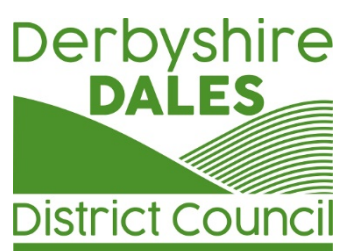


# **MINUTE BOOK**

03 July 2023 to 12 September 2023



# **MINUTE BOOK INDEX**

**03 July 2023 to 12 September 2023**

<b>Committee</b>	<b>Date</b>	<b>Page Nos</b>
<b>Non Exempt Minutes to be Received</b>		
Local Plan Sub-Committee	03 July 2023	03 – 06
Community & Environment Committee	13 July 2023	07 – 12
Biodiversity Sub-Committee	19 July 2023	13 – 16
Governance and Resources Committee	20 July 2023	17 – 24
Council	27 July 2023	25 – 36
Community and Environment Committee	07 September 2023	37 - 42
Planning	12 September 2023	43 - 54



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## Local Plan Sub-Committee

**Minutes of a Local Plan Sub-Committee meeting held at 6.00 pm on Monday, 3rd July, 2023 in the Council Chamber, Town Hall, Matlock, DE4 3NN.**

### PRESENT

Councillor Peter O'Brien - In the Chair

Councillors: Nigel Norman Edwards-Walker, Susan Hobson, David Hughes and Roger Shelley

Steve Capes (Director of Regeneration & Policy), James McLaughlin (Director of Corporate and Customer Services (Monitoring Officer)), Mike Hase (Policy Manager) and Tommy Shaw (Democratic Services Team Leader)

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### APOLOGIES

Apologies for absence were received from Councillor(s): Robert Archer, Matt Buckler, Martin Burfoot, Gareth Gee and Lucy Peacock

### 33/23 - ELECTION OF CHAIR FOR THE YEAR 2023/2024

The Director of Corporate and Customer Services opened the meeting and asked for nominations for Chair of the Sub-Committee for the 2023/24 municipal year.

It was moved by Councillor David Hughes, seconded by Councillor Roger Shelley and

### RESOLVED

That Councillor Peter O'Brien be elected as Chair of the Local Plan Sub-Committee for the 2023/24 municipal year.

## **Voting**

**03 For**

**00 Against**

**01 Abstentions**

The Chair declared the motion **CARRIED**.

### **34/23 - APPOINTMENT OF VICE-CHAIR FOR THE YEAR 2023/24**

The Chair asked the meeting for nominations for Vice-Chair for the 2023/24 municipal year.

It was moved by Councillor Roger Shelley, seconded by Councillor Peter O'Brien and

**RESOLVED** (unanimously)

That Councillor David Hughes be appointed as Vice-Chair for the 2023/24 municipal year.

The Chair declared the motion **CARRIED**.

### **35/23 - PUBLIC PARTICIPATION**

There was no public participation.

### **36/23 - INTERESTS**

#### **18:10 – Councillor Edwards-Walker entered the meeting**

There were no declarations of interest.

### **37/23 - DERBYSHIRE DALES LOCAL PLAN REVIEW**

Councillor David Hughes informed the Sub-Committee of the Progressive Alliance's intended approach to the review of the Derbyshire Dales Local Plan.

Two reports were distributed at the meeting and are included as appendices to these minutes. The first report, provided by the Policy Manager, set out the latest position in respect to the progress on the review of the Derbyshire Dales Local Plan. The report also identified those aspects of the Local Plan review process which were yet to be completed and gave recommendations to the Sub-Committee to enable the review of the Local Plan to progress.

The second report considered was prepared by Members of the Progressive Alliance and intended to brief members of the Sub-Committee on the administrations aims and targets for the outcome of the Local Plan review process. This report also gave detailed recommendations for the review of the Local Plan and associated policies.

It was moved by Councillor David Hughes, seconded by Councillor Roger Shelley and

**RESOLVED** (unanimously)

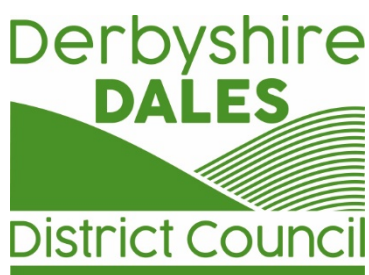
1. That the scope for the Local Plan and its policies be confirmed as:

- (a) To enable and strengthen flourishing communities within Derbyshire Dales.
  - (b) To ensure that the housing need in the Local Plan arises from the geographic area it covers, and that the proposed number and type of new housing units reflects a careful consideration of the actual likely needs of local people.
  - (c) To provide social and affordable housing where it is needed.
  - (d) To accommodate the requirements of a revised Economic Plan.
  - (e) To ensure a continued improvement in the biodiversity and natural capital of Derbyshire Dales.
  - (f) To ensure rapid progress towards net zero emissions in the Derbyshire Dales within the scope of the Local Plan.
  - (g) To ensure the Derbyshire Dales character in its landscape and townscapes is protected.
  - (h) To ensure the necessary infrastructures (grey, green and blue) and services are available for planned development.
  - (i) To ensure that the Plan will enable all residents to understand how their communities will change during the period of the Plan.
2. That progress on the review of the Derbyshire Dales Local Plan to date be noted.
  3. That an update to the Iceni Projects Housing Needs Assessment (2021) is commissioned and the results of that exercise be reported to a future meeting of this Sub-Committee.
  4. That a review of the current Settlement Hierarchy be undertaken to determine the extent to which communities across the Local Plan area are 'sustainable'. The results of this review be reported to a future meeting of this Sub-Committee.
  5. That consultants be commissioned to prepare advice to the District Council as local planning authority on the design policies and proposals of the Local Plan, including setting out the most appropriate approach to preparing Design Codes. The results of this commission to be reported to a future meeting of this Sub-Committee.
  6. That the commissions identified in this report as already commissioned be completed as appropriate and reported to future meetings of this Sub-Committee as is considered necessary.
  7. That Members meet with the Peak District National Park to explore what options might be available to improving the delivery of housing within the Peak District National Park area of Derbyshire Dales.
  8. That officers meet Peak District National Park officers to explore what options might be available to improving the delivery of housing within the Peak District National Park area of Derbyshire Dales.

The Chair declared the motion **CARRIED**.

**Meeting Closed: 6.52 pm**

**Chairman**



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## Community & Environment Committee

**Minutes of a Community & Environment Committee meeting held at 6.00 pm on Thursday, 13th July, 2023 in the Council Chamber, Town Hall, Matlock, DE4 3NN.**

### PRESENT

Councillor Martin Burfoot - In the Chair

Councillors: Robert Archer, Anthony Bates, Kelda Boothroyd, Matt Buckler, David Chapman, Peter Dobbs, Marilyn Franks, Gareth Gee, Susan Hobson, Dermot Murphy, Peter O'Brien and Steve Wain

Present as substitute – Councillor(s): Simon Ripton

Paul Wilson (Chief Executive), Tim Braund (Director of Regulatory Services), Karen Henriksen (Director of Resources), James McLaughlin (Director of Corporate and Customer Services (Monitoring Officer)), Simon Beynon (Housing Strategy Officer), Giles Dann (Regeneration and Place Manager), Amanda Goodwill (Environmental Health Manager), Karen Carpenter (Environmental Health Officer) and Tommy Shaw (Democratic Services Team Leader)

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### APOLOGIES

Apologies for absence were received from Councillor(s): Andy Nash and Peter Slack

### 49/23 - APPROVAL OF MINUTES OF PREVIOUS MEETING

It was moved by Councillor Peter O'Brien, Seconded by Councillor Steve Wain and

**RESOLVED** (unanimously)

That the minutes of the meeting of the Community and Environment Committee held on 08 June 2023 be approved as a correct record.

**Voting:**

**13 For**  
**00 Against**  
**01 Abstained**

The Chair declared the motion **CARRIED**.

**50/23 - PUBLIC PARTICIPATION**

Mr Nicholas Bishop, Ms Dadia Conti, and Mr A R Currie spoke on Item 13, the Ashbourne Air Quality Management Area Action Plan.

**51/23 - INTERESTS**

Item 13 – Ashbourne Air Quality Management Area Action Plan.

Councillor Peter Dobbs declared a non-pecuniary interest in Item 13 as a Member of the Buxton Road Residents Group.

Councillor Anthony Bates declared a non-pecuniary interest in Item 13 as a Member of Ashbourne Town Council and Town Mayor.

**52/23 - QUESTIONS PURSUANT TO RULE OF PROCEDURE NUMBER 15**

No questions were received.

**53/23 - DRAFT MINUTES OF THE LOCAL PLAN SUB-COMMITTEE MEETING - 3 JULY 2023**

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

**RESOLVED** (Unanimously)

That the minutes of the Local Plan Sub-Committee meeting held on 03 July 2023 be received.

The Chair declared the motion **CARRIED**.

**54/23 - ASHBOURNE AIR QUALITY MANAGEMENT AREA ACTION PLAN**

The Director of Regulatory Services introduced a report which explained the progress made in relation to public consultation on the draft Ashbourne Air Quality Management Area (AQMA) Action Plan and updated Members on the results of air quality monitoring within the Air Quality Management Area.

Following the declaration of an AQMA at the meeting of Community & Environment Committee held on 7 April 2021, 5 updating reports such as this had been considered by this Committee. The AQMA was declared in relation to exceedances of the annual average air quality objective for nitrogen dioxide.



It was noted within the report that following the February 2023 meeting of this committee, advice was received that the public consultation should not be undertaken during the pre-election period and was therefore paused until 15 May 2023, the 6-week consultation period concluded on 26 June 2023.

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

## **RESOLVED**

1. That the Council re-confirms its commitment to incorporating agreed measures in the Action Plan that will bring about a significant and quantifiable reduction in nitrogen dioxide (NO<sub>2</sub>) pollution in Ashbourne town centre, pending the eventual construction of a relief road. The Council will continue to work with relevant partners to reach the earliest possible agreement on these measures.
2. That the update on air pollution monitoring within Ashbourne be reviewed.
3. That in response to the government policy paper published 28 April 2023 'Air quality strategy: framework for local authority delivery', and other concerns, this council acknowledges the need to broaden air pollution monitoring to include levels of fine particulate matter.
4. That a further report be brought to the next meeting of this Committee to establish the terms of reference, scope, and membership of a working group.

## **Voting:**

**13 For**

**00 Against**

**01 Abstained**

The Chair declared the motion **CARRIED**.

## **55/23 - UK SHARED PROSPERITY FUND: PROGRAMME UPDATE AND DELIVERY APPROACH**

The Regeneration and Place Manager introduced a report which updated Members on the implementation of the UK Shared Prosperity Fund (UKSPF) Investment Plan for Derbyshire Dales, including 'top-up' funding from the Rural England Prosperity Fund (REPF). The report also covered progress, delivery challenges, and proposals regarding grant administration.

The report explained how the UKSPF and REPF were funded by Government to partially replace funding previously provided by the European Union. It was noted that the Derbyshire Dales had been allocated a total of £2.7m capital and revenue to be spent by 31 March 2025. The report also informed Members of the project aims, to support business diversification, growth, adaptation and long-term resilience, as well as support community projects.

It was moved by Councillor David Chapman, seconded by Councillor Peter Dobbs and

**RESOLVED** (unanimously)

1. That the update on the Derbyshire Dales UK Shared Prosperity Fund programme be welcomed, and progress to date and delivery risks be received and agreed.
2. That recruitment challenges impacting the delivery of the programme, and the approach to increase capacity set out in the report be received and agreed.
3. That the approach to delivering business grants under the Rural Innovation Grant scheme be received and agreed.
4. That proposals to secure additional enabling capacity to support strategic sites work as proposed in Section 2.7 Intervention E14 are developed for consideration by the UKSPF Partnership.
5. That the Council be recommended to consider an amendment to Contract Standing Orders in relation to the grants element of the UKSPF programme and requirements upon non-contracting authorities, specifically to increase the threshold for formal tenders for goods / supplies and works to over £75,000.

The Chair declared the motion **CARRIED**.

#### **56/23 - CAPITAL BIDS FOR INCLUSION INTO THE CAPITAL PROGRAMME 2023/24 - 2027/28**

The Director of Resources introduced a report which sought Committee approval for 13 new bids for capital projects to be referred to Council for inclusion in the District Council's Capital Programme. The report gave details of the 13 bids put forward for Members' consideration, including their total costs and proposed funding methods.

It was moved by Councillor Anthony Bates, seconded by Councillor Steve Wain and

**RESOLVED** (unanimously)

That the 13 proposed Capital Bids for years 2023/24 to 2027/28, summarised in the report and detailed in Appendix 1, be approved by this Committee and recommended to Council for inclusion in the capital programme.

The Chair declared the motion **CARRIED**.

#### **57/23 - HOUSEHOLD SUPPORT FUND - ROUND 4**

The Housing Strategy Officer introduced a report which sought Member approval for the delivery of Round 4 of the Household Support Fund (HSF4). The report gave background on the HSF4 and explained how it aimed to directly support households experiencing financial difficulties relating to rent arrears, utility bills and other debts.

The Department for Work and Pensions (DWP) made a further round of funding available to upper tier authorities. Derbyshire County Council confirmed that it would allocate £185,459 to Derbyshire Dales District Council. As with rounds 1, 2 and 3 it was proposed within the report to deliver grants directly to residents through the Housing Team and Revenues and Benefits service.

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

**RESOLVED** (unanimously)

That approval be given to the delivery of Round 4 of the Household Support Fund as set out in the report.

The Chair declared the motion **CARRIED**.

**58/23 - HOUSING RENEWAL POLICY 2023-2026**

The Director of Regulatory Services introduced a report which sought approval to update and amend the District Council's Housing Renewal Policy, which set out the ways in which the Council would work to improve the existing stock of good quality private sector housing. In particular, the report proposed the use of a relatively small amount of Disabled Facilities Grant funding to support applicants to the Homes Upgrade Grant Scheme. The draft Housing Renewal Policy 2023-26 was included as an appendix to the report for approval.

Due to a fall in demand for the Disabled Facilities Grant (DFG) programmes run by the District Council, the report recommended that DFG funding be utilised to support Homes Upgrades Grant (HUG) applications, as enabled by the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002. It was estimated that a funding pot of £35,000 per year would be sufficient to provide the required support, it was also recommended that this level of funding should be made available for 2 years, to match the HUG programme.

It was moved by Councillor Steve Wain, seconded by Councillor Robert Archer and

**RESOLVED** (unanimously)

That the draft Housing Renewal Policy 2023-2026 attached as Appendix 1 to this report be approved.

The Chair declared the motion **CARRIED**.

**59/23 - HOME UPGRADE GRANT (HUG) 2 FUNDING**

The Director of Regulatory Services introduced a report which made a recommendation to accept the offer of £1,897,500 of HUG2 grant funding to improve the energy efficiency of off gas private housing across the district where residents are in fuel poverty.

The report informed Members that this latest round of funding was building on the previous Local authority Delivery (LAD) and HUG schemes, through which the Council had improved the energy efficiency of over 250 homes since 2019. It was estimated that the schemes would reduce emissions from homes across the district by 290 tonnes of carbon each year. The schemes enabled fully funded energy efficiency measures such as insulation, solar panels and low carbon heating to be installed in homes with the poorest EPC ratings (D or below) for residents on low incomes.

It was moved by Councillor Matt Buckler, seconded by Councillor Peter Dobbs and

**RESOLVED** (unanimously)

That Council be requested to agree the decision to accept HUG2 funding of £1,897,500.

The Chair declared the motion **CARRIED**.

### **60/23 - ENVIRONMENTAL HEALTH COMMERCIAL TEAM SERVICE PLAN - FOOD HYGIENE AND HEALTH AND SAFETY AT WORK**

The Environmental Health Manager introduced a report which informed Members of the official interventions for food hygiene and health and safety at work undertaken by the Council's Environmental Health service during 2022/23, the report also included predictions for service demands for 2023/24.

It was noted within the report that the District Council is required under the Food Law Code of Practice to submit a Service Plan to cover all areas of food law that the Authority has a duty to enforce. The plan has to set out how the Authority intends to deliver and resource official food controls and other official activities in its area. The report also noted that a performance review must be carried out at least once per year, this had taken place on 1 April every year, the findings of which were provided directly to the Food Standards Agency.

It was moved by Councillor Steve Wain, seconded by Councillor Dermot Murphy and

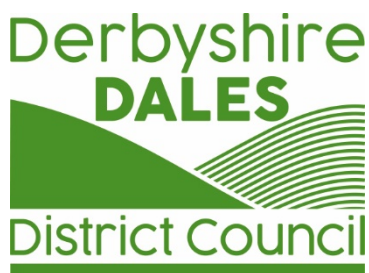
**RESOLVED** (unanimously)

That the service plan for the delivery of official controls detailed at Appendix 1 to the report be approved.

The Chair declared the motion **CARRIED**.

**Meeting Closed: 8.00 pm**

**Chairman**



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## Biodiversity Sub-Committee

**Minutes of a Biodiversity Sub-Committee meeting held at 6.00 pm on Wednesday, 19th July, 2023 in the Council Chamber, Town Hall, Matlock, DE4 3NN.**

### PRESENT

Councillor Matt Buckler - In the Chair

Councillors: John Bointon, Martin Burfoot, Roger Shelley and Peter Slack

Mike Hase (Policy Manager), Joanna Hill (Climate Change Project Officer) and Lucy Harrison (Democratic Services Assistant)

Members of the Public: 2

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### APOLOGIES

Apologies for absence were received from Councillor(s): Stuart Lees

### 61/23 - ELECTION OF CHAIR FOR THE YEAR 2023/24

The Democratic Services Assistant opened the meeting and asked for nominations for Chair of the Sub-Committee for the 2023/24 municipal year.

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

### RESOLVED (unanimously)

That Council Matthew Buckler be elected as Chair of the Biodiversity Sub-Committee for the 2023/24 municipal year.

The Chair declared the motion **CARRIED**.

## **62/23 - APPOINTMENT OF VICE-CHAIR FOR THE YEAR 2023/24**

The Chair asked the meeting for nominations for Vice-Chair for the 2023/24 municipal year.

It was moved by Councillor Matthew Buckler, seconded by Councillor Peter Slack and

**RESOLVED** (unanimously)

That Councillor Martin Burfoot be appointed as Vice-Chair for the 2023/24 municipal year.

The Chair declared the motion **CARRIED**.

## **63/23 - PUBLIC PARTICIPATION**

In accordance with the procedure for public participation, Ms Sue Bliss (Local Resident) made comments and asked questions regarding the implementation of Swift Bricks in new developments.

## **64/23 - INTERESTS**

Item 6 Biodiversity Strategy Discussion

Councillor Matthew Buckler declared a pecuniary interest in Item 6 due to his role with Derbyshire Wildlife Trust.

Councillor Peter Slack declared a non-pecuniary interest in Item 6 due to being a member of Wilder Wirksworth.

Councillor Martin Burfoot declared a non-pecuniary interest in Item 6 due to being a Member of Matlock in Bloom.

Councillor John Bointon declared a pecuniary interest in Item 6 due to having a contract to cut verges and pathways for Doveridge Parish Council.

## **65/23 - BIODIVERSITY STRATEGY DISCUSSION**

Officers sought Member support for the continuation of existing workstreams and the commission of a new document in the form of an action plan. It was noted that Appendix 1 of the Public Sector Biodiversity Duty report approved by Council on 16 March could be used to form the basis of the plan. The plan would comprise of actions that the council is currently undertaking that contribute to the biodiversity duty alongside new actions that Members would like to be taken in the future. It was noted that Members would have the opportunity to build on existing workstreams, create new ones, and set out priorities moving forwards.

Members engaged in a discussion regarding the priorities they would like to see set out in the action plan. This included the provision of swift bricks and boxes, management and signage on grass verges to encourage biodiversity and educating, advising and raising

awareness of biodiversity. It was noted that this discussion would aid officers with the development of a specification that future work could be based on.

It was proposed by Councillor Matthew Buckler, seconded by Councillor Martin Burfoot and

**RESOLVED** (unanimously)

1. That support be given to the existing workstreams as set out in appendix 1 of the Public Sector Biodiversity Duty Report.
2. That Members will inform officers of the priorities for the development of the action plan.
3. That a specification be prepared, to be considered by the next meeting of the Biodiversity Sub-Committee, which reflects Members' priorities.

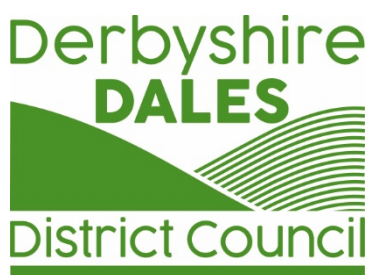
The Chair declared the motion **CARRIED**.

**Meeting Closed: 7.01 pm**

**Chairman**

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## **Governance & Resources Committee**

**Minutes of a Governance & Resources Committee meeting held at 6.00 pm on Thursday, 20th July, 2023 in the Council Chamber, Town Hall, Matlock, DE4 3NN.**

### **PRESENT**

Councillor Nick Wilton - In the Chair

Councillors: Geoff Bond, Neil Buttle, Steve Flitter, David Hughes, Stuart Lees, Lucy Peacock, Simon Ripton and Roger Shelley

Paul Wilson (Chief Executive), Tim Braund (Director of Regulatory Services), Karen Henriksen (Director of Resources), James McLaughlin (Director of Corporate and Customer Services (Monitoring Officer)), Ashley Watts (Director of Community and Environmental Services), Gavin Barker (Mazars LLP), Mike Galsworthy (Estates and Facilities Manager), Gemma Hadfield (Financial Services Manager), Vikki Hatfield (Neighbourhoods Manager), Jenny Williams (Head of the Internal Audit Consortium) and Tommy Shaw (Democratic Services Team Leader)

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### **APOLOGIES**

Apologies for absence were received from Councillor(s): Tony Morley

### **66/23 - APPROVAL OF MINUTES OF PREVIOUS MEETING**

It was moved by Councillor Stuart Lees, Seconded by Councillor Neil Buttle and

### **RESOLVED**

That the minutes of the meeting of the Governance and Resources Committee held on 08 March 2023 be approved as a correct record.

## **Voting**

**07 For**

**00 Against**

**02 Abstention**

The Chair declared the motion **CARRIED**.

## **67/23 - PUBLIC PARTICIPATION**

Ms Tracey Wright (Local Resident) spoke on Item 7, Land Holdings Review Phase 6, specifically on Site 8 – Allotment site and adjoining land at Church Road, Darley Dale.

## **68/23 - INTERESTS**

No interests were declared.

## **69/23 - QUESTIONS PURSUANT TO RULE OF PROCEDURE NUMBER 15**

No questions were received.

## **70/23 - MATLOCK BATH ILLUMINATIONS - CAR PARK EVENT CHARGE**

The Neighbourhoods Manager introduced a report which sought Member approval to introduce a car park event charge of £5.00 to operate 4pm – 10pm on the evenings when the Illuminations are on, in the following car parks:

- Matlock Bath Station
- Temple Walk
- Pavilion
- Artist Corner

This proposal was discussed with Members of the Car Park Review Working Group on 28 February 2023 and with new Members of the group on 28 June 2023. Members of the working group were happy for this recommendation to be made to the committee. It was considered that introducing the £5.00 car park tariff from 4pm - 10pm would help to stagger the arrival of traffic prior to the opening of illumination events.

It was moved by Councillor Steve Flitter, seconded by Councillor Stuart Lees and

## **RESOLVED** (unanimously)

1. That a £5.00 car park event charge to operate 4.00pm – 10.00pm on Saturdays and Sundays be approved for introduction in the car parks specified in the report for the duration of the Illuminations each year.
2. That the Off-Street Parking Order be amended to reflect the new charge for those car parks affected.
3. That authority be delegated to the Director of Resources to make the necessary virement of funds generated from the increase in car parking income generated from the Car Park Event charge during the Matlock Bath Illuminations for the provision of toilets at Artists Corner Car Park in Matlock Bath until the end of October 2023.

The Chair declared the motion **CARRIED**.

## **71/23 - LAND HOLDINGS REVIEW PHASE 6**

The Estates and Facilities Manager introduced a report which detailed the sixth phase of an ongoing review of the Council's land and property assets in accordance with the Asset Management Plan (AMP). This phase of the Land Holdings Review covered eight sites across the District.

The report explained the intentions of the AMP 2019-2023 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 decisions could be made in support of the Council's corporate aims and objectives. The AMP recommended that any unused or surplus buildings and land be reviewed to establish whether they should be sold or whether they could contribute to the Council's key objectives of economic development and affordable housing or whether they could form part of a Community Asset Transfer.

The details of, and recommendations for, the eight sites were included within the report and appendix 1. Within the recommendations, multiple options were presented for several of the sites. Each of the sites were voted on individually, the decisions are outlined below.

It was moved by Councillor Steve Flitter, seconded by Councillor Geoff Bond and

**RESOLVED** (unanimously)

That only the part of Site No. 8 (Allotments and adjoining land at Church Road, Darley Dale) currently occupied by Darley Dale Town Council be transferred as a Community Asset Transfer to Darley Dale Town Council as per the November 2022 resolution.

The Chair declared the motion **CARRIED**.

It was moved by Councillor Geoff Bond, seconded by Councillor David Hughes and

**RESOLVED** (unanimously)

That site No. 1, Station House, Matlock, be declared as surplus to requirements and that the Estates and Facilities Manager be delegated to negotiate and agree a leasehold disposal of the property on suitable market terms (including, if appropriate, a payment towards the Council's reasonable legal and surveyors' costs) for a residential related use with Peak Rail PLC.

The Chair declared the motion **CARRIED**.

It was moved by Councillor Steve Flitter, seconded by Councillor Geoff Bond and

**RESOLVED** (unanimously)

That site No. 2, Down Station Building, Darley Dale, be declared as surplus to requirement and that the Estates and Facilities Manager be delegated to negotiate and agree a leasehold disposal of the property on suitable market terms (including, if appropriate, a payment towards the Council's reasonable legal and surveyors' costs) with Peak Rail PLC for an appropriate use in connection with the railway.

The Chair declared the motion **CARRIED**.

It was moved by Councillor David Hughes, seconded by Councillor Neil Buttle and

**RESOLVED** (unanimously)

That the decision on the disposal of Site No. 3, Land between 44 and 48 High St at Bonsall, be deferred for 6 months in order to further explore options for the use of the site for the building of affordable or social housing and should that use not prove possible after the 6 month deferral, that the site be declared as surplus to requirements and offered for freehold sale by public auction as one lot with a reserve to be set by the Estate & Facilities Manager in consultation with the auctioneer depending on interest generated with a buyer's premium to apply to cover the Council's costs.

The Chair declared the motion **CARRIED**.

It was moved by Councillor Steve Flitter, seconded by Councillor Neil Buttle and

**RESOLVED** (unanimously)

That the decision on the disposal of Site No. 4, Land between 13 and 15 Peats Close at Kirk Ireton, be deferred for 6 months in order to further explore options for the use of the site for the building of affordable or social housing and should that use not prove possible after the 6 month deferral, that the site be declared as surplus to requirements and offered for freehold sale by public auction as one lot with a reserve to be set by the Estate & Facilities Manager in consultation with the auctioneer depending on interest generated with a buyer's premium to apply to cover the Council's costs.

The Chair declared the motion **CARRIED**.

It was moved by Councillor Geoff Bond, seconded by Councillor Roger Shelley and

**RESOLVED** (unanimously)

That site No. 5, Land at Fishpond Meadows, Ashbourne be transferred to Ashbourne Town Council on the terms outlined in Appendix 1 of the report as a Community Asset Transfer by way of long lease.

The Chair declared the motion **CARRIED**.

It was moved by Councillor Geoff Bond, seconded by Councillor David Hughes and

**RESOLVED** (unanimously)

That site no 6, part of land off Clifton Road, Ashbourne be transferred to the NHS on the terms outlined in Appendix 1 of the report by way of long lease.

The Chair declared the motion **CARRIED**.

It was moved by Councillor David Hughes, seconded by Councillor Simon Ripton and

**RESOLVED** (unanimously)

1. That in respect of Site no. 7, Monsal Head Car Park, a new 10-year lease be taken from Little Longstone Parish Meeting by the District on the terms outlined in Appendix 1 of the report.
2. That it is noted that the disposal of site nos. 5,6 and 8. above (either by lease or freehold title transfer) comprise undervalue transactions permitted under the General Disposal Consent 2003.
3. That the responsibility for legal and surveyors' costs in respect of all the transactions above, as detailed in Appendix. 1 of the report, is noted.

The Chair declared the motion **CARRIED**.

**72/23 - INTERNAL AUDIT ANNUAL REPORT 2022/23**

The Head of the Internal Audit Consortium presented a report which summarised the internal audit work undertaken during 2022/23 from which the opinion on governance, risk and internal control is derived. Only 3 audits had been completed in 2022/23, due to the resignation of both the Senior Auditor and the Auditor. The Head of the Internal Audit Consortium explained that this meant that there was insufficient evidence on which to base an opinion on the overall adequacy and effectiveness of the Council's framework of governance, risk management and control arrangements. The report also drew attention to any issues that needed to be considered for inclusion in the Annual Governance Statement; the lack of an audit opinion due to there being no audit staff for most of 2022/23 was identified as such an issue. The Head of the Internal Audit Consortium informed the Committee that a Senior Auditor had been in post since May 2023 and an Auditor was due to start in late July.

Comparisons were provided between the work undertaken and that which had been planned, along with summaries of performance.

The report also provided comments on compliance with the Public Sector Internal Audit Standards (PSIAS) and Code of Ethics, and comments on the results of the internal quality assurance programme.

It was moved by Councillor David Hughes, seconded by Steve Flitter and

**RESOLVED** (unanimously)

That the Internal Audit Annual Report for 2022/23 be accepted

The Chair declared the motion **CARRIED**.

**73/23 - EXTERNAL AUDIT COMPLETION REPORT AND ANNUAL REPORT FOR THE FINANCIAL YEAR ENDED 31 MARCH 2022**

The Director of Resources introduced a report which included the external audit completion report from Mazars LLP for the year ending 31 March 2022 which summarised the work undertaken and the key findings arising from the external auditor's work in relation to the Authority's statements for 2021/22. Members were asked to note the reports from the external auditor prior to approving the Council's Statement of Accounts. The external

auditor, Gavin Barker from Mazars LLP, attended the meeting and addressed Members' questions on the reports.

It was noted within the report that due to resource constraints on both sides, there had been a delay in the completion of the external audit of the Statement of Accounts by Mazars LLP, meaning that the deadline of 30 November 2022 was missed. Members were also informed that this was not unusual when compared to other authorities for this financial year as many other authorities had been unable to meet the publishing deadline.

It was moved by Councillor Steve Flitter, seconded by Roger Shelley and

**RESOLVED** (unanimously)

1. That the External Auditor's "Audit Completion Report for the year ended 31 March 2022" be received.
2. That the "Auditor's Annual Report for the year ended 31 March 2022" be received.
3. That the appointment of **Mazars LLP** as the Authority's external auditor for a period that covers the audits of the statutory accounts for the five consecutive financial years commencing 1 April 2023 be noted.

The Chair declared the motion **CARRIED**.

**74/23 - LETTER OF REPRESENTATION 2021/22**

The Director of Resources introduced a report requesting Members to consider and endorse the draft Letter of Representation as part of their responsibility for approving the financial statements for 2021/22.

The report informed Members of the requirement within the International Standard on Auditing (U.K. & Ireland) 580 (ISA 580), for the external auditor to obtain evidence that the Council's management acknowledges its responsibility for the fair presentation of the financial statements in accordance with the applicable financial reporting framework and has approved the financial statements. The auditor can obtain evidence of management's acknowledgement of such responsibility by obtaining a written representation from management and a signed copy of the financial statements.

The Letter of Representation had been prepared in accordance with the guidance as given in Appendix 1 to the report. The letter contained no matters of concern which needed to be brought to the attention of Members.

It was noted within the report that there were three uncorrected misstatements that had been identified by the external auditor; these were set out in Appendix A to the letter, with an explanation of why they were not corrected.

**RESOLVED** (unanimously)

That the Letter of Representation be endorsed for signature.

The Chair declared the motion **CARRIED**.

## **75/23 - STATEMENT OF ACCOUNTS FOR 2021/22**

The Financial Services Manager introduced a report which provided interpretation of the Statement of Accounts for 2021/22 and highlighted the key issues. The report also sought Members' approval of the Statement of Accounts for 2021/22.

The Statement of Accounts 2021/22 had been audited by the Council's External Auditors, Mazars LLP. The significant findings of the audit were set out in the report. The external auditor identified 6 misstatements that were accepted by management and subsequently corrected in the financial statements, and three unadjusted material misstatements, which were explained in the report. The overall financial position as at the 31 March 2022 remains the same as that included within the Draft Statement of Accounts and reported to Council in November 2022.

It was moved by Councillor Simon Ripton, seconded by Councillor Steve Flitter and

**RESOLVED** (unanimously)

That the Statement of Accounts for 2021/22 be approved.

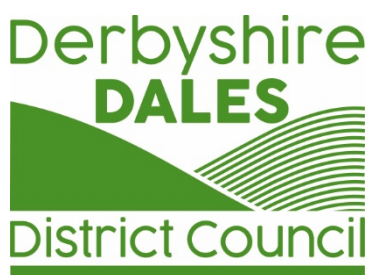
The Chair declared the motion **CARRIED**.

**Meeting Closed: 7.46 pm**

**Chairman**

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## Council

**Minutes of a Council meeting held at 6.00 pm on Thursday, 27th July, 2023 in the Council Chamber - Town Hall.**

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

Councillors: Robert Archer, Anthony Bates, John Bointon, Geoff Bond, Kelda Boothroyd, Martin Burfoot, Sue Burfoot, David Chapman, Peter Dobbs, Nigel Norman Edwards-Walker, Steve Flitter, Marilyn Franks, Dawn Greatorex, Susan Hobson, David Hughes, Stuart Lees, Joanne Linthwaite, Laura Mellstrom, Tony Morley, Dermot Murphy, Andy Nash, Peter O'Brien, Lucy Peacock, Simon Ripton, Roger Shelley, Peter Slack, Mark Wakeman and Nick Whitehead

Steve Capes (Director of Regeneration & Policy), Giles Dann (Regeneration and Place Manager), Samantha Grisman (Clean & Green Manager), Lucy Harrison (Democratic Services Assistant), Karen Henriksen (Director of Resources), James McLaughlin (Director of Corporate and Customer Services (Monitoring Officer)), Tommy Shaw (Democratic Services Team Leader), Laura Simpson (Principal Regeneration Officer) and Ashley Watts (Director of Community and Environmental Services)

### **Note:**

*"Opinions expressed or statements made by individual persons during the public participation part of a Council or committee meeting are not the opinions or statements of Derbyshire Dales District Council. These comments are made by individuals who have exercised the provisions of the Council's Constitution to address a specific meeting. The Council therefore accepts no liability for any defamatory remarks that are made during a meeting that are replicated on this document."*

## **APOLOGIES**

Apologies for absence were received from Councillor(s): Matt Buckler, David Burton, Neil Buttle, Gareth Gee and Nick Wilton.

## **76/23 - PUBLIC PARTICIPATION**

Mr Peter Walton (Wirksworth Local Resident) and Ms Deborah Short (Wirksworth Local Resident) commented on the microwave radiation pollution emitted by the cellular tower erected on Millers Green, Wirksworth, and asked that an independent survey of the area be carried out.

## **77/23 - INTERESTS**

There were no declarations of interest.

## **78/23 - LEADERS' ANNOUNCEMENTS**

Councillor Steve Flitter, Leader of the Council, made the following statement:

*Chair – I thought someone was going to relay to members Cllr Burton's good wishes, unfortunately he is not well but he will update members when his health improves and his activities as Civic chair.*

*Due to some verbal reports, it appears that since taking office we have done very little, so I thought the theme of tonight's announcements would concentrate on what a very busy couple of months we have had.*

*We said we would take a fresh look at and place our mark on the local plan that was fit for the future, that paper was taken to C & E and accepted, we have also prepared papers for pollution and biodiversity. We are progressing with reports on public conveniences, gypsy and travellers, economic development and partnership working.*

*We have yet to submit draft papers on Housing and the corporate plan however meetings are planned.*

*We also wish to develop the Leaders Advisory Group and the Joint Consultative Group.*

*Partnership working- LGA conference was interesting with discussions on Waste, Leisure, planning and housing. I also brought back for discussion details of the Sutton Green Enterprise and South Tyneside pledge, both which are worthy of thought. I was also a speaker at a political fringe meeting and networking was the key word.*

*DCN – Baroness Taylor in the house of Lords tabled that districts should be full constituent members of the new mayoral arrangements. 162 for 157 against. DCN urging government to retain when discussed by the commons after the recess.*

*East Midlands Council – The meetings main considerations revolved around regional infrastructure and investment, Asylum and refugee resettlement and HS2 but I had the opportunity to speak on the lack of and insufficient consistency of funding from government to rural local authorities suggesting a 3 or 4 year settlement.*

*County – We continue to play our part in the D2 Economic prosperity committee, Vision Derbyshire county deals and devolution, whether we agree with the devolution or not we have to ensure, if we can, the best solution for our residents.*

*More Locally – Paul Wilson and myself met with the Peak Parks CEO and chair and we hope to have a member joint briefing, attended the Peak Park think tank and the National Stone centre project group.*

*We have also been asked to meet with two hoteliers in the near future to discuss the difficulties the industry is facing and how this council can assist through our tourism policies.*

*Ashbourne reborn, we have had a meeting with DCC and our MP in relation to the chair of the project board. Unfortunately, his was not very constructive despite the Facebook video that followed as comments reflecting that this council was small and not able to meet the challenges of the project. In all I thought it was negative and unhelpful.*

*But this is a new beginning, and my door is always open for everyone. We have also been dealing with the recent floods again not just Matlock but district wide and that takes officer time away from normal duties.*

*To conclude I would like to say a big thank-you to the excellent work of our parks staff in achieving the green flag awards in Matlock and Bakewell, unfortunately Ashbourne just missed out, but an appeal is under way.*

*Finally, one of our members of staff is about to leave us, this is James's last meeting, Since joining us James you have been like a breath of fresh air, welcomed by all, members and staff alike, your contributions have been unquestionable your professionalism has been unquestionable. We will all miss you however we cannot stand in the way of progression, wish you well in your new post, but we hoped you could stay a little longer.*

*Thank-you Chair.*

## **79/23 - CHAIRMAN'S ANNOUNCEMENTS**

Councillor Steve Flitter gave Councillor David Burton's apologies.

## **80/23 - COMMITTEES**

It was moved by Councillor David Hughes, seconded by Councillor Dermot Murphy and

**RESOLVED** (unanimously)

That the non-exempt minutes of the Committees listed in the Minute Book for the period 02 March 2023 to 11 July 2023 be received.

The Chair declared the motion **CARRIED**.

## **81/23 - QUESTIONS (RULE OF PROCEDURE 15)**

No questions on notice were received.

## **82/23 - APPROVAL OF MINUTES OF PREVIOUS MEETING**

It was moved by Councillor Mark Wakeman, Seconded by Councillor Peter Slack and

## RESOLVED

That the minutes of the meeting of Council held on 25 May 2023 be approved as a correct record.

### Voting

**27 For**

**00 Against**

**01 Abstained**

The Chair declared the motion **CARRIED**.

### 83/23 - CLEAN AND GREEN REVIEW

The Director of Community and Environmental Services introduced a report outlining the work to date on the review of the Council's Clean and Green service and the recommendations which were deferred by Council on the 16 March 2023.

It was noted that on 26<sup>th</sup> November 2020 the Council approved a review of its clean and Green Service, including the outlined scope and formation of a Project Team and an Elected Member Sub-Group. Due to the COVID-19 pandemic and the subsequent independent review of the waste collection service, several members of the Project Team were reassigned to leading on the Council's response to these issues, resulting in delays in the completion of this review.

On 16th March 2023, a report outlining the findings and recommendations of the review was presented to Members. Prior to the meeting, the former Leaders Advisory Group (LAG) agreed that only recommendation 1,3 and 6 be considered, as they were viewed to be either time sensitive or offer an opportunity to address current capacity pressures, these recommendations were approved. The remaining recommendations were deferred and had been included in the recommendations of this report, as the former LAG believed new Members were best placed to decide on the future impact of the service.

The recommendations as set out in the report were moved by Councillor Peter O'Brien and seconded by Councillor Boothroyd with the addition of recommendation 2:

2. That the Council confirms its policy of not utilising glyphosate in its weed control and vegetation management activities, other than in respect of the control of invasive species.

And the following amendment to recommendation 4:

4. That officers discuss the feasibility of using alternative weed control methods on land included on the highways contract in the Derbyshire Dales with Derbyshire County Council, with the objective of eliminating the use of products and materials containing glyphosate and that an update be provided to Members.

The recommendations were then each voted on independently, the details of these votes are as follows:

Recommendation 1 – Unanimous

Recommendation 2 – 19 For, 8 Against, 1 Abstention

Recommendation 3 – Unanimous

Recommendation 4 – 19 For, 8 Against, 1 Abstention

Recommendation 5 - Unanimous

Following the voting, it was therefore

## **RESOLVED**

1. That a Supplementary revenue budget of £41,100 is approved for 2023/24, financed from the general reserve, and that £61,658 is included in the next update of the Medium-Term Financial Plan to reflect the subsequent ongoing costs for the introduction of two additional staff for the Burials and Play Area Maintenance team.
2. That the Council confirms its policy of not utilising glyphosate in its weed control and vegetation management activities, other than in respect of the control of invasive species.
3. That the proposed service standards and frequencies set out in Appendix C are introduced as outlined in the proposed timetable (Table 2.58).
4. That officers discuss the feasibility of using alternative weed control methods on land included on the highways contract in the Derbyshire Dales with Derbyshire County Council, with the objective of elimination the use of products and materials containing glyphosate and that an update be provided to Members.
5. That the Project Group, along with a Members Sub-Group, remain in place for the first year of implementation to monitor performance and consider options for future benchmarking.

The Chair declared the motion **CARRIED**.

## **84/23 - AMENDMENTS TO THE CONSTITUTION**

The Director of Corporate and Customer Services introduced a report detailing a series of proposals to amend the Constitution of the Council to ensure that it was relevant and up to date, as well as compliant with the law. The proposals within the report had been developed to improve governance processes and procedures.

It was noted that it was good practice to keep the Constitution under regular review and with the Council last considering changes to the document in July 2022, it was timely to bring forward recommendations that sought to update the document to reflect the changes that had taken place since the election of the new Council in May 2023.

The report also sought members approval to adopt the Local Government Association's Model Code of Conduct for Members, on the recommendation of the Constitution Working Group.

The recommendations as set out in the report were moved by Councillor Peter Dobbs and seconded by Councillor David Hughes with the following amendment to recommendation 4:

4. That, subject to the deletion of the first bullet point of Draft Council Procedure Rule 14.4 and Rule 16.3(a) and the referral of the third bullet point of Draft Council Procedure Rule 14.4 and Rule 16.3(c) to the Constitution Working Group, Part 4 of

the Constitution (Rules of Procedure) be amended on the basis of the insertions and deletions highlighted in Appendix 2 of this report.

The motion was the put to the vote and

**RESOLVED** (unanimously)

1. That the Constitution be amended to reflect the change in the size of the Council's membership from 39 councillors to 34 councillors.
2. That Article 3 be amended to clarify citizen involvement and participation and remove reference to customer service standards and opening hours.
3. That Part 3 of the Constitution be amended to incorporate the terms of reference for the Biodiversity Sub-Committee, Local Plan Sub-Committee and the insertion and deletion of functions as set out in Appendix 1 of this report.
4. That, subject to the deletion of the first bullet point of Draft Council Procedure Rule 14.4 and Rule 16.3(a) and the referral of the third bullet point of Draft Council Procedure Rule 14.4 and Rule 16.3(c) to the Constitution Working Group, Part 4 of the Constitution (Rules of Procedure) be amended on the basis of the insertions and deletions highlighted in Appendix 2 of this report.
5. That the Members Allowances Scheme, as drafted and published by the Monitoring Officer in accordance with the Council decision on 26 January 2023, be agreed.
6. That Part 5 of the Constitution (Codes and Protocols) be amended to delete the current Code of Conduct for Members and be replaced with the Local Government Association's Model Code of conduct for Members, as set out in Appendix 4 of this report.
7. That Constitution Working Group be tasked with reviewing:
  - (a) Petition Scheme
  - (b) Area Community Forum arrangements
  - (c) Public Participation arrangements
8. That, in accordance with the recommendation from the Community and Environment Committee on 13 July 2023, Contract Standing Orders be amended by inserting a new Standing Order 6.15 in respect of exceptional waivers.

The Chair declared the motion **CARRIED**.

**85/23 - CUSTOMER ACCESS STRATEGY 2023-2026**

The Director of Corporate and Customer Services introduced a report proposing the adoption and approval of a Customer Access Strategy which would codify for the way in which the District Council would offer a high-quality customer experience to residents, businesses, and visitors to the Derbyshire Dales.

It was noted that over the last four years the Council, through the implementation of a Customer Relationship Management (CRM) system had made significant steps towards improving the outcomes experienced by customers. Due to significant changes over the last three years, it was deemed appropriate for the Council to now introduce a new customer

Access Strategy to make sure it reflected both the current and future needs of the Councils customers and the organisation.

Members were informed that the difficult financial position caused by the ongoing reduction in central government grants and the impacts of the pandemic would mean that the Council as an organisation must strive to look for new efficient ways to do things so that the Council could maintain the high-quality services that its customers deserved.

The recommendations as set out in the report were moved by Councillor David Hughes and seconded by Councillor Dermot Murphy with the following amendment to recommendation 1:

1. That the Customer Access Strategy for the period 2023 to 2026 be approved with the addition of a bullet point on page 264 that reads 'fully prepared with the necessary documents'.

The motion was then put to the vote and

**RESOLVED** (unanimously)

1. That the Customer Access Strategy for the period 2023 to 2026 be approved with the addition of a bullet point on page 264 that reads 'fully prepared with the necessary documents'.
2. That an annual report detailing progress made in implementing the Customer Access Strategy be submitted to the Governance and Resources Committee for each year of the strategy.

The Chair declared the motion **CARRIED**.

There followed a short adjournment at **8:21pm**, returning at **8:28pm**.

### **86/23 - DURATION OF MEETINGS (MOTION TO CONTINUE)**

At 20:20, it was moved by Councillor Martin Burfoot, seconded by Councillor Robert Archer and

**RESOLVED** (unanimously)

That in accordance with Rule of Procedure 13, the meeting continue for 30 minutes to allow for the completion of business.

The Chair declared the motion **CARRIED**.

### **87/23 - LAND AT BAKEWELL ROAD MATLOCK: OUTCOME OF TENDER PROCESS AND OPTIONS FOR FURTHER ASSESSMENT**

The Regeneration and Place Manager introduced a report updating members on the outcome of the further invitation to Tender and status of the project. Members were also informed of options to be carried forward for further assessment.

The Updated Business Case for the proposed conversion of the former Market Hall enabling provision of a new indoor leisure attraction – two screen cinema – and enclosure of part of

the adjacent covered bus bay area to provide an ancillary commercial use - food & beverage / retail unit - was approved at the meeting of the Community & Environment Committee held on 1 March 2022. The scheme received detailed planning consent on 8 February 2022 and further reports were considered by Members at meetings of Council held on 22nd July 2022 and 2nd March 2023.

It was noted that since the last report to Members, the further tender process had been completed. Two tenders were received in response to the re-issued ITT. Both tenders exceeded the 2022 cost plan / budget, and despite value engineering, both tender prices had increased. A significant variation in rates and price was also noted and potential financial resilience risks identified.

Members were informed that following evaluation, unfortunately an acceptable / affordable tender had again not been received and the second tender exercise had concluded without a contractor appointment, illustrating the significant challenge of delivering the proposed scheme within the current volatile construction market, impacted by high cost inflation.

In consultation with the Project Management Group, an initial longlist of options was prepared by officers. Following meetings with Ward Members, Leaders and the Chair of C&E, a refined list of options recommended for further assessment were set out in the report.

It was moved by Councillor Martin Burfoot, seconded by Councillor Stuart Lees and

**RESOLVED** (unanimously)

1. That the update on the project be received and agreed.
2. That Members note the outcome of the second tender exercise which concluded without contractor appointment.
3. That the longlist of options considered for the project be noted.
4. That the refined options be noted and carried forward for further assessment with the support of external consultants with a report on the outcome to be brought back to Members for consideration at the earliest opportunity.

The Chair declared the motion **CARRIED**.

**88/23 - ASHBOURNE REBORN GOVERNANCE AND DELIVERY**

The Regeneration and Place Manager and the Principal Regeneration Officer introduced a report summarising activity and progress related to the Ashbourne Reborn Levelling Up Fund (LUF) award by Government in January 2023, highlighting key programme risks and setting out proposals for an updated governance structure.

It was noted that Ashbourne Reborn was a £15.22m programme aimed at transforming Ashbourne town centre through significant improvements to highways and public realm and the development of the Link Community Hub. The programme was principally funded by the UK Government through the Levelling Up Fund. The initial Levelling Up Fund capital grant award in January 2023 was £13,373,509, with a further grant of £70,000 awarded in July 2023 to provide revenue capacity support.



The proposed revised governance structure, provided in Appendix 2 and supported by the proposed Terms of Reference in Appendix 3, reflected recent requests for direct Member involvement in Ashbourne Reborn governance and decision making. It was proposed that the membership of the Programme Board be extended to enable this, whilst being chaired by a District Councillor to reflect the status as the Accountable Body. Decisions or recommendations that had implications for the Accountable Body would be escalated to Community and Environment Committee for appropriate consideration.

The recommendations as set out in the report were moved by Councillor Roger Shelley and seconded by Councillor Robert Archer with the following amendment to recommendation 3:

3. That Councillors Peter Dobbs, Steve Flitter, David Hughes and Stuart Lees be appointed to the Ashbourne Reborn Programme Board to represent the District Council.

And the following two additional recommendations:

4. That Councillor David Hughes be nominated as Chair of the Ashbourne Reborn Programme Board.
5. That relevant partners be invited to nominate representatives to enable representation on the Board to be finalised.

The motion was then put to the vote and

**RESOLVED** (unanimously)

1. That activity and progress to date be received and agreed.
2. That the proposed governance structure and Terms of Reference for the Programme Board are received and approved.
3. That Councillors Peter Dobbs, Steve Flitter, David Hughes and Stuart Lees be appointed to the Ashbourne Reborn Programme Board to represent the District Council.
4. That Councillor David Hughes be nominated as Chair of the Ashbourne Reborn Programme Board.
5. That relevant partners be invited to nominate representatives to enable representation on the Board to be finalised.
6. That delivery partner Project Boards' Terms of Reference are in accordance with paragraphs 2.5 to 2.8 of this report and that they be submitted to the proposed Programme Board for approval.
7. That the highlighted risks and associated mitigation measures be received and noted.

The Chair declared the motion **CARRIED**.

## **89/23 - DURATION OF MEETINGS (MOTION TO CONTINUE)**

At 20:58, it was moved by Councillor Steve Flitter, seconded by Councillor Stuart Lees and

**RESOLVED** (Unanimously)

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

The Chair declared the motion **CARRIED**.

## **90/23 - PROVISIONAL REVENUE OUTTURN 2022/23**

The Director of Resources introduced a report providing details of the provisional financial outturn for the District Council's revenue spending for the year ended 31<sup>st</sup> March 2023 and significant variations from the revised budget.

It was noted that the provisional outturn on the revenue account for 2022/23 was a surplus against revised estimates (subject to external audit). Most of the areas contributing to the surplus arose from circumstances that were unforeseen at the time the 2022/23 budget was set and arose from one-off, rather than recurring items.

Members were informed that the provisional surplus for 2022/23 (subject to external audit) amounted to £1,956,828. Key reasons for the surplus were detailed in the report.

Subject to the approval of the recommendations as set out in the report it was noted that the Council would have increased its general fund balances from £4.034m at 31 March 2022 to £4.777m at 31 March 2023 and reduced earmarked reserves from £17.739m to £16.871m for the same period.

It was moved by Councillor David Hughes, seconded by Councillor Peter O'Brien and

**RESOLVED** (unanimously)

1. That the overall General Fund revenue budget outturn position for 2022/23 (subject to external audit) and budget variances at 31 March 2023 as set out in paragraphs 1.1 and 1.2 of the report be noted.
2. That the final required movements in reserves for 2022/23 as set out in Appendix 3b be approved.
3. That the transfer of reserves as set out in section 2.4 to achieve a balanced out-turn position be approved.

The Chair declared the motion **CARRIED**.

## **91/23 - PROVISIONAL CAPITAL OUT-TURN 2022/23 AND REVISED CAPITAL PROGRAMME 2023/24 TO 2027/28**

The Director of Resources introduced a report outlining the provisional (subject to audit) out-turn position for 2022/23 and the revised Capital Programme for 2023/24 to 2027/28. Thirteen new projects were proposed for inclusion in the revised programme.

At a meeting of Council on 2<sup>nd</sup> March 2023 Members approved a revised capital programme totalling £35,858,944, covering the financial years 2022/23 to 2026/27 which was summarised in table 1 of the report. A revised capital budget of £6,160,505 was approved for 2022/23. Members were informed that the actual total capital expenditure for 2022/23 was £4,233,274. Therefore, there was an overall underspend of £1,927,231.

The expenditure incurred against each project was outlined in Appendix A to the report, which provided explanations for under- and over-spends and whether each project had concluded. Where projects were continuing beyond the end of 2022/23, budget underspends had been carried forward and added to the budget for 2023/24. It was proposed to carry forward £1,814,037 of the provisional underspend from 2022/23 into 2023/24.

The proposed changes to the capital programme for 2023/24 to 2027/28 were set out in part 3 of the report, along with the proposed financing arrangements.

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

**RESOLVED** (unanimously)

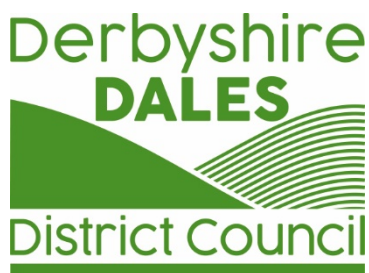
1. That the provisional Capital Out-turn of £4,233,274, as detailed in Appendix A, be approved.
2. That the explanations regarding significant variances in planned and actual capital expenditure for 2022/23 be noted.
3. That an underspend of £1,814,037 be carried forward at 31 March 2023 and other revisions totalling £96,000 set out in paragraphs 3.1 and 3.2 and Appendix A be approved for inclusion into the capital programme.
4. That new projects totalling £4,652,400 set out in paragraphs 3.5 to 3.18 of the report be approved for inclusion in the programme.
5. That the updated capital programme for 2023/24 to 2027/28 set out in Appendix B to the report totalling £38,450,376 be approved.
6. That financing of the Capital Programme from sources summarised at paragraph 3.21 and shown in Appendix C be approved.
7. That the balance of funds available over the 5-year programme, shown at Appendix C, be noted.

The Chair declared the motion **CARRIED**.

**Meeting Closed: 9.15 pm**

**Chairman**

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## Community & Environment Committee

**Minutes of a Community & Environment Committee meeting held at 6.00 pm on Thursday, 7th September, 2023 in the Council Chamber, Town Hall, Matlock, DE4 3NN.**

### PRESENT

Councillor Martin Burfoot - In the Chair

Councillors: Robert Archer, Anthony Bates, Kelda Boothroyd, Matt Buckler, David Chapman, Peter Dobbs, Marilyn Franks, Gareth Gee, Andy Nash, Peter O'Brien, Peter Slack, John Bointon, Nigel Norman Edwards-Walker and Roger Shelley

Tim Braund (Director of Regulatory Services), Steve Capes (Director of Regeneration & Policy), Karen Carpenter (Environmental Health Officer), Robert Cogings (Director of Housing), Amanda Goodwill (Environmental Health Manager), Lucy Harrison (Democratic Services Assistant), James McLaughlin (Director of Corporate and Customer Services (Monitoring Officer)) and Tommy Shaw (Democratic Services Team Leader)

### Note:

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### APOLOGIES

Apologies for absence were received from Councillor(s): Susan Hobson, Dermot Murphy and Steve Wain

### 96/23 - APPROVAL OF MINUTES OF PREVIOUS MEETING

It was moved by Councillor Matthew Buckler, Seconded by Councillor Peter Slack and

**RESOLVED** (unanimously)

That the minutes of the meeting of the Community and Environment Committee held on 13 July 2023 be approved as a correct record.

The Chair declared the motion **CARRIED**.

**97/23 - PUBLIC PARTICIPATION**

There was no public participation.

**98/23 - INTERESTS**

Item 8 – Visit Peak District, Derbyshire and Derby: Partnership Agreement 2023-2026

Councillor David Chapman declared a pecuniary interest in Item 8 due to his wife being employed by the District Council as a Tourism Officer.

**99/23 - QUESTIONS PURSUANT TO RULE OF PROCEDURE NUMBER 15**

No questions were received.

**100/23 - ASHBOURNE AIR QUALITY MANAGEMENT AREA ACTION PLAN**

The Director of Regulatory Services introduced a report outlining the outcomes of the public consultation on the proposals put forward as part of the draft Ashbourne Air Quality Management Area Action Plan. The report sought Member approval for the establishment of a working group to assist with the ongoing development of actions to address air quality issues.

At a Meeting of the Committee on 7th April 2021 it was agreed that updating reports would be submitted to further meetings of the Community and Environment Committee whilst work was undertaken to develop a draft Action Plan to address the exceedance of the air quality objective. These updating reports had been considered by the Committee at regular intervals and had led to proposals being agreed for public consultation. The period of public consultation concluded on 26th June 2023 and the outcomes from that consultation exercise had been analysed and detailed in Appendix 2 to the report.

At the meeting of the Community and Environment Committee on 13th July 2023 the Committee discussed the desirability of re-establishing an ongoing Working Group to monitor the success or otherwise of any Action Plan and to consider any necessary future developments of that Action Plan. It was suggested that the re-establishment of such a Working Group could provide a forum to consider and prepare further options for actions that could address air quality issues within the Ashbourne Air Quality Management Area for future consideration by the Community and Environment Committee, taking into account the outcomes from the consultation exercise and the implications of the Ashbourne Reborn project.

The recommendations as set out in the report were moved by Councillor Peter Dobbs and seconded by Councillor Robert Archer with the following amendment to recommendation 2:

2. That an Air Quality Action Plan Working Group be re-established, with a membership drawn from but not limited to those individuals listed in paragraph 2.18 below with a core

group within the working group to provide continuity for the collation and evaluation of possible actions, with the core group to be at least one officer from the District Council and two elected Members taken from the list set out in the report.

The motion was put to the vote and

**RESOLVED** (Unanimously)

1. That the responses received from the consultation exercise in relation to the Ashbourne Air Quality Action Plan be noted.
2. That an Air Quality Action Plan Working Group be re-established, with a membership drawn from but not limited to those individuals listed in paragraph 2.18 below with a core group within the working group to provide continuity for the collation and evaluation of possible actions, with the core group to be at least one officer from the District Council and two elected Members taken from the list set out in the report.
3. That progress on the re-establishment of the working group and its preliminary findings be reported to the next meeting of the Community and Environment Committee.
4. That a report be prepared on the options and costs associated with expanding the Council's current air quality monitoring to include fine particulates.

The Chair declared the motion **CARRIED**.

**101/23 - LOCAL AUTHORITY HOUSING FUND - ROUND 2**

The Director of Housing introduced a report following the Government announcement of the closure of bridging hotels, which were housing Afghan refugees. Councils were asked to provide housing to support the successful moving on of families, some of whom had been in hotels since early 2022.

The Council had received an allocation to purchase one 'bridging' home in the Local Authority Housing Fund (LAHF) Round 1 programme (the bulk of LAHF1 is for 17 Ukrainian properties). That property was acquired on 23 June and a family had now moved in. Members were updated on how the LAHF Round 1 proposal was progressing with six properties purchased, five further properties in the process of being acquired and seven properties left to be identified.

It was noted that grant funding through the Local Authority Housing Fund Round 2 (LAHF2) was available in two ways, firstly as a direct grant with 200 councils receiving an allocation and a further 66 who had been asked to submit an expression of interest (EOI) to take up any underspend. Under LAHF2 £250m had been made available to buy larger properties but this would buy less than 2,000 homes.

The Council was not allocated a grant initially through LAHF2, instead officers were advised that if any funding remained, then the authority would be offered £126,000 + £20,000 per property. Some of the 200 councils offered the grant did not take up the allocation. As such the grant had now been confirmed and the District Council was expected to enter into a Memorandum of Understanding with DLUHC. It was noted that both LAHF1 and 2 are challenging to deliver given open market values.

It was moved by Councillor Peter O'Brien, seconded by Councillor Robert Archer and

**RESOLVED** (Unanimously)

That approval be given to the delivery of LAHF2 as set out in the report.

The Chair declared the motion **CARRIED**.

**18:40pm** – Councillor David Chapman left the meeting due to previously declaring an interest in Item 8.

### **102/23 - VISIT PEAK DISTRICT, DERBYSHIRE AND DERBY: PARTNERSHIP AGREEMENT 2023-2026**

The Director of Regeneration and Policy introduced a report which sought Member approval for the renewal of the Partnership Agreement between the District Council and Visit Peak District, Derbyshire and Derby (the official Tourist Board for this area).

Members were informed that annual expenditure for Visit Peak District, Derbyshire and Derby (VPDDD) varied but was approximately £750,000, of which some £168,500 was directly contributed by local authority partners. The largest district council funding contribution was from Derbyshire Dales District council. This reflected the fact that the district contained more visitor economy businesses and attractions than other districts.

It was noted that VPDDD was one of the first 15 destination management organisations to be awarded the status of Local Visitor Economy Partnership (LVEP) by the Government earlier this year. LVEP status had been awarded to some of the larger and more viable destination management organisations, and recognised VPDDD's approach to partnership working. As part of the LVEP agreement, joint working between the existing Visit Peak District and Derbyshire and the existing Visit Derby organisations was being formalised – hence both titles, along with VPDDD, were still currently in use.

The VPDDD Board comprised of private sector industry representatives and local authority representatives. The Council was represented on the Board of VPDDD by Councillor Lucy Peacock in 2023/24. If the LVEP in time had a different Board structure, it was recommended that the Council (as the district contains more visitor economy businesses and attractions than other districts) should have a seat on the LVEP Board too.

It was moved by Councillor Roger Shelley, seconded by Councillor Andy Nash and

**RESOLVED** (Unanimously)

1. That the Partnership Agreement between Visit Peak District, Derbyshire and Derby and Derbyshire Dales District Council 2023-2026 be approved.
2. That the District Council takes a seat on the Local Visitor Economy Partnership (LVEP) Board when established.

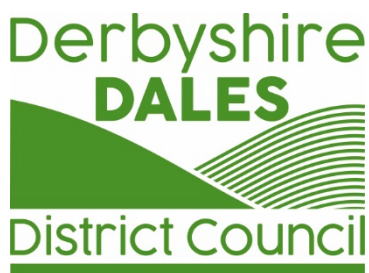
The Chair declared the motion **CARRIED**.



**Meeting Closed: 7.09 pm**

**Chairman**

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## Planning Committee

**Minutes of a Planning Committee meeting held at 6.00 pm on Tuesday, 12th September, 2023 in the Council Chamber, Town Hall, Matlock, DE4 3NN.**

### PRESENT

Councillor David Burton - In the Chair

Councillors: Sue Burfoot, Peter O'Brien, John Bointon, Neil Buttle, Peter Dobbs, Nigel Norman Edwards-Walker, Stuart Lees, Dermot Murphy, Peter Slack, Mark Wakeman and Nick Whitehead.

Present as Substitute - Councillors: Kelda Boothroyd, Marilyn Franks and Roger Shelley

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

Members of the Public – 67

### Note:

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### APOLOGIES

Apologies for absence were received from Councillor(s): Robert Archer, David Hughes and Laura Mellstrom

### 103/23 - APPROVAL OF MINUTES OF PREVIOUS MEETING

It was moved by Councillor Stuart Lees, seconded by Councillor Peter Slack and

### RESOLVED (unanimously)

That the minutes of the meeting of the Planning Committee held on 11 July 2023 be approved as a correct record.

The Chair declared the motion **CARRIED**.

#### **104/23 - INTERESTS**

Councillor Peter Dobbs declared a non-pecuniary interest in Item 5.8 Application No. 23/00787/FUL – 2 Birchwood Moor Court, Roston, Ashbourne DE6 2EJ, as he was known to the applicant.

6.03 pm Councillor Kelda Boothroyd joined the meeting.

6.06 pm Councillor Roger Shelley joined the meeting.

6.08 pm Councillor Neil Buttle joined the meeting.

#### **105/23 - APPLICATION NO. 23/00566/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, Ms Dawn Lewis (Local Resident), Mr Nick Baker (Agent) and Mr Dan Macken (Applicant) spoke in support of the application. Cllr. Ruth Miles (Carsington and Hopton Parish Council), Ms Laura Stevens (Local Resident), Ms Pippa Ward-Bradley (Friends of Knockerdown), Ms Pamela Hattersley (Friends of the Knockerdown), Mr Tim Foxlow (Local Resident), Ms Libba Jones (Local Resident), Mr Chris Stait (Local Resident), Ms Anne Wilson (Local Resident) and Mr Ian Burton (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 four additional representations in objection to the development and one representation in support. Comments had also been received from Carsington and Hopton Parish Council, Hulland Ward Parish Council, Bradbourne and Ballidon Parish Council and the Police and Crime Commissioner. Further comments had been received from the Applicant in support of the proposed development.

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

#### **RESOLVED**

That planning permission be refused for the following reasons:

1. The application fails to demonstrate that the amount of additional parking is necessary to serve the requirements of the existing public house. Such development of the scale and nature proposed is unjustified and unsustainable and results in unwarranted harm to the character and appearance of this part of the countryside, contrary to Policies S1, S4, PD1, PD5 and HC19 of the Adopted Derbyshire Dales Local Plan (2017) and policy contained in the National Planning Policy Framework.

## **Voting**

**14 For**

**00 Against**

**01 Abstentions**

The Chair declared the motion **CARRIED**.

### **106/23 - APPLICATION NO. 23/00459/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, Cllr. Jason Farmer (Darley Dale Town Council) and Ms Georgina Mosley (Applicant) spoke in support of the application.

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

It was moved by Councillor Marilyn Franks, seconded by Councillor Peter Slack and

## **RESOLVED**

That planning permission be approved with the following conditions:

- 1) The development hereby permitted must be begun before the expiration of three years from the date of this permission. Reason: This is a statutory period which is specified in Section 91 of the Town and Country Planning Act 1990.
- 2) The development hereby permitted shall not be carried out other than in accordance with the following approved plans and subject to the following conditions or modifications.

Location Plan - 220224-01-01

Proposed Layout Plan - 220224-01-02

Proposed Drainage Plan - 220224-01-04

Dome Plan and Elevations - 220224-01-05

Bike Store Plan and Elevations 220224-01-08

Road and Access Plan - 220224-01-09

Proposed Lighting Plan - 220224-01-10

Bike Store Plan and Elevations - 220224-01-12

Reason:

For the avoidance of doubt and in the interests of the proper planning of the area.

- 3) A Landscape and Biodiversity Enhancement Plan (LBEP) shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. The aim of the LBEP is to enhance and sympathetically manage the biodiversity value of onsite habitats and should combine both the ecology and landscape disciplines. The plan should clearly demonstrate a net gain for biodiversity through use

of a biodiversity metric. It shall be suitable to provide to the management body responsible for the site and shall include the following:

- a) Description and location of features to be retained, created, enhanced and managed.
- b) Aims and objectives of management.
- c) Appropriate management methods and practices to achieve aims and objectives.
- d) Prescriptions for management actions.
- e) Preparation of a work schedule (including a five-year work plan capable of being rolled forward in perpetuity).
- f) Details of the body or organization responsible for implementation of the plan.
- g) A monitoring schedule to assess the success of the enhancement measures.
- h) A set of remedial measures to be applied if conservation aims and objectives of the plan are not being met.
- i) Habitat enhancements for species, for example, bat and bird boxes.
- j) Requirement for a statement of compliance upon completion of planting and enhancement works. The LBEP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The development shall not be carried out or occupied other than in accordance with the approved details.

Reason:

To ensure that the development delivers biodiversity net gain in accordance with the requirements of policy PD2 of the Adopted Derbyshire Dales Local Plan (2017).

- 4) All excavations shall be covered overnight or else have an escape ramp to prevent entrapment of badgers, hedgehogs and other wildlife. All pipework greater than 150 mm shall be blanked off at the end of the day and chemicals shall be stored securely. Topsoil mounds shall be checked for badger activity prior to removal or re-use. An ecologist shall be contacted if any evidence of badger activity is found within the application area during development.

Reason:

To conserve local wildlife during construction in accordance with policy PD2 of the Adopted Derbyshire Dales Local Plan (2017). Page 3 of 7 23/00459/FUL

- 5) Notwithstanding the approved plans, no part of the development hereby approved shall be occupied until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall include the following details: i. Proposed trees, hedges and defined limits of shrubs and grass areas; ii. numbers of trees and shrubs in each position with size of stock, species and variety and grass seed mix; iii. types of enclosure (hedges, fences, walls etc); iv. regraded contours and details of changes in level; and v. access, access track, hard surface area for parking and any pedestrian paths.

Reason:

To ensure that the development incorporates appropriate planting and landscaping to conserve the site and its setting within the landscape in accordance with policies PD1, PD5 and PD6 of the Adopted Derbyshire Dales Local Plan (2017).

- 6) All hard and soft landscaping works shall be carried out in accordance with the approved details (subject of condition 8). All hard landscaping works shall be completed

prior to the first occupation of any part of the development and all planting shall be carried out within the first planting season following the first occupation of any part of the development. Any trees or plants, either existing or planted pursuant to the landscaping works which, within a period of five years of the completion of the development, die, are removed or become seriously damaged or diseased shall be replaced in the following planting seasons with others of similar size and species or in accordance with details which shall have first been submitted to and approved in writing by the Local Planning Authority.

Reason:

To ensure that the development protects existing trees and hedges and incorporates appropriate replacement planting and landscaping which conserves the site and its setting within the landscape in accordance with policies PD1, PD5 and PD6 of the Adopted Derbyshire Dales Local Plan (2017).

- 7) The foul and surface water drainage shall be installed and operational before the first occupation of the development hereby approved. Reason: To protect the water environment in accordance with policy PD9 of the Adopted Derbyshire Dales Local Plan (2017).

- 8) The development shall not be occupied until the access track and parking areas have been laid out, constructed and are available for use. Thereafter the access and track shall be available for their designated use throughout the lifetime of the development hereby approved.

Reason:

In the interests of amenity and highway safety.

- 9) No external lighting shall be installed (other than in accordance with the approved plans) other than in accordance with details which shall have first been submitted to and approved in writing by the Local Planning Authority.

Reason:

To minimise the impact of the development upon the landscape and the setting of the Peak District National Park in accordance with policy PD5 of the Adopted Derbyshire Dales Local Plan (2017).

- 10) The colour finish of the surfacing material for the glamping domes shall be submitted to and approved in writing by the Local Planning Authority prior to installation. The development shall thereafter be carried out in accordance with the approved details and the surfacing material shall be installed before the first occupation of the development.

Reason:

To minimise the impact of the development upon the landscape in accordance with policy PD5 of the Adopted Derbyshire Dales Local Plan (2017).

- 11) The electric vehicle charge points shall be installed and operational before the first occupation of the development.

Reason:

To ensure that the charge points are installed to mitigate the impacts of climate change in accordance with policy PD7 of the Adopted Derbyshire Dales Local Plan (2017).

- 12) The glamping domes 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 glamping pods 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.

Reason:

The development is not considered appropriate other than as a holiday facility because it is outside any settlement framework boundary and does not accord with the development plan policies for general housing, namely policies S1 and S4 of the Adopted Derbyshire Dales Local Plan (2017).

- 13) 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 tent, caravan or habitable building or structure shall be sited or erected on the site (other than those expressly authorised by this permission) without the prior written approval of the Local Planning Authority upon an application submitted to it.

Reason:

To ensure that the Local Planning Authority retains control over the extent and nature of the use and impacts to ensure that the development conserves the site and its setting within the landscape in accordance with policies PD1 and PD5 of the Adopted Derbyshire Dales Local Plan (2017).

- 14) 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 development required by the conditions of a site licence for the time being in force under the 1960 Caravan Sites and Control of Development Act shall be carried out or erected on the site without an application for planning permission having first been made to and approved in writing by the Local Planning Authority.

Reason:

To ensure that the Local Planning Authority retains control over the extent and nature of the use and impacts to ensure that the development conserves the site and its setting within the landscape in accordance with policies PD1 and PD5 of the Adopted Derbyshire Dales Local Plan (2017).

## Voting

**14 For**

**00 Against**

**01 Abstentions**

The Chair declared the motion **CARRIED**.

## **107/23 - APPLICATION NO. 23/00630/FUL**

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

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

In accordance with the procedure for public participation, Mr John Youatt (Agent) and Mr Roger Yarwood (Agent) spoke in support of the application. Dr Siobhan Spencer



(Derbyshire Gypsy Liaison Group) commented on the application. Mr Stephen Walton (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 further comments from the Environment Agency, Derbyshire Wildlife Trust and Environmental Health. Late representations were received from the occupant of Rose Cottage objecting to the proposed development.

It was moved by Councillor Peter Slack, seconded by Councillor Dermot Murphy and

**RESOLVED** (unanimously)

That planning permission be approved for the following reasons:

1. The Environment Agency withdrew their previous objection, after reviewing the site levels they were satisfied that the site itself lay outside the Flood Zone 2.
2. The site was considered to be sustainably located, having regard to the Council's requirements for a site.
3. The development would be enclosed, and it was considered that it would not cause harm to the Derwent Valley Mills World Heritage Site.

## **Voting**

**14 For**

**01 Against**

**00 Abstentions**

The Chair declared the motion **CARRIED**.

**8.10pm** – The Chair adjourned the meeting.

**8.25pm** – The meeting reconvened.

## **108/23 - DURATION OF MEETINGS (MOTION TO CONTINUE)**

At 8:35pm, it was moved by Councillor David Burton, seconded by Councillor Roger Shelley and

**RESOLVED** (Unanimously)

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

The Chair declared the motion **CARRIED**.

## **109/23 - APPLICATION NO. 23/00616/OUT**

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 Andrew Stock (Agent) spoke in support of the application. Cllr. John White (Brailsford and Ednaston Parish Council), Ms Elizabeth Tarling (Local Resident), and Ms Patricia Baker (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 further consultation response received from Derbyshire Wildlife Trust, further indicative visuals submitted by the agent and one additional representation received following the site visit supporting the Officers recommendations.

It was moved by Councillor Stuart Lees, seconded by Councillor Peter Slack and

**RESOLVED** (unanimously)

That planning permission be refused for the reasons set out in section 8.0 of the report and for an additional reason as set out below:

3. The development would not be served by safe or convenient pedestrian links to Brailsford and would have limited accessibility to services and facilities within the village contrary to policies S1 and HC19 of the adopted Derbyshire Dales Local Plan (2017).

The Chair declared the motion **CARRIED**.

**110/23 - APPLICATION NO. 23/00553/OUT**

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 Richard Pigott (Applicant) spoke in support of the application. Mr Philip Robinson (Local Resident) and Mr Mark Gorman (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 the Agent.

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

**RESOLVED** (unanimously)

That planning permission be approved subject to prior entry into a planning obligation under S.106 to secure:

- 30 % of the dwellings as affordable units on-site with a financial contribution for 0.5 units.

- Financial contribution to allotments (off-site) of £1,773 on sites identified by the Neighbourhoods Manager.
- Financial contribution to play areas (off-site) of £4,252.50 on sites identified by the Neighbourhoods Manager.

And subject to planning conditions to cover the following:

1. Statutory time limit for approval of reserved matters.
2. Set out reserved matters to be approved (scale, layout, external appearance and landscaping).
3. The developable area, scale, layout and external appearance shall closely reflect the submitted indicative site plan and development design parameters.
4. Agree detailed design and management of surface water drainage.
5. Approve assessment to demonstrate proposed destination for surface water accords with the drainage hierarchy set out in planning practice guidance.
6. Approve details of how additional surface water run-off from the site will be avoided during the construction phase.
7. Approve verification report carried out by qualified drainage engineer to demonstrate that the drainage system has been constructed in accordance with the agreed scheme.
8. Conditions and informative's recommended by the Highway Authority on application 22/00777/OUT.
9. Submission and approval of travel plan prior to first occupation.
10. Arboricultural Impact Assessment and Method Statement to be submitted with any reserved matters application for landscaping.
11. Conditions recommended by Derbyshire Wildlife Trust.
12. Condition recommended by County Archaeologist.
13. Reserved matters application shall provide for housing mix in accordance with policy requirements.

## **Voting**

**08 For**

**02 Against**

**05 Abstentions**

The Chair declared the motion **CARRIED**.

### **111/23 - APPLICATION NO. 23/00178/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 Jami Jones (Applicant) spoke in support of the application.

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

It was moved by Councillor Peter Slack, seconded by Councillor Stuart Lees and

**RESOLVED** (unanimously)

That planning permission be approved subject to the conditions set out in section 8.0 of the report and the additional condition:

1. The dwellings hereby approved shall only be occupied as primary residences and shall not be utilised as second homes or for holiday accommodation.

The Chair declared the motion **CARRIED**.

**9.17 pm** Councillor Nick Whitehead left the meeting.

### **112/23 - APPLICATION NO. 23/00115/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 Gordon Wardman (Applicant) spoke in support of the application. Cllr. Vicki Raynes (Tansley Parish Council) and Mr Gary Swift (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 letter from the applicant.

It was moved by Councillor Kelda Boothroyd, seconded by Councillor Peter Dobbs and

**RESOLVED**

That planning permission be approved subject to conditions and prior entry into a S.106 planning obligation set out in section 8.0 of the report. Conditions 7 and 8 shall be amended to require agreement of landscaping, including a timescale for implementation, before commencement of the development. Agreement if a timescale for implementation is to

ensure that planting is carried out and begins to establish as soon as possible following the commencement of the development.

### **Voting**

**13 For**

**01 Against**

**00 Abstentions**

The Chair declared the motion **CARRIED**.

**9.37** Councillor Peter Dobbs left the meeting.

**9.38** Councillor Kelda Boothroyd left the meeting.

### **113/23 - APPLICATION NO. 23/00787/FUL**

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

In accordance with the procedure for public participation, Ms Claire Critchlow (Applicant) and Mr David Legh (Local Resident) spoke in support of the application.

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

It was moved by Councillor John Bointon, seconded by Councillor Dermot Murphy and

### **RESOLVED**

That planning permission be deferred for further discussion following a site visit.

### **Voting**

**11 For**

**00 Against**

**01 Abstentions**

The Chair declared the motion **CARRIED**.

### **114/23 - APPEALS PROGRESS REPORT**

It was moved by Councillor John Bointon, seconded by Councillor Dermot Murphy and

### **RESOLVED** (unanimously)

That the report be noted.

The Chair declared the motion **CARRIED**.

**Meeting Closed: 9.55 pm**

**Chair**

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