason Atkin, seconded by Councillor David Hughes and

**RESOLVED** (Unanimously)

That, in accordance with Rule of Procedure 13, the meeting continue for an additional 15 minutes to enable the business on the agenda to be concluded.

The Chairman declared the motion **CARRIED**.

### **269/22 - APPEALS PROGRESS REPORT**

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

**RESOLVED** (unanimously)

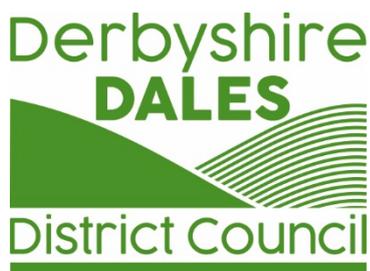
That the report be noted.

The Chairman declared the motion **CARRIED**.

**Meeting Closed: 8.47 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)

## Council

**Minutes of a Council meeting held at 6.00 pm on Thursday, 26th January, 2023 in the Council Chamber, Town Hall, Matlock, DE4 3NN.**

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

Councillors: Andrew Shirley, Jacqueline Allison, Robert Archer, Jason Atkin, Matt Buckler, Martin Burfoot, Sue Burfoot, Neil Buttle, Tom Donnelly, Graham Elliott, Steve Flitter, Helen Froggatt, Clare Gamble, Alyson Hill, Susan Hobson, David Hughes, Stuart Lees, Tony Morley, Dermot Murphy, Garry Purdy, Mike Ratcliffe, Janet Rose, Mark Salt, Peter Slack, Andrew Statham, Alasdair Sutton, Colin Swindell and Mark Wakeman

James McLaughlin (Director of Corporate and Customer Services (Monitoring Officer)), Steve Capes (Director of Regeneration & Policy), Robert Cogings (Director of Housing), Karen Henriksen (Director of Resources), Kerry France (Legal Services Manager), Mike Hase (Policy Manager), Simon Beynon (Housing Strategy Officer), Declan Hall (Chairman of the Independent Remuneration Panel) 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): Richard Bright, David Chapman, Paul Cruise, Richard FitzHerbert, Chris Furness, Dawn Greatorex, Michele Morley, Peter O'Brien and Steve Wain.

### **270/22 - PUBLIC PARTICIPATION**

Mr James Archer (Ashbourne Squash Club) spoke on issues relating to the condition of the Squash Courts at Ashbourne Leisure Centre.

## **271/22 - INTERESTS**

There were no declarations of interest.

## **272/22 - LEADERS' ANNOUNCEMENTS**

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

*"Members, we have a Star in our midst.*

*No, it's not me – It is Tommy Shaw!*

*Tommy was recently awarded the Rookie of the Year 2022 Award for the Association of Democratic Services (ADSO). ADSO is the nationally recognised Association for those working in local authority democratic and governance services, which represents, promotes and develops excellent democratic services for the benefit of all those working within local government.*

*Tommy joined the Council the Council in 2021 on a temporary contract to support the Elections Team and has developed quickly. Following the restructure of Democratic Services last year, he was appointed as Democratic Services Team Leader.*

*Tommy, there are many more words on this paper kindly supplied by James, and he has given me permission to hand it over to you for posterity.*

*It is with great pleasure that I ask you to come forward for a presentation and a photograph by Jim Fearn, and I am sure that Members will join with me in congratulating you on this excellent achievement.*

*And now – Ye of Little Faith:*

*Is it strange that many others such as Chief Execs and Senior Officers have complete faith in the Leadership at this Authority which can be testified to in many areas such as Vision Derbyshire, other Local Authorities and Outside Bodies.*

*First, let me remind you what the Independent Peer challenge Review Report said in October 2019 about our Authority.*

*DDDC is credited with being an effective leader of the district by partners who attest to the authority being a good partner to work with which makes positive contributions to collaboration. Relationships with partner organisations to promote the district are strong and the council is actively looking to work more closely with other districts.*

*And now, Ministers in Government have recognised the Leadership qualities at this Authority and the Community Teamwork completed on Ashbourne Reborn by the granting of the first and largest grant of monies that this rural Authority has achieved in the sum of £13.5 million from the Levelling Up Fund provided by Government, and made up to £15 million by match funding.*

*If it had not been for my Leadership in 2019 after my Councillors in Ashbourne, especially Cllr Stuart Lees related to me the concern of the Traders in Ashbourne regarding the loss of High Street shops we would not be celebrating this fanatic win!*

*And if you don't want to believe me than speak to the Key Stakeholders in Ashbourne.*

*I wish to place on record my sincere thanks and congratulations to the Ashbourne Reborn Team which consisted of Officers from this Authority, like Paul, Steve and Giles, Officers from Derbyshire County Council, the significant amount of money support from both Authorities, but also Members of Ashbourne Town Team, especially Anne Wright and Norman Harris, Ashbourne Town Council, ASHCOM, and Ashbourne Methodist Church.*

*The bid has been supported by the District Council's expert consultant Michael Rich, Bentley Project Management, and Lathams Architects.*

*The successful bid was achieved by Community Teamwork and is a prime example to our other Market Towns and large villages in Derbyshire Dales as to what can be achieved when the community comes together.*

*Please note that a Third Tranche of LUF monies is expected to be announced soon by Government and I would hope that we can submit another bid."*

### **273/22 - CHAIRMAN'S ANNOUNCEMENTS**

"On 28<sup>th</sup> November I attended Morley Hayes near Ilkeston to represent DDDC at a British Empire Medal awards ceremony. The event and presentation by the lord lieutenant took place in the Mill Room and was hosted by our chief exec and clerk to the lieutenancy Paul Wilson. A total of five medals were presented, one of the recipients lives within our Derbyshire Dales District. The High Sherriff and other Civic dignitaries from around the area also attended.

On 15<sup>th</sup> December I attended the Matlock Festive Fuddle at the Imperial Rooms in Matlock. This was organised by the Environment Agency to provide an update on progress with the flood wall defences and be introduced to the new project management team.

On 18<sup>th</sup> December both Jen and I were invited to the British Legion Ex-Serviceman's Club in Ashbourne. The event was organised and hosted by Councillor Stuart Lees who is a key mover and shaker in the Ashbourne Branch. Following a carvery lunch for about fifty I presented long service certificates to Ashbourne poppy collectors, some of whom had 50 years service under their belt. A fantastic achievement and an honour for me as Derbyshire Dales Civic-Chair to make that presentation. During the event, a raffle was held and all proceeds, which was a substantial amount, was given to me by Councillor Stuart Lees to be donated to my charity. An enjoyable afternoon with some of our ex-servicemen and their families.

On 19<sup>th</sup> January I attended the Bowling Green Pub in Winster. The event was held to present an MBE to Mr John Mills. The presentation would normally be carried out at the palace, but due to his failing health it was held locally. The event was hosted by Paul Wilson and the presentation was carried out by the lord lieutenant. The event was also attended by ward member Councillor Colin Swindell and some of John's family and friends."

### **274/22 - COMMITTEES**

It was moved by Councillor Tom Donnelly, seconded by Councillor Andrew Shirley and

**RESOLVED** (Unanimously)

That the non-exempt minutes of the Committees listed in the Minute Book for the period 17<sup>th</sup> November 2022 to 13<sup>th</sup> December 2022 be received.

The Chairman declared the motion **CARRIED**.

**275/22 - QUESTIONS (RULE OF PROCEDURE 15)**

**Questions from Councillor Clare Gamble to Councillor Garry Purdy, Leader of the Council:**

*“1: Has the Gypsy and Traveller Working Group found Temporary Tolerated Stopping Places in addition to Derwent Way in Matlock and the Station Car Park in Matlock Bath? Please name any places that have been assessed, and any places that are due to be assessed?”*

*2: It has come to my attention that a business in my ownership has been used in a matrix to access a site as a Temporary Tolerated Stopping Place, without my knowledge. Can you explain how The Heights of Abraham got personal guarantees from the Leader of the Council and the Chief Executive that the council would only use a site in the council’s ownership until 31st January 2023? How confident are you that this date will be adhered to?”*

*3: Are the Gypsy and Traveller Working Group still using a matrix to assess potential sites? If they are not, on what date did they stop using it, and what process are they now using to assess sites?”*

**Councillor Purdy provided the following responses:**

1. The sites assessed were referred to in the report that was considered by the Council at its meeting on 24 November 2022. I don’t intend to repeat them all here. With regard to any places due to be considered as temporary sites, these are not in the ownership of the Council and are subject to commercial negotiation presently and I am advised that I cannot name these in a public meeting at this time. I would hope that this information will be made public when the Gypsy and Traveller Site Provision Working Group submits its next report to Council.

2. The Heights of Abraham did not get personal guarantees either from myself or the Chief Executive. Council agreed to the recommendation from the Gypsy and Traveller Site Provision Working Group that the Matlock Bath Station Yard Car Park should be designated as a temporary site until 31 January 2023. This confirmed an earlier urgent decision which was taken by the Director of Corporate and Customer Services following consultation with the working group, political group leaders from all groups and receiving the necessary consent from the Vice-Chairman of the Council and me as Leader of the Council. As we are now at 26 January and the cross party working group has not yet delivered any further recommendations, I am disappointed to advise that the Council will not be able to require the specific Traveller family to move from Matlock Bath Station Yard Car Park by 31 January 2023. It is imperative that alternative sites are identified and agreed at the earliest opportunity.

3. The matrix used by the Gypsy and Traveller Site Provision Working Group was based on analysis of potential sites against Planning Policy HC6 which specifically relates to the delivery of permanent Traveller sites. The last discussion in relation to the matrix at the

Working Group was on 2 November 2022, however I can confirm that all sites that remain under consideration were previously assessed against Planning Policy HC6. It is a matter for the working group to determine whether they wish to seek advice and analysis from Planning Policy officers in respect of any other sites that may come under consideration.

## **276/22 - PROPOSAL OF A NOTICE OF MOTION (RULE OF PROCEDURE 16)**

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

At the meeting the motion was moved by Councillor Matt Buckler and seconded by Councillor Garry Purdy as follows:

### **“Derbyshire Dales District Council Nature Recovery Declaration**

#### **This council acknowledges that:**

1. We are experiencing a nature crisis and the UK Government has recently committed to the COP15 requirements to address this<sup>1</sup>. We recognise that with 41 per cent of wild species in decline nationally, and 15 per cent facing extinction:

a) Nature is in long term decline, and the requirement to take action to reverse this is urgent.

b) Nature provides us with vital support systems (‘ecosystem services’), and severe declines in biodiversity are undermining nature’s productivity and adaptability, posing excessive uncertainty for our economies and wellbeing.

c) A thriving natural environment underpins a healthy, happy, prosperous society.

d) The nature crisis and the climate emergency are intrinsically linked. The impacts of the climate crisis are driving nature’s decline, while restoring nature provides a wide variety of cost-effective benefits to mitigate and adapt to the impacts of climate change, such as through reducing the risk of flooding in our towns and villages.

e) Many of our areas of work across the district have an impact on nature, and we have responsibilities to make decisions to protect and enhance it.

**To support the recovery of nature across the Derbyshire Dales, this council commits to:**

#### Nature and climate

1. Develop and implement a Derbyshire Dales Nature Recovery Strategy and ensure it underpins all planning, development, and land management decisions, including the Local Plan.

**As part of this, the council will:**

- a) Develop a Nature Recovery Network map to prioritise sites within the ecological network to provide a strategic base for the creation of a Nature Recovery Network.
- b) Increase space for wildlife and commit to the long-term maintenance and expansion of the Nature Recovery Network.
- c) Use the Nature Recovery Network map to inform the selection of Biodiversity Net Gain projects within the region.
- d) Maintain a commitment to achieve a net-gain to biodiversity across all development, meeting the Environment Act requirement of 10% biodiversity net-gain, ensuring compliance with the most up to date scheme from Defra.
- e) Improve the landscape's resilience to climate change, employing nature-based solutions to mitigate and adapt to the impacts of climate change on the District, including carbon storage and sequestration, managing flood risk, improving water quality, and sustaining vital ecosystems.
- f) After satisfying safety and visibility priorities, and building on the work of our Biodiversity Project, develop greenspace management regimes to maximise potential for biodiversity, carbon storage and sequestration.
- g) Carry out a carbon audit of DDDC countryside and open space sites to establish how carbon storage/sequestration could be improved.
- h) Adopt a peat-free policy for all council contracts and suppliers.
- i) Aim to achieve favourable condition on all council-managed protected and designated nature sites (e.g. SSSIs (Site of Special Scientific Interest), LNRs (Local Nature Reserves), LWSs (Local Wildlife Sites)) by 2030.

People, health, and wellbeing

2. Improve access to nature by following the Natural England 'Nature Nearby' Accessible Natural Greenspace Guidance<sup>1</sup>. Regard will be given to:
  - Areas with high levels of physical health problems.
  - Areas with high levels of mental health problems.
  - Areas where the amount and quality of accessible natural greenspace is below Natural England's targets.

Strategic planning and development

3. Embed nature's recovery into all strategic plans, including the Local Plan, and all policy areas, not just those directly related to the environment. Ensure the LNRS is well understood across the authority and complements other relevant plans and strategies.

4. Integrate the targets, objectives, and outcomes of this motion, i.e. the biodiversity strategy and action plan, with those outlined in the Derbyshire Dales Carbon Reduction Plan, to ensure measures to tackle climate issues do not contravene the principles of enhancing biodiversity. Wherever possible, the council will invest in nature-based solutions to climate change to tackle the nature crisis and climate emergency together.
5. Provide training and resources for councillors and council employees about the ecological emergency.

#### Collaboration, monitoring, and accountability

6. Identify a council employee as the designated lead for coordinating council operations in relation to the ecological emergency.

<sup>1</sup> 'COP15: Nations adopt four Goals, 23 Targets for 2030 in landmark UN biodiversity agreement', UN Convention on Biological Diversity:

<https://www.cbd.int/article/cop15-cbd-press-release-final-19dec2022>

<sup>2</sup> 'Nature Nearby' Accessible Natural Greenspace Guidance, Natural England: [http://www.ukmaburbanforum.co.uk/documents/other/nature\\_nearby.pdf](http://www.ukmaburbanforum.co.uk/documents/other/nature_nearby.pdf)

The motion was put to the vote and

#### **RESOLVED**

That the motion as detailed above be accepted in full with the additional request that a report be brought back to Council as soon as possible detailing the work required.

#### **Voting**

**28 For**

**00 Against**

**01 Abstained**

The Chairman declared the motion **CARRIED**.

#### **277/22 - APPROVAL OF MINUTES OF PREVIOUS MEETING**

It was moved by Councillor Jason Atkin, Seconded by Councillor Mark Wakeman and

**RESOLVED** (unanimously)

That the minutes of a meeting of Council held on 24<sup>th</sup> November 2022 be approved as a correct record.

The Chairman declared the motion **CARRIED**.

## **278/22 - APPOINTMENT OF CHAIRMAN AND VICE-CHAIRMAN OF LICENSING AND APPEALS COMMITTEE**

It was proposed by Councillor Garry Purdy and seconded by Councillor Susan Hobson that Councillor Mark Wakeman be nominated as Chair of the Licensing and Appeals Committee and Councillor Stuart Lees be nominated as Vice-Chair.

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

### **RESOLVED**

That Councillor Mark Wakeman be elected as Chair and Councillor Stuart Lees be elected as Vice-Chair of the Licensing and Appeals Committee.

### **Voting**

**26 For**  
**01 Against**  
**02 Abstained**

The Chairman declared the motion **CARRIED**.

## **279/22 - INDEPENDENT REMUNERATION PANEL - APPOINTMENT OF ADDITIONAL MEMBER**

The Director of Corporate and Customer Services introduced a report recommending the appointment of an additional person as a member of the Independent Remuneration Panel to review Members' Allowances for a four year period.

The report informed members that section 99 of the Local Government Act 2000 makes provision in relation to allowances for Members of local authorities. Regulations made under this Section require local authorities to establish and maintain a panel to make recommendations about the Scheme.

Following the conclusion of a recruitment process, it was recommended that Mr Barry Mellor be appointed as a member of the Independent Remuneration Panel for a four year period until 30 November 2026. It was noted that Mr Mellor had a strong background in marketing, information technology, communications and commercial strategy at senior director and chief executive level.

It was moved by Councillor Colin Swindell, seconded by Councillor Tom Donnelly and

### **RESOLVED**

1. That Mr Barry Mellor is formally appointed as a member of the Independent Remuneration with a four year term of office ending in November 2026.

### **Voting**

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

The Chairman declared the motion **CARRIED**.

## **280/22 - CORPORATE PLAN 2020-24 - PERFORMANCE 2022/23 AND PRIORITIES 2023/24**

The Director of Regeneration and Policy introduced a report advising Members of performance against the Council's Corporate Plan targets during the first six months of 2022/23. The report also set out for Members consideration a proposed set of Corporate Plan priority target areas for 2023/24, which if adopted will enable service planning and budget preparation to take place in good time for March 2023.

The report noted that following extensive public consultation and discussions with Members, the Council's Corporate Plan 2020-2024 was adopted at a meeting of Council on 5<sup>th</sup> March 2020. It set out the Council's top priorities for the Derbyshire Dales, and is the key strategy from which the District Council's Budget and Service Plans cascade.

It was noted that at the end of the second quarter of 2022/23, 18 of the 26 targets are on track for achievement by the target date set; and 8 of the indicators are at risk of not being achieved by the target date set. It was noted that there are no targets that will not be met, if performance continued at this level.

The Corporate Plan target areas prioritised for the year 2023/24 were as set out in the final column of the Table in Appendix 2 of the report. Members were informed that they were not adopting new Corporate Plan Priorities but choosing which elements of their existing Corporate Plan that they wish to prioritise for activity in the next financial year.

It was moved by Councillor Andrew Shirley, seconded by Councillor David Hughes and

### **RESOLVED**

1. That progress during Quarter 1 and Quarter 2 against the Corporate Plan targets and actions for 2022/23 be noted.
2. That the Corporate Plan priority target areas set out in Appendix 2 to the report be adopted for 2023/24.
3. That a further report be presented to the Council budget meeting in March 2023 with specific targets for each of the priority areas set out in Appendix 2, with the acknowledgement that these may need to be scaled back if the Local Government Finance Settlement for the District Council is poor.
4. The initial steps taken to prepare for a future Corporate Plan post-2024 are noted.

### **Voting**

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

The Chairman declared the motion **CARRIED**.

## **281/22 - LOCAL COUNCIL TAX SUPPORT SCHEME FOR 2023/24**

The Director of Resources introduced a report providing information relating to proposed changes to, and sought approval to adopt, the Local Council Tax Support Scheme for the financial year 2023/24.

It was noted that each council is required to determine a Local Council Tax Reduction Scheme for each financial year and that no significant changes were proposed to the scheme to be adopted for 2023/24.

Alongside the 'main' Local Council Tax Support Scheme, the Council also has a Discretionary Hardship Fund to provide further financial support to CTS applicants facing undue financial hardship. It was recommended that the annual budget for the discretionary hardship fund should be increased from £18,000 in 2022/23 to £20,000 for 2023/24.

Alongside the provisional Local Government Finance Settlement on 19th December 2022, the Government announced additional funding for a Council Tax Support Fund for local authorities to support the most vulnerable households in England. This funding will allow councils to deliver additional support to households already receiving council tax support, whilst also providing councils with the resources and flexibility to determine the local approaches to support other vulnerable households in their area. The Government expects local authorities to use the majority of their funding allocations to reduce bills for current working age and pension age Local Council Tax Support (LCTS) claimants by up to £25. Councils can use their remaining allocation as they see fit to support vulnerable households with council tax bills. The report set out proposals for the delivery of the Fund.

It was moved by Councillor Mike Ratcliffe, seconded by Councillor Tom Donnelly and

### **RESOLVED** (Unanimously)

1. That the Council approves and adopts the scheme detailed in the report as the Local Council Tax Reduction Scheme for 2023/24.
2. That £20,000 be set as the budgeted amount for all Discretionary Hardship Fund applications under Schedule 11 of the scheme for 2023/24 (to be reviewed by a further report to Council during the year if it appears that this amount may be insufficient).
3. That the proposed delivery of the Council Tax Support Fund as set out in paragraph 2.15 of the report be approved and endorsed.

The Chairman declared the motion **CARRIED**.

## **282/22 - REFUGEES AND DISPLACED PEOPLE**

The Director of Housing introduced a report detailing how the District Council had supported national requests to take part in various programmes supporting refugees and displaced people. Each programme had a separate set of processes and resources determined by government. The report detailed how the Council had worked with a range of partners to respond to each programme in a proportionate way.

It was also noted how the Council had been consciously balancing the needs of people fleeing their own country with the needs of local people who are also vulnerable and often experiencing homelessness. Members were informed how the latest programme

of support would focus on purchasing existing private sector properties rather than making available current social housing properties.

It was moved by Councillor Robert Archer, seconded by Councillor Peter Slack and

## **RESOLVED**

1. That the Council formally accepts the offer of £2,036,232 under the Local Authority Housing Fund Grant.
2. That the proposed delivery of the Local Authority Housing Fund as detailed within paragraph 3.2 of the report be approved and endorsed.
3. That authority be delegated to the Director of Housing, in consultation with the Director of Resources, to allocate the Local Authority Housing Fund with a report to be submitted to Community and Environment Committee after March 2023.
4. That the Director of Housing be authorised to continue to deliver wider refugee support as part of the UK Resettlement Scheme, where opportunities allow.
5. That the Director of Housing be authorised to deliver the Homes for Ukraine Scheme grant from the Derbyshire County Council and the impending Ukraine Support Grant from the Department for Levelling Up, Housing and Communities.
6. That the approach to working with Derbyshire County Council, East Midlands Councils and (where needed) Serco to provide accommodation under the Asylum Dispersal Scheme be noted.

## **Voting**

**26 For**

**01 Against**

**02 Abstention**

The Chairman declared the motion **CARRIED**.

## **283/22 - RURAL AREA DESIGNATION**

The Policy Manager introduced a report advising Members that those rural parishes outside the main built areas of Matlock, Ashbourne and Wirksworth have been designated as Rural Areas under s157 of the Housing Act 1985. The report recommended that the Council adopted a revision to Policy HC4 in the adopted Derbyshire Dales Local Plan which would reduce the threshold for which the Council could seek to negotiate the provision of affordable housing from ten dwellings or more to five dwellings or more.

It was noted that at a Meeting of Council on 19<sup>th</sup> January 2022 it was resolved to apply to the Secretary of State for Rural Area designation under s157 of the Housing Act 1985. A formal application was made to the Secretary of State on 13<sup>th</sup> May 2022. Following consideration of the application a Statutory Instrument was approved and laid before Parliament confirming the designation on 14<sup>th</sup> November 2022. It was noted in the report that designation came into force on 12<sup>th</sup> December 2022.

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

**RESOLVED** (Unanimously)

1. That Rural Area designation under s17 Housing Act 1985 be noted.
2. That the District Council approve the revisions to Policy HC4 in the adopted Derbyshire Dales Local Plan as set out in Para 2.8 of the report.

The Chairman declared the motion **CARRIED**.

**284/22 - DURATION OF MEETING (MOTION TO CONTINUE)**

At **8:20pm**, it was moved by Councillor Colin Swindell, seconded by Councillor Steve Flitter 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**.

**285/22 - REVIEW OF MEMBERS ALLOWANCES SCHEME**

The Director of Corporate and Customer Services introduced a report setting out the recommendations of the Independent Remuneration Panel (IRP) in response to a request from the Council to conduct a full review of the Members' Allowance Scheme. The Council must have regard to the recommendations of the Panel when establishing a new Scheme of Allowances.

The Local Authorities (Members' Allowances) (England) Regulations 2003 requires the Council to have a scheme for the payment of Members.

To meet the requirements of the Regulations it was noted that the Council must approve a scheme which provides for the payment of a basic allowance to each member of the authority. The basic allowance must be the same for every member of the authority.

It was moved by Councillor Garry Purdy and seconded by Councillor Tom Donnelly to accept the recommendations as set out in the report with the following addition:

"That implementation of the increases to Basic Allowances and SRAs be deferred until April 2024, to be sensitive to the current economic climate."

The motion was then put to the vote as follows:

**10 For**  
**18 Against**  
**01 Abstention**

The Chairman declared the motion **FALLEN**.

It was then moved by Councillor Sue Burfoot, seconded by Councillor Colin Swindell and

## **RESOLVED**

1. That the report of the Independent Remuneration Panel be noted.
2. That a new Scheme of Members' allowances be approved in accordance with the recommendations of the Independent Remuneration Panel.
3. That, subject to the approval of recommendation 2, the additional cost of £1,357 be included in the draft budget for 2023/24.

### **Voting:**

**16 For**

**12 Against**

**01 Abstention**

The Chairman declared the motion **CARRIED**.

## **286/22 - S.85 OF THE LOCAL GOVERNMENT ACT 1972 - VACATION OF OFFICE BY FAILURE TO ATTEND MEETINGS**

**At 9:05pm, Councillor Graham Elliott left the meeting.**

The Director of Corporate and Customer Services introduced a report noting the statutory vacation of office by Councillor Claire Raw after not attending a meeting of the Council or its committees for a period of six months.

It was moved by Councillor Neil Buttle, seconded by Councillor Jason Atkin and

**RESOLVED** (Unanimously)

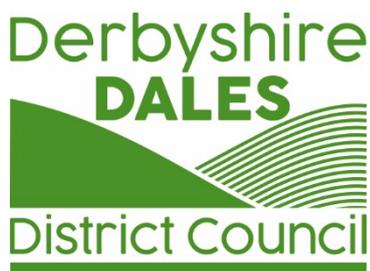
1. That the vacation of office under S.85 of the Local Government Act 1972 be noted.

The Chairman declared the motion **CARRIED**.

**Meeting Closed: 9.10 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)

## Community & Environment Committee

**Minutes of a Community & Environment Committee meeting held at 6.00 pm on Thursday, 9th February, 2023 in the Council Chamber, Town Hall, Matlock, DE4 3NN.**

### PRESENT

Councillor Helen Froggatt - In the Chair

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

Paul Wilson (Chief Executive), Tim Braund (Director of Regulatory Services), James McLaughlin (Director of Corporate and Customer Services (Monitoring Officer)), Ashley Watts (Director of Community and Environmental Services), Mike Hase (Policy Manager), Vikki Hatfield (Neighbourhoods Manager), Jim Seymour (DCC Transport Strategy Manager), Amanda Goodwill (Environmental Health Manager), Karen Carpenter (Environmental Health Officer) 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): Tony Morley, Janet Rose and Andrew Statham

### 287/22 - APPROVAL OF MINUTES OF PREVIOUS MEETING

It was moved by Councillor Garry Purdy, Seconded by Councillor David Hughes and

**RESOLVED** (unanimously)

That the minutes of the meeting of the Community and Environment Committee held on 07 December 2022 be approved as a correct record.

The Chairman declared the motion **CARRIED**.

**288/22 - PUBLIC PARTICIPATION**

In accordance with the procedure for public participation, Mr Peter Dobbs (Local Resident), Cllr Sue Moore (Ashbourne Town Council), Mr Dorsan Baker (Local Resident), Mr Robin Currie (Local Resident), Mr Nicholas Bishop (Local Resident), Ms Amanda Miles (Local Resident), Ms Midge Dobbs (Local Resident) and Cllr Simon Spencer (Derbyshire County Council Deputy Leader & Elected Member for the Dovedale Division) made comments regarding the Ashbourne air quality management area action plan.

**289/22 - INTERESTS**

There were no declarations of interest.

**290/22 - QUESTIONS PURSUANT TO RULE OF PROCEDURE NUMBER 15**

**Question from Councillor Peter O'Brien to Councillor Helen Froggatt, Chair of Community and Environment Committee:**

"I receive regular complaints from residents and visitors using the Council's car parks, those in Hathersage and Bakewell in particular, that the payment machines are out of order. These complaints also often refer to PaybyPhone facility - it seems that older people, those who are not familiar with phone apps, or those who simply do not have a mobile phone at hand can be confused and bewildered to the extent that their personal dignity can be adversely affected; the prominent reference on the information panels to fines for non-payment adds to their discomfort. On occasions it has also been suggested to me that expecting users to pay by phone, or receive a fine, when they are unable to do so may be discriminatory.

Whilst I am sure we all welcome the use of new technology to improve the Council's services, do you agree that the issue of the payment methods in the Council's car parks in relation to the differing needs of users and their ability to use these methods should be addressed by the Car Parking Working Group, and an early report submitted to this Committee?"

**Councillor Froggatt provided a verbal response:**

Other than the recent emails with Cllr O'Brien, no complaints or formal complaints have been received relating to the use of PayByPhone. If Members are receiving such reports it would be helpful if this information could be sent via the CRM portal so these can be formally logged and can be investigated further.

Since 5<sup>th</sup> October 2021 when the PayByPhone service was launched, there has been over 272,000 payments made using this service. Now 26% of all payments are made using PayByPhone across our car parks and it is now starting to overtake card payment transactions.

There isn't one system which meets everyone's requirements, the inclusion of the PayByPhone service helps those who have challenges around dexterity who can find using traditional payment machines difficult, as they tend to have relatively small buttons.

As members are aware, you do not need a smartphone to be able to use the PayByPhone service, there is a telephone number which customers can call to process their payment.

## **291/22 - ASHBOURNE AIR QUALITY MANAGEMENT AREA ACTION PLAN**

The Director of Regulatory Services introduced a report which sought Member approval of the draft Air Quality Action Plan for the purposes of public consultation prior to submission to DEFRA.

At the meeting of this Committee held on 7<sup>th</sup> April 2021 it was resolved to declare an Air Quality Management Area (AQMA) within Ashbourne, this was declared due to levels of nitrogen dioxide exceeding the annual average air quality objectives in several areas of Ashbourne. Four updating reports had since been submitted to this Committee regarding the progress of the AQMA.

The report informed Members of the work undertaken since the declaration of the AQMA to develop an action plan aimed at addressing the exceedance of the air quality objective. It was noted that due to road traffic being the main source of pollution in the area, the District Council worked closely with Derbyshire County Council as the local Highways Authority. To enable greater engagement with the development of proposals, a working group consisting of representatives of Derbyshire Dales District Council's Environmental Health Team, Derbyshire County Council's Transport Strategy Team, Ashbourne Town Council and Ashbourne Town Team was formed.

The draft Action Plan was provided as an appendix to the report, Members were asked to note this as an evolving document presented only for information at this stage. At this time, the Action Plan contained nine proposed actions as detailed in the report. Comments received from Ashbourne Town Council and Ashbourne Town Team were included as appendices 2 and 3 respectively.

### **18:36 – During discussion of this Item Councillor Sue Bull entered the meeting.**

During debate, the following amendment and was moved by Councillor David Hughes and seconded by Councillor Neil Buttle:

*"2. That the consultation documents attached as appendix 5 to this report be approved for public consultation as set out in paragraph 2.10 below with the following additional actions:*

- 1. A clean air zone covering the centre of Ashbourne with a charge levied on diesel commercial vehicles and taxis that are not Euro 6 compliant with an exemption for vehicles registered with keepers within the Ashbourne Civil Parish.*
- 2. An enforced 20mph zone within the centre of Ashbourne.*

*The centre of Ashbourne to include Buxton Road south of Windmill Lane, the Market Place, Park Road, Belper Road between Park Road and Station Road, Station Road, and St John Street, and all roads between those perimeter roads.*

**Reasons:**

*The National Institute for Health and Care Excellence has made recommendations concerning outdoor air quality and health. While the proposed actions cover many of the NICE recommendations, NICE recommendations concerning clean air zones and speed limits have been rejected.*

*The proposal of a clean air zone would encourage owners of non-compliant vehicles to invest in new vehicles and is consistent with a “polluter pays” principle. The exemption for vehicles registered in Ashbourne will mean that the measure will be focused on vehicles using Ashbourne for transit not on those that are providing an economic benefit to the town.*

*The proposal to introduce a 20mph zone would reduce NO2 pollution through smoother driving even when the average speed is below 30mph. A reduction in changes in vehicle speed reduces acceleration and braking, both of which add to air pollution.*

*A rejection of such proposals at this stage will excessively limit the ability of Ashbourne residents to make their views known and to influence policy development.”*

This amendment was put to the vote as follows:

**11 For**  
**01 Against**  
**01 Abstention**

The Chairman declared the amendment **CARRIED**.

A further amendment was moved by Councillor Martin Burfoot, seconded by Councillor Steve Wain and is detailed below:

*“That this Council honours its previous commitment and as part of a comprehensive and meaningful public consultation exercise lasting at least four weeks and commencing immediately, a drop in consultation session and an open public meeting will be held, with full publicity and access for all those with sensory disabilities and who are non-IT conversant. The results are to be reported back to this Committee.”*

This amendment was put to the vote as follows:

**11 For**  
**01 Against**  
**01 Abstention**

The Chairman declared the amendment **CARRIED**.

It was then moved by Councillor David Hughes, Seconded by Councillor Martin Burfoot and

**RESOLVED**

1. That the further development of the draft Air Quality Action Plan attached as appendix 1 to the report be noted;

2. That the consultation documents attached as appendix 5 to this report be approved for public consultation as set out in paragraph 2.10 and including the following additional actions:
  1. That a clean air zone covering the centre of Ashbourne (which includes Buxton Road south of Windmill Lane, the Market Place, Park Road, Belper Road between Park Road and Station Road, Station Road, and St. John Street, and all roads between those perimeter roads) be established, with a charge levied on diesel commercial vehicles and taxis which are not Euro 6 compliant, with an exemption for vehicles registered with keepers within the Ashbourne Civil Parish.
  2. That a 20mph zone be enforced within the centre of Ashbourne (which includes Buxton Road south of Windmill Lane, the Market Place, Park Road, Belper Road between Park Road and Station Road, Station Road, and St John Street, and all roads between those perimeter roads).
3. That, in honouring the Council's previous commitment and as part of a comprehensive and meaningful public consultation exercise lasting at least four weeks and commencing immediately, a drop-in consultation session and an open public meeting be held, with full publicity and access for all those with sensory disabilities and who are non-IT conversant.
4. That the outcome of the consultation be reported back to the Committee following its conclusion.

## Voting

**11 For**

**01 Against**

**01 Abstained**

The Chairman declared the motion **CARRIED**.

## **292/22 - MEMORIAL BENCH POLICY**

The Neighbourhoods Manager introduced a report which informed Members of the proposed revisions to the Memorial Bench Policy and sought Member approval to adopt the revised policy with effect from 1<sup>st</sup> April 2023.

The report detailed how the District Council had for several years allowed memorial benches to be donated, in memory of loved ones, and placed in locations under its responsibility such as cemeteries, recreation grounds, parks and beauty spots. The report detailed the current numbers of benches registered/situated in locations across the District, and the waiting list requests for benches in these areas.

The report also informed Members of the reasons for the review of the policy taking place, this included the rising costs resulting in the fees & charges as set in 2019 were no longer representative of the costs incurred.

It was moved by Councillor Garry Purdy, Seconded by Councillor David Hughes and

## **RESOLVED**

1. That the revised Memorial Bench Policy for implementation from 1<sup>st</sup> April 2023 be approved.

## **Voting**

**11 For**

**00 Against**

**03 Abstained**

The Chairman declared the motion **CARRIED**.

## **293/22 - LEVELLING AND REGENERATION BILL - CONSULTATION ON PROPOSED REFORMS TO NATIONAL PLANNING POLICY**

The Policy Manager introduced a report which summarised the proposals published by the Government for updating the National Planning Policy Framework (NPPF) and potential further changes to national planning policy including the introduction of the National Development Management Policies. The report also set out a proposed response to the consultation and allowed a submission to be made to the Department for Levelling up, Housing and Communities by 2<sup>nd</sup> March 2023 deadline.

In February 2022 the Government published the Levelling Up White Paper which set out a commitment to making reforms to the planning system as part of its levelling up agenda and as a way of giving communities a greater say over where homes are built and what they look like. The report informed Members of the intention of the Levelling-up and Regeneration Bill to enable such reforms by mandating 'beautiful' new developments that meet clear design standards and reflect community views.

In order to ensure that any reforms to the planning system would be effective, the Government considered that it would also require changes to national planning policy that would provide support for local communities, local authorities and applicants. On 22<sup>nd</sup> December 2022, the Government commenced a public consultation on its proposed approach to updating the NPPF, as well as its proposed approach to preparing National Development Management Policies. The consultation text, proposed changes and consultation questions with recommended Officers responses were set out in the Appendices to the report.

It was moved by Councillor Susan Hobson, Seconded by Councillor David Hughes and

## **RESOLVED** (unanimously)

1. That the contents of the consultation be noted.
2. That the recommended Officers response to the consultation questions as set out in Appendix 3 form the basis of a submission to the Department for Levelling Up, Housing and Communities by the deadline of 2 March 2023.

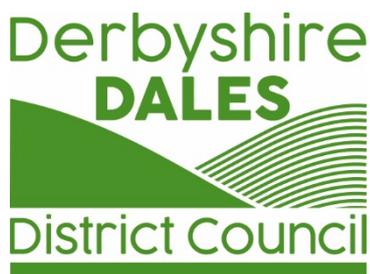
3. That any additional comments from Members following consideration of this report be sent to the Policy Manager for inclusion in the submission to the Secretary of State by no later than Friday 24 February 2023.
4. That authority be delegated to the Director of Regeneration and Policy to make the final submission to the Secretary of State on behalf of the District Council.

The Chairman declared the motion **CARRIED**.

**Meeting Closed: 8.22 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, 14th February, 2023 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, Helen Froggatt, David Hughes and Stuart Lees

Present as Substitute - Councillors: 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 – 4

### **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 O'Brien, Garry Purdy and Janet Rose

### **294/22 - 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 24 January 2023 be approved as a correct record.

The Chairman declared the motion **CARRIED**.

## **18:01 Councillor Neil Buttle joined the meeting**

### **295/22 - INTERESTS**

There were no declarations of interest.

### **296/22 - APPLICATION NO. 21/01257/FUL**

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

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

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

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

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

**RESOLVED** (unanimously)

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

The Chairman declared the motion **CARRIED**.

### **297/22 - APPLICATION NO. 22/01204/FUL**

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

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

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

It was moved by Councillor Tom Donnelly, seconded by Councillor Robert Archer and

**RESOLVED** (unanimously)

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

The Chairman declared the motion **CARRIED**.

### **298/22 - APPLICATION NO. 22/01242/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, a statement was read out in support of the application on behalf of Mr Nick Marriott (Agent). Members read a statement from Ms Dawn Kinley (Local Resident) against the application.

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

It was moved by Councillor David Hughes, seconded by Councillor Mark Wakeman and

**RESOLVED** (unanimously)

That planning permission be approved subject to the conditions set out in the report with Condition 7 to include engineers drawings for the parking with finished site levels and an informative in relation to climate change mitigation measures.

The Chairman declared the motion **CARRIED**.

### **299/22 - APPLICATION NO. 22/01077/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 Ben Rayner (Agent) spoke in support of the application and a statement was read out on behalf of Cllr Janet Rose, Ward Member.

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

During debate Members considered this was in a sustainable location for rural tourism and with the availability of the use of the Derbyshire Connect Service provides a sustainable transport mode.

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

**RESOLVED**

That planning permission be approved against officer recommendation as members considered the harm to the listed building to be less than substantial and made the judgement that the public benefits of tourism outweighed the harm.

Subject to conditions in respect of timescale, approved plans, improvements to the access visibility, external materials, restriction to holiday accommodation, a lighting strategy, preventing works within the bird breeding season, a landscape and biodiversity enhancement and management plan and measurement to mitigate climate change.

### **Voting**

**12 For**

**1 Against**

**0 Abstentions**

The Chairman declared the motion **CARRIED**.

**300/22 - APPEALS PROGRESS REPORT**

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

**RESOLVED** (unanimously)

That the report be noted.

The Chairman declared the motion **CARRIED**.

**Meeting Closed: 7.56 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)

## **Governance & Resources Committee**

**Minutes of a Governance & Resources Committee meeting held at 6.00 pm on Thursday, 16th February, 2023 in the Council Chamber, Town Hall, Matlock, DE4 3NN.**

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

Councillors: Sue Bull, Helen Froggatt, Alyson Hill, Susan Hobson, Stuart Lees, Dermot Murphy, Alasdair Sutton, Robert Archer, Neil Buttle and Mike Ratcliffe

James McLaughlin (Director of Corporate and Customer Services (Monitoring Officer)), Karen Henriksen (Director of Resources), Mike Galsworthy (Estates and Facilities Manager), Rebecca Cummins (Community Development Manager), Jason Spencer (Electoral and Democratic Services Manager) 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): David Chapman, Garry Purdy, Paul Cruise, Steve Flitter and Colin Swindell

### **301/22 - APPROVAL OF MINUTES OF PREVIOUS MEETING**

It was moved by Councillor Mike Ratcliffe, Seconded by Councillor Alasdair Sutton and

**RESOLVED** (unanimously)

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

The Chairman declared the motion **CARRIED**.

### **302/22 - PUBLIC PARTICIPATION**

There was no public participation.

### **303/22 - INTERESTS**

#### **Item 10 - Asset Management Plan – Land Holdings Review**

Councillor Sue Bull declared a non-pecuniary interest in Item 10 due to her husband being a member of the Ashbourne Shrovetide Committee.

Councillor Stuart Lees declared a non-pecuniary interest in Item 10 due to being a member of the Ashbourne Shrovetide Committee.

### **304/22 - QUESTIONS PURSUANT TO RULE OF PROCEDURE NUMBER 15**

No questions were submitted.

### **305/22 - TREASURY MANAGEMENT ANNUAL REPORT FOR 2021/22**

The Director of Resources introduced a report summarising Treasury Management activities and the out-turn position against Prudential Indicators for 2021/22.

It was noted that the Council had long adopted the Chartered Institute of Public Finance and Accountancy's Treasury Management in the Public Services: Code of Practice (the CIPFA Code) which required the Authority to approve treasury management mid-year and annual reports.

The Authority's treasury management strategy for the 2021/22 was approved at the Council meeting on 18<sup>th</sup> March 2021. The report compared actual treasury management activities for 2021/22 against the Authority's treasury management strategy for the year.

The report detailed that the Authority had invested substantial sums of money and was 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 risk remained central to the Authority's treasury management strategy.

It was noted that the Prudential Code included a requirement for local authorities to provide a Capital Strategy, a summary document approved by full Council covering capital expenditure and financing, treasury management and non-treasury investments. The Authority's Capital Strategy for 2021/22, complying with CIPFA's requirement, was approved by full Council on 24<sup>th</sup> March 2022.

#### **18:07 – During discussion of the item Councillor Robert Archer entered the meeting.**

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

#### **RESOLVED** (unanimously)

1. That the Treasury Management Annual Report and Out-turn Prudential Indicators for 2021/22 be approved.

The Chairman declared the motion **CARRIED**.

### **306/22 - RETURNING OFFICER'S FEES AND ARRANGEMENTS FOR ELECTIONS**

The Director of Corporate and Customer Services introduced a report which sought approval of the fees that may be claimed by the Returning Officer for discharging their personal and statutory responsibilities in respect of the conduct of elections to the District Council and Parish Councils within the Derbyshire Dales.

Members were informed that the Representation of the People Act 1983 required each Council to appoint an officer of the authority as Returning Officer to undertake various statutory duties in relation to election procedures. In addition, the Council must provide the Returning Officer with the necessary resources to enable efficient and lawful delivery of the elections. The Chief Executive had been appointed as Returning Officer by the Council.

The report informed Members of the requirement that every District Council appoint an Electoral Registration Officer (ERO) with personal responsibility to maintain the register of electors, conduct the annual canvass and encourage electors in the electoral process. The ERO also discharged the responsibilities of the Acting Returning Officer at a UK Parliamentary election. This role was undertaken by the Director of Corporate and Customer Services at the District Council.

It was noted that for national elections and referendums the fee paid to the Returning Officer was set by statute and paid by central Government. For Local elections the fee was paid by the local authority. The fees for the Returning Officer had not been reviewed for a number of years and it was noted that it was important to keep these under review to avoid a need for a significant increase in fees.

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

**RESOLVED** (unanimously)

1. That the maximum fee for contested district and parish council elections to be claimed by the Returning Officer be set at £52.60 per 1,000 electors.
2. That the maximum fee for uncontested district and parish council elections to be claimed by the Returning Officer be set at £52.60 per electoral area.
3. That the maximum fee for the count to be claimed by the Returning Officer be set at £52.60 per electoral area contested.

The Chairman declared the motion **CARRIED**.

### **307/22 - HALL LEYS PARK MATLOCK, TENNIS COURTS RESURFACING - CAPITAL PROGRAMME BID**

The Community Development Manager introduced a report seeking the Committee's recommendation to Council to include within the Capital Programme a project to resurface the tennis courts in Hall Leys Park, Matlock.

Members were informed that the tennis courts in Hall Leys Park Matlock were very well used and were currently free to use for members of the public on a 'turn up and play' basis. Whilst the tennis courts were currently in a playable condition, they would require resurfacing works in the coming years and relining with paint prior to the spring.

The Council had been working in partnership with the Lawn Tennis Association who were working with a number of Local Authorities to improve the tennis courts in parks. The Lawn Tennis Association Park Investment Panel had, in principle, agreed grant funding to support the renovation project. This, therefore, would be fully funded circa £45,000.

If approved, it was noted that the courts would be hired out via the Lawn Tennis Association's online booking system where users would be able to login, book and pay for the court hire. The Lawn Tennis Association had recommended a small fee be implemented upon booking the courts. The recommended fee of £6 per court per hour had been benchmarked against other areas and local authorities who charged.

It was moved by Councillor Helen Froggatt, Seconded by Councillor Stuart Lees and

**RESOLVED** (unanimously)

1. That approval be granted for resurfacing the tennis courts in Hall Leys Park Matlock using external funding of circa £45,000 and that £45,000 for this project be included in the 2023/24 Capital Programme, subject to approval of Full Council on 2 March 2023.
2. That approval be given to implement a fee for the hiring of the tennis courts in Hall Leys Parks once the resurfacing works have taken place.

The Chairman declared the motion **CARRIED**.

**308/22 - FEES AND CHARGES FOR 2023/24**

The Director of Resources introduced a report seeking approval for the proposed fees and charges for 2023/24 in respect of Community and Environmental Services, Corporate and Customer Services and Regulatory Services.

The Committee was asked to consider an annual review of the fees and charges for services provided across the Council.

It was noted that in recent year's fees and charges had been increased, in general, by an amount that slightly exceeded inflation rates at the time. Charging above the current rate of inflation would generate higher levels of income in real terms (assuming no significant customer resistance) and would assist in balancing the budget for 2023/24 given the significant inflationary increases on Council spending.

The Consumer Price Index (CPI) stood at 11.1% in October 2022 and had fallen to 10.5% in December 2022, the last figures available at the time of writing the report. The Director of Resources informed members that the figures for January were now available and that there had been a reduction to 10.1%, still much higher than expected for this time of year. The usual practice was to inflate fees and charges for the coming year by slightly more than the current CPI. However, increases of this magnitude might not be acceptable to the public at these times of a cost of living crisis and might result in customer resistance. Therefore, service managers had used their knowledge of their service and customers to set the proposed fees and charges.

Appendices 1-13 of the report contained schedules of the existing and recommended charges.

It was moved by Councillor Susan Hobson, Seconded by Councillor Helen Froggatt and

**RESOLVED** (unanimously)

1. That the fees and charges recommended in Appendices 1 – 13 of the report be approved and implemented with effect from 1 April 2023, or as soon as is practical thereafter.
2. That subject to the approval of the Clean and Green Review report, due to be presented to Council in March, any required amendments to the fees and charges be considered by the relevant policy Committee.

The Chairman declared the motion **CARRIED**.

### **309/22 - ASSET MANAGEMENT PLAN - LAND HOLDING REVIEW**

**Councillor Stuart Lees did not vote on this item due to previously declaring an interest.**

The Estates and Facilities Manager introduced a report representing the fifth phase of an ongoing review of the Council's land and property assets in accordance with the Asset Management Plan.

It was noted that the Asset Management Plan 2019-2023 was intended to set out the Council's strategic approach to the management of its land and property and to provide a framework within which property asset decision can be made in support of the Council's corporate aims and objectives. The Asset Management Plan recommended to support and enable Community Asset Transfer of land and buildings where appropriate.

Phase 5 of the Land Holdings Review covered 5 sites in which queries or expressions of interest had been received for Community Asset Transfers. Following consideration of planning, legal and estate management factors, together with operational requirements, recommendations were made regarding whether the sites should be retained, allocated for a particular use or sold and the terms which would apply.

An appraisal of each site had taken place comprising advice on any planning constraints, legal restrictions and maintenance liabilities/costs. The results and recommendations for these sites were summarised in Appendix 1 together with the plans of each site.

Members were informed that in regards to Site No. 2 and No.3 in Doveridge, two areas of concern had been raised by Doveridge Parish Council and the Ward Member. On the back of these concerns Doveridge Parish Council had commissioned a resident survey that would be live for a further 3 weeks on their website.

In order to receive responses from this survey, the Estates and Facilities Manager proposed that recommendation 2 be amended to read as follows:

*“2. That subject to a positive response to the village survey commissioned by Doveridge Parish Council, Site no. 2, Doveridge Bowls Club and Site no.3, Doveridge pond and adjoining land be transferred to Doveridge Parish Council on the terms outlined in Appendix 1 of this report as a Community Asset Transfer of the freehold title.”*

It was moved by Councillor Robert Archer, Seconded by Councillor Helen Froggatt and

**RESOLVED** (unanimously)

1. That Site no. 1, Land at Pasture Gate, Thorpe be transferred to National Trust on the terms outlined in Appendix 1 of the report as a Community Asset Transfer of the freehold title.
2. That subject to a positive response to the village survey commissioned by Doveridge Parish Council, Site no. 2, Doveridge Bowls Club and Site no. 3, Doveridge Pond and adjoining land be transferred to Doveridge 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. 4, Part of Fanny Shaw Recreation Ground, Wirksworth be transferred to Wirksworth Regeneration and Development CIC on the terms outlined in Appendix 1 of the report as a Community Asset Transfer by way of long lease.
4. That Site no. 5, Part of Shawcroft car park, Ashbourne be transferred to Ashbourne Royal Shrovetide Football Committee on the terms outlined in Appendix 1 of the report as a Community Asset Transfer by way of long lease,
5. That it is noted that all the disposals in this report (either by lease or freehold title transfer) comprise undervalue transactions permitted under the General Disposal Consent 2003.
6. That each party bear their own legal costs in respect of each disposal.

The Chairman declared the motion **CARRIED**.

**Meeting Closed: 6.38 pm**

**Chairman**