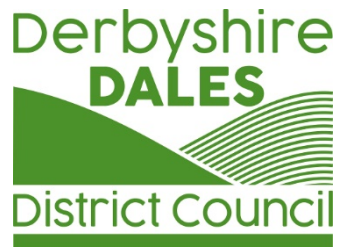


MINUTE BOOK

13 September 2023 to 30 November 2023



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Biodiversity Sub-Committee

Minutes of a Biodiversity Sub-Committee meeting held at 6.00 pm on Wednesday, 13th September, 2023 in the Council Chamber, Town Hall, Matlock, DE4 3NN.

PRESENT

Councillor Matt Buckler - In the Chair

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

Officers:

Tim Braund (Director of Regulatory Services), Joanna Hill (Climate Change Project Officer), Mike Hase (Policy Manager), Samantha Grisman (Clean & Green Manager) and Angela Gratton (Democratic Services Officer)

Public: 2

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):

115/23 - APPROVAL OF MINUTES OF PREVIOUS MEETING

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

RESOLVED

That the minutes of the meeting of the Biodiversity Sub Committee held on 19 July 2023 be approved as a correct record.

Voting

05 For
00 Against
01 Abstentions

The Chair declared the motion **CARRIED**.

116/23 - PUBLIC PARTICIPATION

In accordance with the procedure for public participation Ms Laura Stevens (Matlock Local Resident) gave a statement and asked a question regarding the District Council's use of Glyphosate.

"Glyphosate as a weed control product is used in small quantities on Derbyshire County Council (DCC) Countryside sites by certificated staff using appropriate PPE.

Primarily it is used as an herbicide on INNS (invasive non-native species) on our sites. In practice, this is Giant Hogweed and Japanese knotweed, for which there is little or no alternative treatment. This is generally applied by spray, but we have recently started using an injector to deliver a metered dose into the plant stem as this is a more effective methods of treatment.

On 16 March 2023 at a DDDC council meeting, two people asked DDDC about their use of glyphosate. The following answer was given:

We appreciate the concerns around the use of glyphosate and we are trying to balance this against this other factor such as, complaints and service requests received and the resources available to provide hand removal. Therefore, we are proposing to reintroduce its use in a significantly reduced and limited manner. The use will solely be considered for closed churchyards and access roads to cemeteries and leisure centres. All other areas will continue to be managed with a weed ripper and hand weeding. This was decided in 2020 following a review of possible alternatives.

Please note the point in the report that we will continue to work towards finding a suitable replacement for glyphosate.

Sue Bliss took the attached images in May and August of this year. Concerned that glyphosate was being used in an area where children play and dogs roam freely, Sue submitted a FOI request to DDDC on the use of glyphosate. The FOI response was as follows:*

This is a Derbyshire County Council footpath so it is sprayed twice a year with Gallup Biograde 360.

The above response has been provided by the Green & Clean Manager.

Gallup Biograde 360 is glyphosate and I understand that the Green & Clean manager at DDDC is Samantha Grisman.

If the use of glyphosate is confined to non-native invasive species by DCC and closed churchyards etc. by DDDC why is it being used on a footpath which runs through a green area where children play, and dogs are walked?"

**Submitted images available upon request.*

RESPONSE:

Thank you for your question.

At the meeting of Council in July 2023, the decision was made to continue not to use glyphosate on District Council land including closed churchyards, other than for the control of invasive species.

The images shared are of a County Council owned footpath, not District Council owned land. However, both authorities are working together to understand the possibilities of an alternative weed management programme on the highways.

STATEMENT and QUESTION from Dr Sheila Evans, Matlock Local Resident

“In January, the Biodiversity Sub-Committee council resolved to support the recovery of nature across Derbyshire Dales. The details of the recovery will be outlined in an ‘action plan’. As a local resident, and member of Derbyshire Dales Climate HUB, I endorse fully this proposal. There is indeed, a wider mandate for action.

The HUB undertook a research-led survey in 2021 of over a thousand local people. It indicated there was a very strong desire (over 95%) to improve local biodiversity. This included the use of nature to prevent flooding and support for local farmers to undertake pro-nature initiatives. Individuals expressed a willingness to take actions, including volunteering to re-wild verges, to enhance woodlands and wetlands. Over 95% who participated wanted the council to take pro-nature actions, including supporting farmers to green-up their land and initiate nature-based solutions to flooding. This provides a clear directive to improve biodiversity both across the estates and within the communities you serve. Since 2021, there is increasing awareness by residents of the biodiversity crisis and the need to take concrete steps to reverse Nature’s decline.

Britain's road verges, for example, cover an area the size of Dorset and, if managed appropriately, high-maintenance, low-biodiversity verges can be converted into a connected network of wildflower rich grassland. This in turn can provide food for insects and birds. Such verges are vital habitat for Nature as the UK has lost 97% of its’ wildflower meadows since the 1930s. As was shown when Rotherham initiated rewilding strategies, this transformation does not need to be costly - it led to savings on mowing costs of £23,000 a year.

You may receive emails that refute the survey’s results. Residents may complain of areas left uncut looking ‘neglected’ or ‘scruffy’, or that visibility is compromised by long grass. There are ways, however, to manage these issues. These are outlined clearly in the excellent website Plantlife UK.

To ensure community buy-in, the advice on the website specifies communication and consultation with local people as essential. You can undertake a short survey to canvass public opinion. The HUB could help with this. I’m certain the result, like the 2021 survey, would indicate most people would want a ribbon of wildflowers running alongside roads and on roundabouts; supporting crucial pollinators like bees and butterflies. What’s not to like, as it’s to everyone’s advantage, including future generations. A connected network of such green spaces is one essential part of the district’s nature recovery.

So my request is, please include in the plan details of how we can create such a connected network of green spaces, and indications as to the rapid pace it is required, that meets the demands of the recognised crisis we are all facing.

I have provided one example here, road verges, but there are many other, often interlinked ways to improve the biodiversity across the district as well as address and mitigate the climate emergency: plant to prevent flooding, improve the quality of our rivers etc. I hope these are also detailed in the action plan.”

RESPONSE:

Derbyshire County Council have been appointed by Government as the responsible authority for the preparation of the Local Nature Recovery Strategy (LNRS) - <https://www.gov.uk/government/publications/local-nature-recovery-strategies/local-nature-recovery-strategies>

<https://www.derbyshire.gov.uk/environment/conservation/local-nature-recovery/local-nature-recovery.aspx>

They will need to work with other organisations and partners across the County to agree what should be included in the strategy identifying practical, achievable proposals developed with the input of people who know and understand the area. The strategy will propose where actions could be carried out for best effect and to connect and expand existing areas that are important for nature. They must undertake a public consultation on the strategy before it is published.

The action plan specification agreed by the Sub-Committee on Wednesday 13th September included the need for this Council to influence the development of the LRNS, ensuring that the plan complements the emerging strategy however it is not intended to replace or duplicate it. The intent is that the plan, which we hope to bring back before Council in April, is a series of clear and measurable actions that help us meet our Biodiversity Duty under the Environment Act 2021. It will build on some of the existing workstreams, such as the verges project, and identify opportunities for other initiatives which may include those you mention in your email.

STATEMENT and QUESTION from Ms Sue Bliss, Matlock Local Resident

“Allowing wildflowers to develop, grow and mature provides vital habitat, nectar, and pollen which sustains insect life. 75% of insects have been lost in the last 50 years. DDDC regularly mows down huge swathes of wildflowers during the growing season. An example of which can be seen in the first image. This is unacceptable when it is generally accepted that we need to manage at least 30% of land and sea for nature.*

People who prefer dead grass to wildflowers need to be educated. Mowing round the edges of wildflower areas (see 2nd attached image) with informative and educational signage would, I'm sure satisfy most of those people who like to control nature.*

Please answer the following question:

DDDC could leave wildflowers to thrive and mow round the edges of such areas. Why doesn't this happen?”

**Submitted images available upon request.*

RESPONSE:

Thank you for your question.

Your recommendation is one idea of many that will need to be explored as part of a wider strategy for the future. Enhancing biodiversity is a clear objective for the District Council.

The Biodiversity Sub-Committee will look to continue the Biodiversity Project under a new Biodiversity Action Plan. Your recommendation will likely be a strategy to consider. However, selecting areas for enhancement and a new management regime needs to be a

done in a structured manner to include highway safety, local users, accessibility and encompass other perspectives.

STATEMENT and QUESTION from Ms Rachel Murray, Matlock Local Resident

“Firstly, may I say that I welcome the formation of the biodiversity sub-committee. My question is in relation to the mowing and hedge cutting regime. I am fully supportive of wildflower verges and areas left uncut by the council. When verges are cut I would like to know if, rather than cutting the entire verge, a border could be cut leaving the wildflowers and grasses untouched in the centre. In regard to hedgerow cutting, can the cutting be carried out in the winter when many valuable plants have died back naturally rather than in the autumn when they are still a valuable source of food and nectar for many species?”

Thank you for considering my questions”

RESPONSE:

Thank you for your question

As also covered in the response provided to Ms Bliss’ question above, the practice of mowing a border around verges and leaving the centre uncut is an idea that will need to be explored as part of the wider Biodiversity Strategy moving forwards.

With regards to hedge cutting, this forms part of the Clean and Green winter work programme, however certain hedges in play areas, on car parks or near walking routes are cut for access. Most hedges are cut once a year.

STATEMENT and QUESTION from Ms Dawn Hind, Local Resident

“Could you confirm if there is policy and procedure around how, when and where you mow verges and public areas

If so, how will this be incorporated into the Biodiversity Action Plan.”

RESPONSE:

Thank you for your question.

The current frequencies and standards for mowing verges and public areas were approved by Council at the meeting held in July 2023. There are many areas within the Council’s Biodiversity Project that receive an alternative management process which aims to enhance biodiversity.

The newly formed Biodiversity Sub-Committee intends to further this project under the Biodiversity Action Plan, the details of which are yet to be established but will be published in due course.

STATEMENT and QUESTION from Ms Sue Bliss, Matlock Local Resident

“I applied to manage a wildflower verge but was told the neighbours didn’t agree. I know the immediate neighbours adjacent to the designated verge and they were very enthusiastic. So, I’m wondering how far afield it is that neighbours’ agreement is needed. I was also asked to submit a plan of works but know others who were not asked to do this.

One person I know was told to reapply later in the year. Another asked specific questions but did not get all the answers, despite an exchange of several emails. Another person was told neighbours have to be consulted but others were not informed of this.

There doesn't seem to be a clear application process to adopt a wildflower verge. I and several others have endeavoured to establish the 'process' for wildflower verge adoption, but information is patchy and inconsistent. Some people have already been put off by the inconsistencies.

It isn't dissimilar to applying for a job. If you don't have the job description and personal specification, it just isn't possible to submit a coherent and successful application.

Please could we have a clear and transparent process on how residents/public apply to manage a wildflower verge?"

RESPONSE:

Thank you for your question.

Thank you for your feedback regarding the process to engage in the Biodiversity Project. This is the first time it been raised with us that the process is unclear.

As part of the Biodiversity Project, residents and Councillors have been invited to recommend areas for an alternative management regime to enhance biodiversity. The areas included verges, parks, public open spaces, roundabouts, ponds etc. The Council received many recommendations, and they were all visited and assessed against a number of different factors, such as visibility and local use. The County Council Highways Department were notified for highway safety and each group seeking to engage in the project was met on site and advised of the necessary activities.

During the summer of 2022, the Council held a meeting between the groups that had engaged with the Biodiversity Project to share knowledge and experiences and the feedback was positive.

The areas put forward by yourself were on a housing estate, so the residents were required to be consulted. The result of the consultation was to avoid the areas recommended and pursue other areas on the estate. Should opinions have changed, the Council would welcome more recommendations to the project.

STATEMENT and QUESTION from Mr Andy Broadhurst, Derbyshire Swift Conservation

"Modern housing is designed to ensure new properties lack any gaps and spaces that can be used as breeding sites by urban bird species.

When combined with the on-going loss of potential nest sites on existing buildings caused by refurbishment and repairs, this overall reduction of breeding opportunities has resulted in a long-term decline of urban birds including Swifts, House Sparrows, House Martins and Starlings, all of which now red-listed, indicating species of high conservation concern.

Early attempts to provide nest sites for these species involved the installation of nest boxes on the exterior walls of buildings with boxes individually designed for each species. More recently it has been recognised that integrating such nest sites into the structure of the new buildings is a much-preferred solution as they are a permanent feature of the building, require zero maintenance, are aesthetically integrated with the design of the building, are

less vulnerable to vandalism and have better thermal regulation with future climate change in mind.

Furthermore, analysis of breeding records from new housing estates built with integrated Swift bricks has shown that these spaces are readily used by both Swifts and other urban bird species, so Swift bricks should be considered a “universal” nest brick for small bird species.

The UK National House Building Council (NHBC) Foundation report "Biodiversity in new housing developments: creating wildlife-friendly communities" (April 2021) states: “Provision of integral nest sites for swifts is through hollow chambers fitted into the fabric of a building while in construction [i.e. Swift bricks]. Although targeting swifts they will also be used by house sparrows, tits and starlings so are considered a ‘universal brick’” (section 8.1 Nest sites for birds, page 42): <https://www.nhbc.co.uk/foundation/biodiversity-in-new-housing-developments>. This has been documented elsewhere by the Chartered Institute of Ecology and Environmental Management (CIEEM): <https://cieem.net/swift-bricks-the-universal-nest-brick-by-dick-newell/>

*Best-practice guidance has recently been made available with the publication of **British Standard BS 42021:2022 “Integral Nest Boxes – selection & installation for new developments”**:*

<https://knowledge.bsigroup.com/products/integral-nest-boxes-selection-and-installation-for-new-developments-specification-1/standard>

One key element of this guidance is that all integral nest boxes should be Swift bricks, as these can be safely used by all small bird species including Swifts.

We request, therefore, that the DDDC Biodiversity Sub-Committee votes to accept that this best practice, in the form of compliance with British Standard 42021:2022, should be adopted into the new Local Plan for Derbyshire Dales.”

RESPONSE:

Thank you for your detailed statement and request.

In July 2021 the Council adopted a Supplementary Planning Document (SPD) on Climate Change. This SPD which is a material consideration in the determination of planning applications encourages developers to include ‘at least one of the following: bird/bat boxes/swift bricks /amphibian kerbs/hibernacula/hedgehog holes/ hedgehog homes/garden ponds’ in new build residential and non-residential development.

The adopted Derbyshire Dales Local Plan is currently subject to review. Council in January 2022 resolved that PD3 Biodiversity and the Natural Environment was identified as an part of the Local Plan requiring modification to ensure that it achieves best practice in regards to Biodiversity:

<https://democracy.derbyshiredales.gov.uk/Data/Council/20220119/Agenda/01%20-%20Derbyshire%20Dales%20Local%20Plan.pdf>

Through the Local Plan review the Council has acknowledged that there is a need to bring much of the contents of the Climate Change SPD into the main body of the Local Plan so that it is policy rather than guidance.

The Council now has a dedicated Local Plan Sub-Committee. At their most recent meeting on the 3rd July 2023 it was agreed that consideration will need to be given about how nature

recovery can be incorporated within the plan seeking guidance from agencies such as the Derbyshire Wildlife Trust.

Whilst the proposal has considerable merit the District Council needs to give full consideration to the options available to it in respect of this issue. Recommended changes to Policy PD3 will be brought to future meetings of the Local Plan Sub Committee, as well Community and Environment Committee and Council.

117/23 - INTERESTS

Item 6 Biodiversity Project

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

118/23 - ACTION PLAN FOR NATURE SPECIFICATION

The Climate Change Project Officer introduced a report presenting a specialist professional services quotation brief for the approval of Members. The resulting action plan will allow the Council to meet the requirements of the enhanced Biodiversity Duty as set out in the Environment Act 2021.

The plan should consider existing and emerging local strategies but focus on the actions that the Council can take in the short to medium term. It is intended that the plan will build on the workstreams that are currently underway, identifying opportunities to enhance these and seek new opportunities particularly where partnership working is possible. The plan should clearly set out the resource implications of continuing and new workstreams, identifying opportunities for funding. The term of the plan is proposed as 3 years (2024-27) to align with the current Council term.

Members were asked to note the timescale for the work a three-stage process. The expectation is that a draft action plan will be developed from late December 2023 for approval by the Council in Spring 2024.

It was moved by Councillor Martin Burfoot seconded by Councillor Roger Shelley and

RESOLVED (Unanimously)

1. That the specialist professional services quotation brief at Appendix 1 is approved.
2. That the funding mechanism for the plan, as set out in paragraph 7, is approved.
3. That Council, via the Community and Environment Committee, be requested to approve a supplementary revenue budget in 2023/24 to reflect the proposed expenditure of

£58,791 associated with the action plan for nature specification and work to prepare for the delivery of Biodiversity Net Gain (BNG). This would be financed by the transfer of £11,984 from the grants unapplied reserve, £26,807 grant receivable in 2023/24 and £20,000 from the General Reserve

The Chair declared the motion **CARRIED**.

119/23 - BIODIVERSITY PROJECT UPDATE

The Clean and Green Manager gave a presentation updating Members on the current biodiversity pilot projects and discuss with Members the next steps for the proposal to take to the next Community & Environment Committee (C&E) meeting on 26 October 23.

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

RESOLVED (Unanimously)

That the Clean and Green Manager should include the following in the report to C&E:

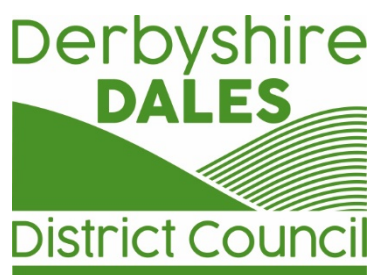
1. Merge the report with the Climate Change Officers report.
2. Pathfinder results to be presented in the report with the option to merge any sites into the Biodiversity Project.
3. The Wider Action Plan to incorporate public feedback, consultation and communication next April.
4. Motion operation for management of grass verges for next year– keeping the wider verges tidy by keeping a band mown at the edge.
5. Management proposal for a local DDDC site
6. Liaise with other Councils to see whether they are using Native or non-native seed mixes.
7. Work in partnership with other organisations – Local Community groups, Schools, Associations such as Derbyshire Beekeepers Association.
8. Produce a 'How to guide at Home' to offer service to the community.
9. Review signage and explore larger options.
10. Investigate the DCC process for selecting changes for the mowing regimes next year on the back of the Pathfinder data.

The Chair declared the motion **CARRIED**.

Meeting Closed: 7.40 pm

Chairman

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committee@derbyshiredales.gov.uk

Governance & Resources Committee

Minutes of a Governance & Resources Committee meeting held at 6.00 pm on Thursday, 14th September, 2023 in the Council Chamber, Town Hall, Matlock, DE4 3NN.

PRESENT

Councillor Nick Wilton - In the Chair

Councillors: Neil Buttle, Steve Flitter, Stuart Lees, Lucy Peacock, Roger Shelley, Marilyn Franks and Mark Wakeman

Mike Hase (Policy Manager), Kerry France (Legal Services Manager), Lucy Harrison (Democratic Services Assistant), Karen Henriksen (Director of Resources), Caroline Leatherday (Business Support Manager), Mark Mealey (Information Governance Officer), Alastair Newall (Mazars LLP), Tommy Shaw (Democratic Services Team Leader) and Paul Wilson (Chief Executive)

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): Geoff Bond, David Hughes, Tony Morley and Simon Ripton

120/23 - APPROVAL OF MINUTES OF PREVIOUS MEETING

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

RESOLVED

That the minutes of the meeting of the Governance and Resources Committee held on 20 July 2023 be approved as a correct record.

Voting

06 For

00 Against

02 Abstention

The Chairman declared the motion **CARRIED**.

121/23 - PUBLIC PARTICIPATION

There was no public participation.

122/23 - INTERESTS

There were no declarations of interest.

123/23 - QUESTIONS PURSUANT TO RULE OF PROCEDURE NUMBER 15

No questions were received.

124/23 - EXTERNAL AUDIT STRATEGY MEMORANDUM FOR THE FINANCIAL YEAR ENDED 31 MARCH 2023

Alastair Newall from Mazars LLP introduced a report which provided information about the external audit plan for the 2022/23 accounts. It was noted within the report that the Council's external auditor, Mazars LLP, provided an Audit Strategy Memorandum on an annual basis which covered the forthcoming audit of the Council's financial statements. This document, included as an appendix to the report, summarised the audit approach, highlighted significant audit risks and areas of key judgements, and provided the Committee with details of the audit team.

The external auditor requested that the Audit Strategy Memorandum for financial accounts for the year ending 31 March 2023 be brought to Members' attention. It was noted within the report that the Accounts and Audit Regulations 2015 (amended) stated the deadline for completion of the audit relating to the 2022/23 accounts as 30 September 2023. Members were presented with details of the audit scope, approach and timeline, they were also informed of the intention for the audit to be completed in time for a report on the outcome to be presented to the Committee at the February 2024 meeting.

It was moved by Councillor Steve Flitter, seconded by Councillor Mark Wakeman and

RESOLVED (unanimously)

That the External Audit Strategy Memorandum for the year ending 31 March 2023 be received and agreed.

The Chair declared the motion **CARRIED**.

125/23 - EQUALITY, CONSULTATION AND ENGAGEMENT PLAN 2022-2024

The Policy Manager introduced a report which updated Members on the progress made against the 2022-23 actions set out in the Equality, Consultation and Engagement Plan 2022-24.

The public sector equalities statutory duty comprises of a general equality duty and a specific duty. The Council must comply with both, the details of which were presented in the report. The Council must ensure due consideration is given to the aims of the duty in all its decisions. The paragraph on 'Equality implications' in every committee report was added to remind Members that although Officers have had regard to equality issues when preparing reports, Members should also consider equality issues in order to meet the Equality Duty.

It was noted within the report that the Council had a comprehensive Equality, Diversity and Inclusion Policy which detailed how the Council met the requirements of equality legislation and provided the context for the Equality, Consultation and Engagement Plan. The Council's Equality Objectives for 2022-24 were agreed by the Governance and Resources Committee on 22 September 2022. The Equality, Consultation & Engagement Plan 2022-24 set out performance measures/targets which were detailed in appendix one and two to the report.

It was moved by Councillor Steve Flitter, seconded by Councillor Mark Wakeman and

RESOLVED (unanimously)

That Progress against the actions in the Equality, Consultation and Engagement Plan 2022-24 (as set out in Appendices one and two) be received.

The Chair declared the motion **CARRIED**.

126/23 - DEVELOPMENT OF THE DERBYSHIRE DALES PLAN 2024-28

The Policy Manager introduced a report informing Members of the results of extensive consultation with Derbyshire Dales residents, as well as an independent evidence base that objectively set out statistics about the Council's area. The report sought Member approval for the process and timescale for completing the new Derbyshire Dales Plan for the period 2024-2028.

The Corporate Plan set out the aims of the Council for the coming years and listed the key improvement projects. The current Corporate Plan was adopted by Council in March 2020. With the election of a new administration in May 2023, it was necessary to identify the Council's highest priority services and projects for the future. The preparation of a new corporate plan provided the opportunity to set out the District Council's priority services and projects, and to ensure that appropriate budgetary and staffing provision could be made to deliver these.

The report set out the work completed to date on the new corporate plan, including the extensive consultation and hard evidence gathering that had been undertaken to help inform Members' prioritisation, alongside the new administration's own aspirations. It sought agreement to the remaining process and timescale for developing and adopting the new plan. It was proposed that the corporate plan now be termed the Derbyshire Dales Plan. This would better reflect the fact that the plan is largely outward-looking, not just a plan for the Council but mostly it was the Council's vision for the Derbyshire Dales.

It was moved by Councillor Steve Flitter, seconded by Councillor Mark Wakeman and

RESOLVED (unanimously)

1. That the evidence base set out in Appendix 2 and summarised in section 2(D) of the report be received and used to inform corporate prioritisation and planning.
2. That the resident's consultation results set out in Appendix 1 and summarised in sections 2(C) and 2(E) of the report be received and used to inform corporate prioritisation and planning.
3. That corporate prioritisation and planning should take into account staffing levels and financial resources.
4. That the process and timescale for completing the development and adoption of the Derbyshire Dales Plan set out in the report be agreed.

The Chair declared the motion **CARRIED**.

127/23 - DATA PROTECTION AND INFORMATION GOVERNANCE ANNUAL REPORT 2022/23

The Legal Services Manager introduced the annual report on the Council's compliance with the General Data Protection Regulation, the Data Protection Act and the Freedom of Information Act.

Background information was provided within the report which included descriptions of the functions of Information Governance, the statutory obligations of the Council, and information regarding the Freedom of Information and Environmental Information Regulations processes. The report also provided information on the responsibilities of the Information Governance Officer and the Information Governance Board.

The report presented Performance Indicator Data for the 2022/23 year, in addition to the data for the two previous years to allow for comparison. The lack of benchmarking information was noted within the report, as Council's are not required to submit any annual information to the Information Commissioners Office there was therefore no published data available that could allow for comparison with other similar authorities.

The report also summarised the main developmental activities planned for 2023/24, these included improving the Council's compliance with the Information Commissioners Office Accountability Tracker, reviewing and updating the Council's Information Asset register, and further developing the 'self-service' approach to information management advice and guidance.

It was moved by Councillor Neil Buttle, seconded by Councillor Mark Wakeman and

RESOLVED (unanimously)

That the Data Protection and Information Governance Annual Report 2022/23 be accepted.

The Chair declared the motion **CARRIED**.

128/23 - ANNUAL GOVERNANCE STATEMENT 2022/23

The Director of Resources introduced a report which covered the annual review of the Council's governance arrangements. The report showed the extent to which the Council had complied with its own code of governance and described any significant governance issues, alongside an explanation of what actions had been taken to bring about required improvements, and what work was still to be done.

It was noted within the report that confidence in public sector governance was of critical importance given the significant investments by the government and council taxpayers in local services. Members were informed that the Annual Governance Statement (AGS) should not be seen as a dry financial requirement, but as an important public expression of what the Council has done to put in place good business practice, high standards of conduct and sound governance.

Appendix 1 to the report detailed the Annual Governance Statement for 2022/23. It was consistent with the CIPFA/SOLACE publication 'Delivering Good Governance in Local Government'. The layout of the Annual Governance Statement reflected the layout of the Council's Code of Corporate Governance and the CIPFA/SOLACE guidance. It also took into account of the standards and requirements of the CIPFA Financial Management Code.

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

RESOLVED (unanimously)

1. That the Annual Governance Statement for 2022/23 is approved.
2. That the significant governance issues be noted and the action plan to address them be approved.

The Chair declared the motion **CARRIED**.

129/23 - RISK MANAGEMENT - ANNUAL REPORT 2022/23 AND UPDATED RISK MANAGEMENT POLICY AND STRATEGY

The Director of Resources introduced a report which described the Council's risk management processes and working practices, which ensure that risk management arrangements continue to be effective, timely and fit for purpose, providing the Council with the correct levels of insight and support in relation to its risk exposure. The report also sought Member approval of an updated Risk Management Policy and Strategy.

The Council's Risk Management Policy and Strategy, approved by the Governance and Resources Committee in March 2021, required the Chief Executive to report to Members, by way of an annual report on the Council's Risk Management arrangements and how key strategic risks are being managed. This report described the current risk management processes and working practices, which had been developed to ensure they continue to provide the Council with the correct levels of insight and support in relation to its risk exposure. The report illustrated the strategic risks and scores them as high (red), medium (yellow) or low (green) and showed the actions that are planned to mitigate or reduce the risks.

It was noted that risks were regularly reported to the Risk Continuity Group (which includes all members of the Corporate Leadership Team as well as other key colleagues), ensuring

that risks, risk management etc. were challenged and reported effectively. Members were informed that further guidance on the Council's risk management processes and procedures could be found in the Risk Management Policy and Strategy dated September 2021. An updated version was proposed at Appendix 1.

It was moved by Councillor Roger Shelley, seconded by Councillor Mark Wakeman and

RESOLVED (unanimously)

1. That the annual report and risk management arrangements be approved.
2. That the Risk Management Strategy and Policy 2023-2025 be approved.

The Chair declared the motion **CARRIED**.

130/23 - TREASURY MANAGEMENT OUTTURN REPORT 2022/23

The Director of Resources introduced a report summarising Treasury Management activities and the out-turn position against Prudential Indicators for 2022/23.

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

The Authority's Treasury Management Strategy for 2022/23 was approved at a meeting on 24th March 2022. The Authority had invested substantial sums of money and was therefore exposed to financial risks including the loss of invested funds and the revenue effect of changing interest rates. The successful identification, monitoring and control of risk remained central to the Authority's treasury management strategy.

Appendix 1 to the report detailed the Prudential Indicators for 2022/23.

It was moved by Councillor Mark Wakeman, seconded by Councillor Neil Buttle and

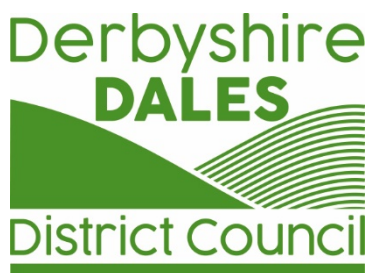
RESOLVED (unanimously)

1. That the Treasury Management Out-turn position for 2022/23 be approved.
2. That the Prudential Indicators contained in Appendix 1 be approved.

The Chair declared the motion **CARRIED**.

Meeting Closed: 7.03 pm

Chairman



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Local Plan Sub-Committee

Minutes of a Local Plan Sub-Committee meeting held at 6.00 pm on Wednesday, 27th September, 2023 in the Council Chamber, Town Hall, Matlock, DE4 3NN.

PRESENT

Councillor O'Brien - In the Chair

Councillors: Matt Buckler, Martin Burfoot, Nigel Norman Edwards-Walker, Gareth Gee, Susan Hobson, David Hughes, Lucy Peacock and Roger Shelley

Officers:

Steve Capes (Director of Regeneration & Policy), Mike Hase (Policy Manager), Esther Lindley (Senior Planning Policy Officer) and Angela Gratton (Democratic Services Officer)

Note:

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APOLOGIES

Apologies for absence were received from Councillor(s): Robert Archer

131/23 - APPROVAL OF MINUTES OF PREVIOUS MEETING

It was moved by Councillor Gareth Gee, Seconded by Councillor David Hughes and

RESOLVED (unanimously)

That the minutes of the meeting of the Local Plan Sub-Committee held on 3 July 2023 be approved as a correct record.

The Chair declared the motion **CARRIED**.

132/23 - PUBLIC PARTICIPATION

There was no public participation.

Note:

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133/23 - INTERESTS

There were no declarations of interest.

134/23 - DERBYSHIRE DALES LOCAL DEVELOPMENT SCHEME 2023-2026

The Senior Planning Policy Officer introduced a report seeking approval of the revised Development Scheme (LDS) for the period covering 2023-2026. The National Planning Policy Framework requires that the planning system should be plan led, with an up-to-date plan providing a positive vision for the future of the area that sets out a framework for addressing housing needs, economic, social and environmental priorities. Plan makers have until 30 June 2025 to submit plans under the existing framework. After recent discussions with Members three potential options set out in section 2.4 of the report were considered for consultation and preparations of the Local Plan.

OPTION 2 represented the most appropriate approach for preparation of the Derbyshire Dales Local Plan. This recognised and balanced the desire to undertake early and constructive public consultation on the key housing and spatial strategy issues for the Local Plan alongside the requirement to advance plan preparation and meet the deadline to submit the Plan for examination to the Secretary of State by the 30 June 2025 deadline.

This option would entail completion of the ‘housing’ evidence base elements of the Local Plan and a targeted ‘issues and option’ style consultation. This would include options to meet the housing requirement for the plan area, such as the housing target, evidence on site availability, distribution strategy and settlement hierarchy. Consultation would be carried out in spring 2024, following which the wider evidence base would be finalised and the statutory stages of consultation at Regulation 18 (Preparation of the Local Plan) and 19 (Publication of the Local Plan) would be undertaken. This option would see the Plan submitted for examination in June 2025.

It was moved by Councillor Matthew Buckler, Seconded by Councillor Lucy Peacock and

RESOLVED (unanimously)

Option 2 be taken forward for consultation.

The Chairman declared the motion **CARRIED**.

135/23 - DERBYSHIRE DALES LOCAL PLAN - DESIGN POLICY REVIEW

The Senior Planning Policy Officer introduced a report advising Members that the Government is placing much more importance on the quality of the design and appearance of new development and reminding Members one of the key areas identified as part of the review of the Derbyshire Dales Local Plan was a need for the strengthening of policies relating to design. The report sought Members approval for the appointment of appropriately qualified and experienced consultants to undertake a review of the design policies in the Local Plan and to provide advice to the District Council on the most suitable approach to the introduction of a Derbyshire Dales Design Code. The contents of a detailed specification and brief for consultancy services was set out in Item 6, Appendix 1 of the agenda for Members consideration and approval.

The review of the Derbyshire Dales Local Plan identified the design policy element required revision to ensure it is compliant with the National Planning Policy Framework. Furthermore, the Levelling Up and Regeneration Bill will make it mandatory for all local planning authorities to produce a Design Code for its area. These codes will have full weight in making decisions on development, either through forming part of local plans or being prepared as a supplementary plan. A Design Code will include measures to seek to mitigate and adapt to the effects of Climate Change and be subject to a Climate Change Impact Assessment, Landscape Character and Design, Heritage and Conservation areas.

The Design Policy Review, as per the specification will provide options and recommendations as to how policies in the Derbyshire Dales Local Plan should be revised to address the requirement to prepare a Design Code and necessary policy revisions within the Plan. These options will be presented to future meetings of the Local Plan Sub Committee to determine the appropriate policy approach to design that could be adopted in the revised Derbyshire Dales Local Plan.

The commissioning of consultants to undertake a Design Policy review for the Derbyshire Dales Local Plan will require additional financial resources the estimated cost being £30,000. A request for a Supplementary Revenue Budget for the Derbyshire Dales Design Policy Review commission is due to be considered at the meeting of Council on 28th September 2023. If approved, the expenditure will be financed from the Local Plan Reserve.

It was moved by Councillor Matthew Buckler, Seconded by Councillor Gareth Gee and

RESOLVED (unanimously)

1. That the Brief for Consultancy Services on the Derbyshire Dales Local Plan – Design Policy Review as set out in **Appendix 1** be approved and circulated to consultants to obtain quotations.
2. That consultants be commissioned, in accordance with the District Council's procurement procedures, to prepare advice to the District Council as Local Planning Authority on the design policies and proposals of the Derbyshire Dales Local Plan, including Design Codes as part of the ongoing review of the Derbyshire Dales Local Plan.
3. That the results of the commission be reported to future meetings of the Local Plan Sub Committee for approval and incorporation in the revised Derbyshire Dales Local Plan.

The Chairman declared the motion **CARRIED**.

7.15 pm Councillor Hobson left the meeting.

136/23 - LEVELLING UP AND REGENERATION BILL - CONSULTATION ON IMPLEMENTATION OF PLAN MAKING REFORMS

The Policy Manager introduced a report on the Government's 12-week public consultation launched on 25 July 2023 on proposed changes that it would like to introduce as a means of improving the preparation of Local Plans. The Government are seeking a response to the public consultation by 18 October 2023. The report provided details of the proposed changes and recommended a response to the Government.

Members were asked to note the contents of the consultation and after consideration send any additional comments for inclusion in the submission to the Policy Manager by 13 October 2023. The report also sought approval to delegate authority to the Director of Regeneration and Policy to make the final submission to the Secretary of State on behalf of Derbyshire Dales.

The Government suggest that local plans will need to contain a locally distinct vision which will anchor the plan, provide strategic direction for the underpinning policies and set out measurable outcomes for the plan period.

In line with the Levelling up and Regeneration Bill it is proposed that the Government would prepare a suite of National Development Management policies. Local Plans would include locally generated development management policies that should be underpinned by appropriate justification and wherever possible enable delivery of the Plan's vision.

A timeframe of 30 months is proposed to prepare and adopt a plan. To ensure that the plan making process remains on timetable the Government is proposing to require local planning authorities to prepare their timetable consistently and to report against the same milestones, with the Local Development Scheme not being required. It proposes that plan making be governed by a series of three Gateways. These would involve the local planning authorities process being assessed by independent specialist support, including the Planning Inspectorate. They are envisaged to be advisory checks, except the final gateway which would be a binding stop/go check which would allow, or otherwise, a plan to proceed to examination.

At the same as wanting to speed up the plan preparation process the Government is also wanting to increase the amount of engagement that takes place during the plan making process. It suggests four themes:

- Greater role for digital plan making
- Planning and monitoring the engagement approach
- Focus on early participation
- Standardised approach to consultation.

The Government has indicated that the legislation to introduce these changes will be in place by Autumn 2024. The District Council will need to ensure that to progress the completion of the review of the Derbyshire Dales Local Plan that the updated plan is submitted to the Secretary of State by 30th June 2025, failure to meet this will require the District Council to prepare a new Local Plan under the auspices of the new regime.

7.30 pm Councillor Roger Shelley left the meeting.

It was moved by Councillor Martin Burfoot, Seconded by Councillor Gareth Gee and

RESOLVED (unanimously)

1. That the contents of the consultation be noted.
2. That the recommended Officers' response to the consultation questions as set out in Appendix 2 forms the basis of a submission to the Department for Levelling Up, Housing and Communities by the deadline of 18th October 2023.
3. That any additional comments from Members following consideration of this report be sent to the Policy Manager for inclusion in the submission to the Secretary of State by no later than 13th October 2023.
4. That authority be delegated to the Director of Regeneration and Policy to make the final submission to the Secretary of State on behalf of the District Council.

The Chairman declared the motion **CARRIED**.

Meeting Closed: 7.43 pm

Chairman

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Council

Minutes of a Council meeting held at 6.00 pm on Thursday, 28th September, 2023 in the Council Chamber, Town Hall, Matlock, DE4 3NN.

PRESENT Councillor Steve Wain - In the Chair

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

Paul Wilson (Chief Executive), Tim Braund (Director of Regulatory Services), Robert Cogings (Director of Housing), Karen Henriksen (Director of Resources), Jason Spencer (Electoral and Democratic Services Manager) and Tommy Shaw (Democratic Services Team Leader)

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Following the sad news of the death of Councillor Tony Morley a minute's silence was held, after which the Civic Chair and the political group leaders were invited to speak.

APOLOGIES

Apologies for absence were received from Councillor(s): Robert Archer.

137/23 - PUBLIC PARTICIPATION

Re: Agenda Item 8 – Proposal of a Notice of Motion (Rule of Procedure 16) Motion B

In accordance with the procedure for public participation, Ms Clare Gamble (local resident) made a statement on the motion proposed on motion by Councillor Gareth Gee.

Re: Agenda Item 10 – Gypsy and Traveller Site Provision in the District – Report of the Traveller Working Group

In accordance with the procedure for public participation, Mr John Youatt (Community and Renewables Planner), Mr Richard Walsh (Local Resident), Ms Denise Brown (Local Resident), Mr Stephen Walton (Local Resident), Dr Siobhan Spencer (Derbyshire Gypsy Liason Group), Mr Richard Bean (Local Resident and Business Owner), Mr George Ashbrook (Managing Director, Ashbrook Roofing) and Cllr Caroline Cooper (Ashbourne Town Council) made statements on the recommendations proposed by the Traveller Working Group.

Cllr Victoria Friend (Chair of Rowsley Parish Council) made a statement on the report and presented a petition on behalf of Rowsley Parish Council.

138/23 - INTERESTS

Re: Agenda Item 8 – Proposal of a Notice of Motion (Rule of Procedure 16) Motion B

Councillors Gareth Gee, Mark Wakeman and Kelda Boothroyd declared personal interests in Item 8 as they were Directors of the Community Interest Company responsible for the running of the public conveniences at Monsall Head.

139/23 - LEADERS' ANNOUNCEMENTS

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

“After a relatively quiet August in relation to meetings, September has brought a flourish of information from the DCN and DLUCH and other ministerial information that keeps rolling in, but what I thought the most relevant topic would be the Vision Derbyshire and New Mayoral arrangements and how we in the Dales are approaching this.

As you know, only 2 district Derbyshire authorities will join 2 from Nottinghamshire leaving the rest on the sidelines. I have repeatedly stated that the selection of those representatives should allow a fair reflection of demographics and not based on politics or size of authority alone, but alas politics has been a factor with Chesterfield and High Peak taking those positions, however what I did achieve at that meeting on Tuesday afternoon was continued regular meetings between Derbyshire Leaders.

A couple of weeks ago the Derbyshire leaders and Chief Executive met at County Hall and met Mark Rogers the CEO of the Interim Shadow board team of seven people covering issues of operational matters, Communications, Finance and Investment, Strategy and delivery, Transport and Governance.

Their task is to prepare for change and we heard about creating a single economic plan involving all country, cities, boroughs and district councils to bring more monies into the

area, and the need to review existing work and contribute new ideas being careful not to just replace work undertaken to date.

The key principles are Accountability, Inclusivity, Subsidiarity, Choice, Governance, Scrutiny and Audit.

Many questions followed but a very pertinent point raised was what if the incoming Mayor disagreed with the shape, size or composition of new arrangements – that has to be tested.

Whether we agree or not with the new Mayoral elections, soon it will be the only game in town. The level of influence is paramount but if we are put in a situation where we literally have to fight for crumbs on the table we should be well informed and ready to act.

With that in mind I am ready to interact with a new Derbyshire Strategic leadership board and all Derbyshire leaders, hopefully setting work streams for economic growth, employment and skills, health and communities, public service reform, transport, climate change, planning and housing.

Circling Squares – on Monday night, I thought it was important that members had a presentation of the work that was undertaken from September 22 until Feb 23 with the report in March. I hope members recognise that the whole discussion on Resilience and Resources was timely because of Paul Wilson's report to this council. We may not agree with everything in that presentation, but we now have a basis for those discussions that will give our officers to the resources to develop ideas and take this council forward in a positive manner.

I thank those who attended the meeting on Tuesday with the Peak National Park Authority, I found it informative and useful and although they reflect on the fact that the starting point and legislation is different from the Dales I am hopeful that we can develop an officer / member group to examine opportunities of a joint approach.

Future partnership working is so important, especially with the challenges that lie ahead.”

140/23 - CIVIC CHAIR'S ANNOUNCEMENTS

Councillor David Burton, Civic Chair, made the following announcements:

“Back in July, I was admitted into hospital, the result of which was a pacemaker, I'm really pleased to be back here with you tonight and I'd like to thank everyone for their good wishes and to some Members for the cards.

I would also like to thank Members tonight for the kind donations I have received towards my chosen civic charity, the send a child to hucklow fund. Set in the heart of Councillor Chapman's ward is the Nightingale Center, the National Unitarian Holiday Center that provides children from disadvantaged backgrounds with holidays, it's something that I have been closely associated with and find very emotional. I helped with the Mansfield week this year and when those children arrive, it's probably the first occasion that they've ever had the opportunity to have a holiday in the countryside. I commend the charity for the consideration of Members.

I'd also like to give a big thank you to Councillor Peter Slack for assisting me with my civic duties during my period of illness. Well done to the people of Wensley who have raised thirty thousand pounds to restore the roof of the Wensley Reading Room, I recently opened a craft fair there. The nice thing about this role is that it brings you to the centre of real community and there were lots of decent people there who were concerned about that building and it acting as a continuing resource for the village of Wensley.

My thanks also go out to Councillor Stuart Lees and to the Mayor of Ashbourne who made me extremely welcome when I went to, what I found to be quite an eccentric event, the opening of the new bandstand. We got as far as the interval and the heavens opened and just about everybody disappeared, but the superb Ashbourne Town Band continued playing and it was lovely to see so many young people as part of it.

I recently had the honour of switching on the lights with my wife Ruth for the 125th Venetian Illuminations at Matlock Bath. What really touched me that night was as I looked around at all those decent families it was absolutely magical for the children, the happiness and delight is hard to put into words, it is a superb event and long may it continue.

Yesterday I was able to cut a ribbon at the opening of the fully renovated tennis courts on Hall Leys Park in Matlock that have cost forty-six thousand pounds to complete and has been managed by the Lawn Tennis Association, funded by the UK Government. We were pleased to have the presence of the MP at the event and the Lawn Tennis Association, it's going to be a tremendous resource for the people of Matlock and the surrounding areas. My thanks also go out to our own officers who did a wonderful job of putting the whole thing together yesterday."

141/23 - COMMITTEES

It was moved by Councillor Martin Burfoot, seconded by Councillor Peter O'Brien and

RESOLVED (unanimously)

That the non-exempt minutes of the Committees listed in the Minute Book for the period 03 July 2023 to 12 September 2023 be received.

The Chair declared the motion **CARRIED**.

142/23 - QUESTIONS (RULE OF PROCEDURE 15)

Questions from Councillor Stuart Lees to Councillor Steve Flitter, Leader of the Council:

"After a recent email from our director of housing regarding issues with platform housing asking us as councillors to contact Platform directly at the email address provided. As we are all aware our director of housing spends a lot of hours sorting issues out regarding platform housing for which I myself are extremely grateful, but I find this unacceptable as to the length of time you have to wait for a operator to answer your call. This is why our residents contact us councillors to get a quick and positive response. Platform look after 40,000 homes and operate in over 100 local authorities.

My questions are:

1. Why don't councillors get a faster response to our residents' issues from platform. As the system is at the moment councillors have to wait just the same as our residents to get through on a call which is why we as councillors are contacted in the first instance. Is it time a review is had regarding platform due to the amount of time our residents have to wait for work to be carried out?

2. Is it time that the housing repairs are brought back in house. Following a recent incident in Ashbourne in a platform housing area, why are our elderly residents not being visited by Platform officers, as per their tenancy policy?

3. If councillors use the email system as advised can a same day response be had?

Thank you, Cllr Lees."

Councillor Steve Flitter provided a verbal response as outlined below:

1. Platform have asked for member enquiries to be directed to a dedicated email address. On receipt the email is logged and set for follow up by a named member of platform's staff. The impact of the covid pandemic is still being felt within the construction industry and this together with inflationary pressures and availability of materials is still causing delays for many housing associations.

2. Housing repairs are delivered by platform's own inhouse service. It is not feasible or possible to bring these services inhouse. housing related support provided within age designated accommodation has been the subject of funding cuts for many years. The supporting people programme, funded by government via county councils previously would have paid for wardens to undertake support to residents. Like many housing providers, platform have not been able to fund warden type services across their sheltered housing stock to the same levels as the previous supporting people programme.

3. Platform have stock within 100 local authorities and will receive emails from members across this vast area. Very few organisations are able to offer a substantive same day response to email enquiries. Platform work to a 5 day response time for emails received by the dedicated member email address.

Urgent questions from Councillor Susan Hobson to Councillor Steve Flitter, Leader of the Council:

"1. Yesterday morning I saw a press release from Derbyshire Dales District Council that said that the "G&TWG has listened to public concerns expressed this week and in response has postponed 2 of the 10 recommendations".

I am a member of this group, and I was not aware of any meeting of the G&TWG to discuss this matter.

Does the Leader of the Council accept that the above statement is therefore incorrect and alter that press release, and will he confirm who made the decision to postpone?

2. Derbyshire Dales District Council has a duty of care to some of the most vulnerable Traveller families – the G&TWG were recently presented with two costed options for sanitary facilities at Matlock Station. Why do they not form part of the recommendations?

3. Despite the press release there is no mention in the revised agenda of what “postponed” actually means. Can the Leader of the Council provide a clear timeline for this?”

Councillor Flitter provided a verbal response.

Urgent questions from Councillor Anthony Bates to Councillor Steve Flitter, Leader of the Council:

“1. The specific recommendations for Fishponds Meadows Overspill Car Park, Ashbourne and Old Station Road Car Park, Rowsley have been “postponed”. Can the Leader of the Council explain why these two sites were chosen?”

2. As a new Derbyshire Dales District Council member I find it very strange that less than a year from a decision being made that gave a clear view that car parks are not suitable these sites are again being brought forward – can the Leader of the Council explain why we appear to be going backwards?”

Councillor Flitter provided a verbal response.

Urgent questions from Councillor Dermot Murphy to Councillor Steve Flitter, Leader of the Council:

“1. Vulnerable travellers, businesses and residents had clarity and finality in November 2022 when all Derbyshire Dales District sites were dismissed as being unsuitable apart from Matlock Station and Matlock Bath Station. What has materially changed to any of those sites since that time?”

2. Can the Leader of the Council confirm his commitment to the process for the Woodyard site?”

3. When will the consultation process start, and will the Leader confirm that the report will be ready for the November 2023 meeting?”

Councillor Flitter provided a verbal response.

143/23 - PROPOSAL OF A NOTICE OF MOTION (RULE OF PROCEDURE 16)

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

It was moved by Councillor David Burton, seconded by Councillor Peter Slack and

RESOLVED (unanimously)

1. That this Council with immediate effect remove from its Civic Protocol constraints that limit the role of Civic Chair to only attending Charitable Events & Civic Services within the Derbyshire Dales - (Remove: “Except in exceptional circumstances only invitations within the District may be accepted”).
2. That this Council fully support our nominated “Civic Chair” to attend, promote and represent this authority at any nearby Local Authorities where appropriate.

3. That this Council removes the 2015 Civic Protocol wording as follows “Cease holding a Civic Service as it isn’t an inclusive community event” and that this wording be replaced with the following “That each individual serving Civic Chair can choose whether it is appropriate during their year of Office to hold either a “Civic Service” or relevant non-religious “Community Celebration” of the Derbyshire Dales.”

The Chair declared the motion **CARRIED**.

The Council then considered a motion submitted by Councillor Gareth Gee in accordance with rule of procedure 16.

The motion as detailed below was moved by Councillor Gareth Gee and seconded by Mark Wakeman:

“That, in line with the New Council’s progressive objectives as presented by the Council Leader at the AGM, DDDC takes back control the running of Monsal Head Toilets. In doing this and in order to minimise the in-year cost to the Council with an aim for cost neutrality the council would need to invest in an infrastructure upgrade by installing a card payment system.

The outcome would be to guarantee the existence of this vital public service going forward under sustainable means and give improvement to the residents of the Bakewell Ward along with the many visitors to this iconic tourist destination in The Derbyshire Dales. I would ask to prevent the possible loss of this service the action is undertaken without delay in a timely manner.”

During debate, the following amendment was proposed by Councillor Sue Burfoot and seconded by Councillor Kelda Boothroyd:

“That, as the Council recognises the need to keep open the toilets at Monsal Head and acknowledges the work carried out by those who have worked to keep them open following the previous administration’s decision in 2018 to close them, this motion be referred to the next meeting of the Public Conveniences Working Group with the Ward Members and Directors of the Monsal Head CIC invited to attend to help inform a strategy to ensure a long term sustainable future for the Monsal Head toilets.”

The amendment was put to the vote and the results were as follows:

21 For
11 Against
00 Abstentions

The Chair declared the amendment **CARRIED**.

The substantive motion, which incorporated the amendment, was then put to the vote and it was

RESOLVED

That, as the Council recognises the need to keep open the toilets at Monsal Head and acknowledges the work carried out by those who have worked to keep them open following the previous administration’s decision in 2018 to close them, this motion be referred to the next meeting of the Public Conveniences Working Group with the Ward Members and

Directors of the Monsal Head CIC invited to attend to help inform a strategy to ensure a long term sustainable future for the Monsal Head toilets.

Voting:

31 For
01 Against
00 Abstentions

The Chair declared the motion **CARRIED**.

144/23 - APPROVAL OF MINUTES OF PREVIOUS MEETING

It was moved by Councillor Stuart Lees, Seconded by Councillor Sue Burfoot and

RESOLVED (unanimously)

That the minutes of a meeting of Council held on 27 July 2023 be approved as a correct record.

Voting

30 For
00 Against
02 Abstained

The Chair declared the motion **CARRIED**.

145/23 - DURATION OF MEETINGS (MOTION TO CONTINUE)

At 20:26, it was moved by Councillor David Hughes, seconded by Councillor Peter Slack 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**.

146/23 - GYPSY AND TRAVELLER SITE PROVISION IN THE DISTRICT - REPORT OF THE TRAVELLER WORKING GROUP

Councillor Marilyn Franks introduced a report put forward by the Traveller Working Group regarding the provision of gypsy and traveller sites within the district. The report began by noting the District Council's duty as the Housing Authority to provide accommodation to those specific Gypsy and Traveller families with an accepted local connection to the Derbyshire Dales. Members were informed of the Working Group's aim to provide political leadership in identifying potential solutions to the unresolved issues being faced.

The task of the working group was to identify two permanent Gypsy/Traveller sites and three temporary Gypsy/Traveller sites based across the district. The report detailed the work and conclusions of the group. It was noted within the report, that whilst Council-owned

car parks are not ideal temporary sites, due to the legal duty of the Council to provide accommodation for two families, a level of pragmatism was required when considering the available options. The working group had agreed that the long-term solution to the issue was to identify permanent sites for the two families due to their high level of assessed need, the report outlined proposals which aimed to assist in achieving this long-term aim.

The report also acknowledged the importance of consultation with all involved parties and detailed how this would take place. Lease agreements outlining expectations and responsibilities were considered and proposals were contained within the report. The report also provided clarity over the Council's decision making process and made recommendations regarding funding to test out the viability of a possible permanent site and additional officer time in order to further progress the acquisition for sites.

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

RESOLVED (unanimously)

1. That the Council approves and adopts a requirement to undertake online consultation for a minimum of six-weeks, supplemented by public meetings on proposals to allocate land for use as temporary or permanent Traveller sites with relevant consultation materials being made available on the Council's website and in other formats to enable a wide level of response.
2. That the Council approves and adopts the decision making processes outlined in Section 3 of the report in respect of permanent and temporary traveller sites with the additional requirement that Stage 1 includes as its first step, the preparation of evaluation criteria to be applied in all cases and the process by which those criteria are to be applied.
3. That the Council recommends the Planning Policy Manager to amend the assessment of Clifton Road Coach and Car Park against Local Plan Policy HC6 in view of the representations received from a member of the public.
4. That the Council agrees to undertake a period of six-weeks of online consultation supplemented by public meetings in respect of designating The Woodyard, Homesford as a temporary or permanent Traveller site post completion of the RIBA stage 3 assessment.
5. That following positive engagement with the Traveller families and confirmation that the site is a viable option, authority be delegated to the Director of Housing to commission the necessary works up to RIBA Stage 3 (planning submission) and that a supplementary revenue budget of £25,000 be financed from the General Reserve to facilitate this work.
6. That the Council appoints land agents to proactively seek suitable locations and undertake targeted engagement with local landowners and organisations, such as the NFU, to establish whether any landowners would be willing to enter into negotiations.
7. That the Council approves a supplementary revenue budget of £33,000 to be financed from the General Reserve to establish a 2 year fixed term contract position(s) as recommended by the Corporate Leadership Team to assist with the search for sites and manage any future designated sites.

8. That the Council adopt Tenancy Agreements to establish agreed standards of behaviour and outline what action the Council will take in the event of breaches of the agreement.

The Chair declared the motion **CARRIED**.

147/23 - DURATION OF MEETINGS (MOTION TO CONTINUE)

At 21:30, it was moved by Councillor David Hughes, seconded by Councillor Nick Wilton and

RESOLVED (Unanimously)

That in accordance with Rule of Procedure 13, the meeting continue for an additional 30 minutes to enable the business on the agenda to be concluded.

The Chair declared the motion **CARRIED**.

148/23 - RESILIENCE , RESOURCES AND PRIORITIES

The Chief Executive introduced a report which discussed a series of issues relating to organisational resilience, resources and priorities and outlined potential options for Members to consider in order to deliver a package of measures to aid the recruitment and retention of staff to ensure that the Council would be adequately resourced to deliver its core services and priorities.

Members were informed of the acute workforce challenges being faced by local authorities following the Covid-19 pandemic. Maintaining sufficient capacity and skills, attractiveness as a career choice, competition from other sectors, flexible working arrangements and the continuous inflationary erosion of pay were all noted within the report as having a severe impact on Councils of all types and sizes to attract and maintain staff of the calibre required to deliver high quality services. The report also noted the constant need for prioritisation of corporate projects and initiatives to ensure that the organisations resources are aligned to efficient and effective service delivery.

This report followed several other reports relating to Organisational Resilience, Resources and Priorities which had been considered by Members in recent years. This report looked specifically at the following issues:

- Organisational Capacity
- District Council Workforce Profile
- Recruitment and Retention
- Pay and Recognition
- Training and Development
- Graduates and Apprentices
- Employee Support and Benefits Package

The report presented Members with further explanations of the issues being faced and sought Member approval for funding allocations to target these issues. The report also asked Members to advise which of the proposed options presented in the report that they would like officers to further explore.

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

RESOLVED (unanimously)

1. That Council acknowledges the limitations on organisational capacity and the need to ensure that our resources are directed towards the delivery of core services in accordance with agreed service standards and clearly defined and resourced Council priorities.
2. That the options to enhance recruitment and retention as outlined in the report (Section 10) be considered by the Scrutiny Committee to advise which of the measures Members wish officers to develop for further detailed consideration.
3. That the existing Job Evaluation Reserve be repurposed and retitled to 'Recruitment and Retention Reserve'.
4. That Council notes the retirement of the Licensing Manager with effect from 1st April 2024 and supports the recruitment of a new Licensing Manager to work alongside the existing post-holder for a period of up to 4 months and that a supplementary revenue budget for 2023/24 of £19,923 be approved for this purpose, financed from the General Reserve.
5. That Council supports the recruitment of an additional communications resource to support the Ashbourne Reborn project on a 2-year fixed term contract at an estimated total cost of £88,000 and approves a supplementary revenue budget of £11,000 for 2023/24, to be financed from the General 57 Agenda Item 11 Reserve and the inclusion in the Medium-Term Financial Plan of £44,000 for 2024/25 and £33,000 for 2025/26.
6. That Council supports the appointment of Aecom to provide interim communications resources to support the Ashbourne Reborn project and approves a supplementary revenue budget for 2023/24 of £10,000, to be financed from the General Reserve.
7. That Council endorses the need for external data protection support to achieve compliance against the Information Commissioners Accountability Tracker and approves a supplementary revenue budget for 2023/24 of £10,000, to be financed from the General Reserve.
8. That Council supports the establishment of an out-of-hours duty roster to deal with specific situations requiring immediate action or attention and approves a supplementary revenue budget of £5,000 for 2023/24, to be financed from the General Reserve.
9. That Council supports the need to appoint an external valuer to undertake the asset valuations required to provide a compliant Statement of Accounts and approves a supplementary revenue budget of £30,000 for 2023/24, to be financed from the General Reserve, and the inclusion of £30,000 per annum in the Medium-Term Financial Plan.

The Chair declared the motion **CARRIED**.

21:30 – Councillor David Chapman left the meeting.

149/23 - APPOINTMENT OF MONITORING OFFICER AND ELECTORAL REGISTRATION OFFICER

The Chief Executive introduced a report seeking to confirm the appointment of Helen Mitchell (designate Director of Corporate and Customer Services) as the Council's Monitoring Officer and Paul Wilson (Chief Executive) as the Electoral Registration Officer.

Members were informed that under section 5 of the Local Government Act 1989 the Council was required to designate one of its officers as the Monitoring Officer for the Council. The Monitoring Officer may not be either the Council's Chief Finance Officer or the Head of Paid Service (Chief Executive). The Monitoring Officer's functions were included in the report.

Helen Mitchell had recently been appointed as the new Director of Corporate and Customer Services and was due to take up her post at the beginning of November. It was proposed that Helen Mitchell be appointed as the Council's Monitoring Officer upon her commencing in post in November 2023.

In order to ensure that there is resilience in the period following the departure of the current Director of Corporate and Customer Services and the new Director of Corporate and Customer Services commencing in post, it was proposed that the Electoral Registration Officer responsibility be transferred the Chief Executive.

It was moved by Councillor David Burton, seconded by Councillor Nick Wilton and

RESOLVED (unanimously)

1. That Helen Mitchell is appointed as the Council's Monitoring Officer with effect from 6th November 2023.
2. That Paul Wilson is appointed as the Council's Electoral Registrations Officer with immediate effect.

The Chair declared the motion **CARRIED**.

150/23 - PROPOSED AMENDMENTS TO THE CONSTITUTION - FINANCIAL REGULATIONS

The Director of Resources introduced a report which recommended the adoption of revised Financial Regulations following a review to ensure that the rules complied with current best practice requirements.

Members were informed that section 151 of the Local Government Act 1972 required the Council to make arrangements for the proper administration of its financial affairs. It was required to conduct its business efficiently and to ensure that it had sound financial management policies in place and that they were strictly adhered to. Financial regulations, which set out the financial policies of the Council, were the means by which the Council met that requirement.

The Council had adopted Financial Regulations as part of the Constitution which has been amended from time to time as required to meet the Council's operational needs. These were last reviewed in 2022.

The revised Financial Regulations were detailed in Appendix 1 to the report.

It was moved by Councillor Nick Wilton, seconded by Councillor Mark Wakeman and

RESOLVED (unanimously)

That the draft Financial Regulations be approved and adopted as Part 9 of the Council's Constitution.

The Chair declared the motion **CARRIED**.

151/23 - REVENUE BUDGET MONITORING QUARTER 1 2023/24

The Director of Resources introduced a report which provided an update on the Council's revenue budget for 2023/24 and sought approval for virements and the revised budget for 2023/34. It was noted within the report that on 2 March 2023 Council set a net revenue budget of £13,667,041 for 2023/24. Since the budgets formal approval in March, a number of minor virements had been approved under delegated authority and larger virements had been approved by subsequent meetings of the Council, which had impacted directorate totals. The additional approved budget changes were summarised at Appendix 1.

The report and appendices presented Members with a full and accurate financial picture in order to ensure that they were able to make an informed decision regarding the recommendations of the report.

It was moved by Councillor Nick Wilton, seconded by Councillor Lucy Peacock and

RESOLVED (unanimously)

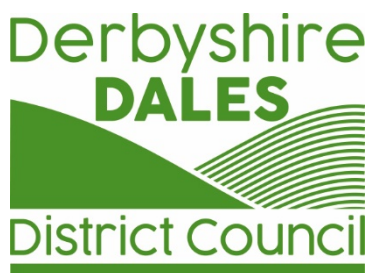
1. That the updated revised revenue budget for 2023/24, including the virements as identified in paragraphs 1.2 to 1.4 of the report, be approved.
2. That the forecast underspending of £740,740 for 2023/24 be received and agreed.
3. That any underspend at out-turn for 2023/24 be transferred to reserves as detailed in paragraph 1.11 of the report.

The Chair declared the motion **CARRIED**.

Meeting Closed: 9.47 pm

Chairman

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committee@derbyshiredales.gov.uk

Licensing & Appeals Sub-Committee

Minutes of a Licensing & Appeals Sub-Committee meeting held at 10.30 am on Monday, 2nd October, 2023 in the Committee Room, Town Hall, Matlock DE4 3NN.

PRESENT

Councillor Steve Wain - In the Chair

Councillors: Peter Dobbs and Joanne Linthwaite

Kerry France (Legal Services Manager)

Eileen Tierney (Licensing Manager)

Lucy Harrison (Democratic Services Assistant)

Tommy Shaw (Democratic Services Team Leader)

The Applicant and their Representative.

Persons making Representation:

Amanda Goodwill (Environmental Health Manger)

David Cowley (Principal Environment Health Officer)

Matthew Hulley (Environmental Health Officer)

Press and Public

APOLOGIES

Apologies were received from Councillor(s): Marilyn Franks and Lucy Peacock

1/23 - ELECTION OF A CHAIRMAN

It was moved by Councillor Peter Dobbs, seconded by Councillor Joanne Linthwaite and

RESOLVED (Unanimously)

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

The Chair declared the motion **CARRIED**.

2/23 - INTERESTS

There were no declarations of interest.

3/23 - LICENSING ACT 2003 - APPLICATION FOR NEW PREMISES LICENCE - FOX FESTIVAL SITE, KENSLOW FARM, MIDDLETON-BY-YOULGRAVE, DE4 1LY

It was reported that, in accordance with the Council's Licensing procedures, an application had been received for a Premises Licence for a 3-day vintage and music festival to take place at Kenslow Farm, Middleton-by-Youlgrave.

The circumstances of the Applicant's referral to the Sub-Committee were as a result of objections being made to the application by the Environmental Health Manager and two Local Residents. As these objections could not be resolved to the satisfaction of all parties by the Licensing Manager, the matter was referred to the Sub-Committee.

The Chair invited the participants to introduce themselves, asked whether any party wished the Sub-Committee to consider the application in private and confirmed that the Sub-Committee was quorate.

The Licensing Manager gave an outline of the application.

The Sub-Committee and other parties were afforded an opportunity to request clarification of the Licensing Manager's report.

Ms Amanda Goodwill (Environmental Health Manager) was invited to put forward the Environmental Health Service case.

The Sub-Committee had an opportunity to question the Environmental Health Manager and Officers. The Applicant was also afforded the opportunity to request clarification of any points raised by Environmental Health.

The Applicant, Ms Roxie Webster, then presented the case for Fox Festival. The Sub-Committee also heard representations from the Applicants witness, Mr Stephen Hawkins.

The Sub-Committee had an opportunity to question the Applicant and their witness. The Environmental Health Service was also afforded the opportunity to request clarification of any points raised by the Applicant.

All parties were afforded an opportunity to request clarification of any points.

The Sub-Committee members confirmed that they had sufficient information to make a decision and withdrew into private session to discuss their findings.

4/23 - DECISION

It was moved by Councillor Peter Dobbs, seconded by Councillor Joanne Linthwaite and

RESOLVED (Unanimously)

That having considered all the evidence put before it, the Sub-Committee had determined that the Applicant will be granted the premises licence, subject to the following conditions:

1. An updated scaled plan of the event arena / wider access and egress movements around the site, must be submitted to Environmental Health – 6 months prior to any event. (to

prevent a public nuisance and to determine the public safety risk). (As confirmed the plan submitted within the application is not sufficient to be attached to any Premises Licence application as too variable etc)

2. The Event must not occur within 28 days of any other Licensable Activity or other type of Large Gathering of a similar nature on the site. (to prevent a public nuisance)

3. Each year the Licence Holder will give each responsible authority a copy of the ESMP (Event Safety Management Plan) with a least 4 months' notice (Public Safety Matter)

4. The ESMP will include, but will not be limited to the following: Prevention of Crime and Disorder / Crowd Management / Security (Including Ejection Policy and Searching) / emergency evacuation / plans / First Aid / Fire Safety / Noise Management Plan / Traffic and Parking Planning / Adverse Weather Plan / Water Management Plan / Drugs Policy. (Public Safety Matter)

5. A final copy of the ESMP must be submitted to all Responsible Authorities 28 days prior to an event (Public Safety Matter)

6. The layout of the site shall be captured within a scaled plan which is communicated to all responsible authorities. Any final plan must be submitted with the final ESMP 28 days prior to an event. The site plan will have due regard to industry safety guidance such as the Purple Guide on such matters ensuring suitable segregation of activities and shall include but not limited to: On-site camping / car-parking / main arena and attractions / concessions / staging and structures / plant and equipment / crowd dynamics / artist and staff volunteer facilities / / general access and egress including clearways and sterile areas for emergency vehicles / emergency meeting points and control room / welfare facilities (showers and toilets) the plan will be to scale and in sufficient detail. (To prevent a Public Nuisance and Public Safety Matter)

7. Prior to any event the Licence Holder will make contact with all local residents within 2 miles to inform them of this event 2 months prior to any event, in writing. Including contact information for the Event Organiser, and confirmation that if they experience Noise Nuisance this should be reported to the Council Environmental Health. If the Organiser receives any concerns about noise nuisance from a local resident at any time this must be reported to the Council Environmental Health. (To prevent a Public Nuisance)

8. The entire area must be within a secured fenced area, namely camping / arena concessions and welfare arrangements. If vehicles are located in an unsecure area any member of the public returning to their vehicle must be checked / searched before re-entering the site. (Public Safety)

9. The Licence Holder will provide a contact number for Responsible Authorities which is answered during the Event. The Licence Holder will provide a contact number for Local residents reporting any concerns during the event regarding Public Safety or Public Nuisance. These phone lines will be contactable 24 hours while ever Licensable activities are occurring. The number will be publishable by the Council for Local Residents. (Public Safety and to prevent a Public Nuisance)

10. Noise will not be audible from the site, at the nearest residential premises after 18:00 on days used for preparing / closing down the event. (to prevent a public nuisance)

11. A noise management plan will be submitted to the Environmental Health Service 6 months prior to any event. (to prevent a public nuisance)

12. A competent trained person shall be employed to oversee Health and Safety of the Activities. They will also have the Authority to overrule the Event Organiser / Licence Holders in situations of public safety. The details for this person shall be notified to all Responsible Authorities 28 days prior to any event. (Public Safety)

13. That the hours for the provision of live and recorded music and associated entertainment and the sale of alcohol be revised to finish at 1:00am.

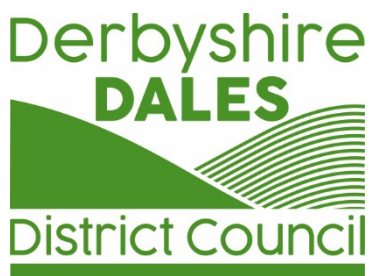
The Chair declared the motion **CARRIED**.

Reason for Decision

The reasons for the decision are included within the associated decision notice.

Chairman

Meeting Closed: 1.14 pm



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Planning Committee

Minutes of a Planning Committee meeting held at 6.00 pm on Tuesday, 10th October, 2023 in the Council Chamber, Town Hall, Matlock, DE4 3NN.

PRESENT Councillor Peter O'Brien - In the Chair

Councillors: David Burton, Sue Burfoot, John Bointon, Neil Buttle, Peter Dobbs, Nigel Norman Edwards-Walker, David Hughes, Stuart Lees, Laura Mellstrom, Dermot Murphy, Peter Slack, Mark Wakeman, Nick Whitehead and Roger Shelley

Present as Substitute - Councillors: Roger Shelley

Chris Whitmore (Development Control Manager), Adam Maxwell (Principal Planning Officer), Sarah Arbon (Senior Planning Officer), Jim Fearn (Communications & Marketing Manager) and Angela Gratton (Democratic Services Officer)

Members of the Public – 33

Note:

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

APOLOGIES

Apologies for absence were received from Councillor(s): Robert Archer

156/23 - APPROVAL OF MINUTES OF PREVIOUS MEETING

Prior to the beginning of the formal meeting, the Committee were asked to take part in a moment of quiet reflection for those families experiencing difficulties in the Middle East due to the ongoing situation.

It was moved by Councillor Peter Slack, seconded by Councillor David Hughes and

RESOLVED

That the minutes of the meeting of the Planning Committee held on 12 September 2023 be approved as a correct record.

Voting

14 For
0 Against
1 Abstentions

The Chair declared the motion **CARRIED**.

157/23 - INTERESTS

Councillor Peter Dobbs declared a non-pecuniary interest in Item 5.1 Application No 23/00787/FUL- Alterations to windows and doors (re-submission) at 2 Birchwood Moor Court, Roston, Ashbourne, Derbyshire DE6 2EJ.

158/23 - APPLICATION NO. 23/00787/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 Claire Critchlow (Applicant) spoke in support of the application.

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

It was moved by Councillor David Hughes, seconded by Councillor David Burton and

RESOLVED

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

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. Notwithstanding the submitted details, the windows and doors hereby approved shall match in terms of design, material, colour and recess the windows and doors in the existing building.
Reason:
To ensure a satisfactory external appearance in accordance with the aims of policy PD1 of the Adopted Derbyshire Dales Local Plan (2017).

Voting:

13 For
01 Against
00 Abstentions

The Chair declared the motion **CARRIED**.

159/23 - APPLICATION NO. 20/00308/REM

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 Mark Cavell (Applicant) spoke in support of the application. Mr Richard Walker (Matlock Civic Association) spoke against the application.

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

The recommendations as set out in the report, with additional conditions relating to road construction and grey/rainwater recycling, were moved by Councillor Stuart Lees and seconded by Councillor Neil Buttle.

During debate, an amendment was moved by Councillor Peter Slack to defer consideration of this application to a future meeting to allow for the Section 106 agreement to be renegotiated by officers, this was seconded by Councillor David Burton and put to the vote as follows:

Voting

04 For
10 Against
01 Abstention

The Chair declared the amendment **LOST**.

The substantive motion was then put to the vote and

RESOLVED

That planning permission be approved subject to the conditions set out in section 8 of the report and to cover the following matters:

- Grey and rainwater recycling
- Roads being constructed up to adoptable standards

And an advisory footnote to encourage the delivery of affordable housing.

Voting

10 For

03 Against

02 Abstentions

The Chair declared the motion **CARRIED**.

160/23 - APPLICATION NO. 22/01371/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 Mark Cavell (Applicant) spoke in support of the application. Mr Richard Walker (Matlock Civic Association) spoke against the application, comments as Application 20/00308/REM.

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

The recommendations as set out in the report were moved by Councillor Stuart Lees, with three additional conditions as follows: Road and Footpaths are built to highway standard, use grey water harvesting and the Council to investigate facilitating affordable houses. This was then seconded by Councillor Dermot Murphy.

In accordance with **Rule of procedure 19d**, a recorded vote was requested by Councillor Mark Wakeman and seconded by Councillor Nick Whitehead. The motion was then put to the vote and the votes were recorded as follows:

For – 8 Councillors: John Bointon, Sue Burfoot, Neil Buttle, Peter Dobbs, Nigel Edwards-Walker, Stuart Lees, Dermot Murphy and Peter O'Brien

Against – 6 Councillors: David Burton, David Hughes, Laura Mellstrom, Peter Slack, Mark Wakeman and Nick Whitehead

Abstention – 1 Councillor: Roger Shelley

It was therefore

RESOLVED

That authority be delegated to officers to grant planning permission, subject to conditions and following the completion of a linking agreement or deed of variation to tie the development to the terms of the s106 agreement secured in respect of outline permission 14/00541/OUT and to secure the long term delivery of biodiversity net gain, and planning permission be approved subject to the conditions set out in section 8 of the report and the following to cover the following matters:

- Grey and rainwater recycling
- Roads being constructed up to adoptable standards

And an advisory footnote to encourage the delivery of affordable housing.

The Chair declared the motion **CARRIED**.

8.08 pm Councillor Mark Wakeman left the meeting.

8.08 pm – The Chair adjourned the meeting.

8.17 pm – The meeting reconvened.

161/23 - DURATION OF MEETINGS (MOTION TO CONTINUE)

At 8.17pm, it was moved by Councillor David Hughes, seconded by Councillor David Burton and

RESOLVED (Unanimously)

That in accordance with Rule of Procedure 13, the meeting continues until 10pm to allow for the completion of business.

The Chair declared the motion **CARRIED**.

162/23 - APPLICATION NO. 23/00535/FUL

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

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

In accordance with the procedure for public participation, Ms Beverley Moss (Agent) spoke in support of the application. Ms Diana Woodhouse (Local Resident) spoke against the application. Ms Carol Taylor (Old Hackney Lane/Darley House Estate Group) commented on the application.

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

Correspondence received after publication of the agenda was distributed at the meeting. This comprised of further comments from Derbyshire Wildlife Trust.

During debate, Members asked that the Development Manager write to Derbyshire County Council on behalf of the Planning Committee asking them to consider 20 mile per hour highway restrictions on inadequate roads such as Hackney Lane.

It was moved by Councillor David Burton, seconded by Councillor Nick Whitehead and

RESOLVED

That planning permission be refused for the reasons set out in section 8 (excluding No 4 as this no longer applied) of the report:

1. The proposal constitutes piecemeal development of an allocated housing site that would prevent the efficient use of land and delivers sub-optimal outcomes in terms of

matters such as layout, design, landscaping, open space and sustainable drainage which need designing on a comprehensive basis across the site, contrary to Policy S1 of the Adopted Derbyshire Dales Local Plan (2017).

2. The proposed scale and appearance and land level of the dwellings would dominate the street scene of Old Hackney Road and the layout is dominated by the estate road, both of which fail to reflect the character of the surrounding area identified as having a high landscape sensitivity, contrary to Policies S3, PD1, PD5 of the Adopted Derbyshire Dales Local Plan (2017) and Policies NP1, NP8 and NP11 of the Darley Dale Neighbourhood Plan Jan 2020.
3. Insufficient information has been supplied in order to demonstrate that the proposed site is able to drain and that due consideration has been given to the space required on site Page 2 of 5 23/00535/FUL for surface water storage to accord with the SUDS hierarchy contrary to Policy PD8 of the Adopted Derbyshire Dales Local Plan (2017).

That the Development Manager is to write to Derbyshire County Council on behalf of the Planning Committee asking them to consider 20 mile per hour highway restrictions on inadequate roads such as Hackney Lane.

Voting

13 For

0 Against

1 Abstentions

The Chair declared the motion **CARRIED**.

163/23 - APPLICATION NO. 23/00363/FUL - APPLICATION WITHDRAWN

164/23 - APPLICATION NO. 22/00855/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 Robert Wright (Applicant) spoke in support of the application. Mr Ian Dixon (Local Resident), Ms Sandra Dixon (Local Resident) and Mr Richard Walker (Matlock Civic Association) spoke against the application. Mr Doug Pealing (Local Resident) had a statement read on his behalf.

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

Correspondence received after publication of the agenda was distributed at the meeting. This comprised of a correction to a typo in the recommendation section on the front page of the report: *This application is for full planning permission and therefore the reference to 'outline' is in error and is omitted from the report.*

During debate Councillor David Hughes moved the recommendations as set out within the report and asked that consideration be given to the following issues when assessing details submitted to discharge the conditions as set out in the report:

- Plot 1; a recessive roof colour to be used.
- Emergency access to the site.

This motion was then seconded by Councillor Nigel Edwards-Walker and

RESOLVED

That authority be delegated to the Development Manager or Principal Planning Officer to grant planning permission upon completion of a S.106 planning obligation to secure:

- approval and implementation of a management plan for the site;
- provision of transport facilities;
- provision and maintenance of footpath for use by the public and public access;
- approval and implementation of construction access strategy; and
- approval and implementation of road management scheme.

And subject to the conditions as set out in section 8 of the report.

Voting

12 For

0 Against

2 Abstentions

The Chair declared the motion **CARRIED**.

165/23 - APPLICATION NO. 22/00856/LBALT

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 Robert Wright (Applicant) spoke in support of the application. Mr Ian Dixon (Local Resident) and Ms Sandra Dixon (Local Resident) spoke against the application.

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

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

RESOLVED

That listed building consent be approved subject to the conditions set out in section 8 of the report.

Voting

12 For

1 Against

1 Abstentions

The Chair declared the motion **CARRIED**.

166/23 - DURATION OF MEETINGS (MOTION TO CONTINUE)

At 9.37pm, it was moved by Councillor David Burton, seconded by Councillor Peter Slack and

RESOLVED (Unanimously)

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

The Chair declared the motion **CARRIED**.

167/23 - APPLICATION NO. 23/00460/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 Katie Baker (Trainer for the facility) and Mr David Poyser (Applicant) spoke in support of the application.

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

Correspondence received after publication of the agenda was distributed at the meeting. This comprised of comments received from a local resident.

It was moved by Councillor Peter Slack, seconded by Councillor David Burton and

RESOLVED (unanimously)

That planning permission be approved subject to the conditions as set out in section 8 of the report.

The Chair declared the motion **CARRIED**.

9.55 pm Councillor Murphy left the meeting.

168/23 - APPLICATION NO. 23/00832/OUT

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

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

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

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

Correspondence received after publication of the agenda was distributed at the meeting. This comprised of comments received from the Local Highway Authority.

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

RESOLVED (unanimously)

That planning permission be refused for the reasons set out in section 8 of the report.

The Chair declared the motion **CARRIED**.

10.08 pm Councillor Nick Whitehead left the meeting.

169/23 - APPLICATION NO. 23/00830/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 Matt Hubbard (Agent) spoke in support of the application.

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

It was moved by Councillor Sue Burfoot to refuse the application, this was seconded by Councillor David Burton and put to the vote as follows:

Voting

5 For

6 Against

1 Abstentions

The Chair declared the motion **LOST**

It was then moved by Councillor Neil Buttle to approve the application subject to the conditions as set out in the report, this was then seconded by Councillor Nigel Edwards-Walker.

In accordance with **Rule of procedure 19d**, a recorded vote was requested by Councillor David Burton and seconded by Councillor Neil Buttle. The motion was put to the vote and the votes recorded as follows:

For – 6 Councillors: John Bointon, Neil Buttle, Nigel Edwards-Walker, David Hughes, Laura Mellstrom and Peter Slack

Against – 5 Councillors: Sue Burfoot, David Burton, Stuart Lees, Peter O'Brien and Roger Shelley

Abstention – 1 Councillor: Peter Dobbs

It was therefore

RESOLVED

That planning permission be approved subject to the conditions set out in section 8 of the report.

The Chair declared the motion **CARRIED**.

170/23 - APPLICATION NO. 23/00759/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 Benjamin Parker (Applicant) spoke in support of the application, and Mr Paul Kemp (Local Resident) spoke against the application.

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

It was moved by Councillor Sue Burfoot to defer consideration of the application to allow for officers to negotiate the potential adverse impact on neighbouring properties, this was seconded by Councillor Neil Buttle and put to the vote as follows:

Voting

04 For
07 Against
01 Abstentions

The Chair declared the motion **LOST**.

It was then moved by Councillor David Hughes to approve the application subject to a condition regarding the treatment of the wall between the two properties to reduce any potential adverse impact, this was seconded by Councillor Roger Shelley and put to the vote as follows:

Voting

04 For
07 Against
01 Abstentions

The Chair declared the motion **LOST**.

It was then moved by Councillor Peter Slack, seconded by Councillor Nigel Edwards-Walker and

RESOLVED

That planning permission be approved subject to the conditions set out in section 8 of the report.

Voting

07 For

02 Against

03 Abstentions

The Chair declared the motion **CARRIED**.

171/23 - APPEALS PROGRESS REPORT

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

RESOLVED (unanimously)

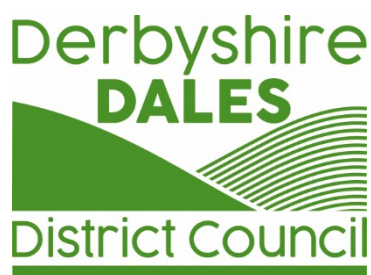
That the report be noted.

The Chair declared the motion **CARRIED**.

Meeting Closed: 10.58 pm

Chair

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Scrutiny Committee

Minutes of a Scrutiny Committee meeting held at 6.00 pm on Thursday, 19th October, 2023 in the Council Chamber, Town Hall, Matlock, DE4 3NN.

PRESENT

Councillor David Hughes - In the Chair

Councillors: Robert Archer, Nigel Norman Edwards-Walker, Laura Mellstrom, Roger Shelley, Nick Whitehead and Nick Wilton

Tommy Shaw (Democratic Services Team Leader), Lucy Harrison (Democratic Services Assistant), Mike Hase (Policy Manager) and Paul Wilson (Chief Executive)

Note:

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APOLOGIES

Apologies for absence were received from Councillor(s): Peter Slack and Gareth Gee

172/23 - PUBLIC PARTICIPATION

There was no public participation.

173/23 - APPROVAL OF MINUTES OF PREVIOUS MEETING

It was moved by Councillor Nick Whitehead, seconded by Councillor Roger Shelley and

RESOLVED (unanimously)

That the minutes of the meeting of the Scrutiny Committee held on 10 August 2023 be approved as a correct record.

The Chair declared the motion **CARRIED**.

174/23 - INTERESTS

There were no declarations of interest.

175/23 - PERFORMANCE MANAGEMENT - KEY & CORPORATE PERFORMANCE INDICATORS OUTTURN 2022/23

The Policy Manager introduced a report summarising the outturn performance against the Council's Corporate Plan targets and Key Performance Indicators for the full year 2022/23. The report highlighted where services had performed strongly and where improvements could be made. The Council's performance against waste management and finance metrics recently launched by the Office for Local Government was also detailed.

The current Corporate Plan 2020-24 set out the Council's priorities and areas for improvement, these priority areas were detailed in the report. The plan identified a number of priority targets relating to the specific activities to be undertaken during the relevant financial year. These targets were assigned annually to specific teams and service areas for action. They set out how the Council would meet its annual Corporate Plan targets. The 26 Corporate Plan actions for 2022/23 were agreed by Council on 3 March 2022. Progress against each action during 2022/23 was set out in Appendix 1.

In addition, there were 12 Key Performance Indicators (KPIs) that measured the District Council's general organisational health. They covered service areas such as determining planning applications in good time, paying bills on time, collecting Council Tax efficiently and paying benefits claims promptly. Appendix 2 provided detail on the progress against the KPIs, on a quarter-by-quarter basis, throughout 2022/23.

Table 1 in the report summarised the Corporate Plan actions and KPI results for 22/23. It was noted that 69% of Corporate Plan actions were fully achieved alongside 75% of the Key Performance Indicator targets. Members asked for more detailed information regarding the KPIs for which the outturns for 22/23 were below target. It was noted that these details would be provided to Members to allow them to better understand the information. Members also asked that the results of the staff and resident surveys be integrated into the KPI process in future years and that trend analysis be completed on the historic KPI data. The difficulties in recruitment and retention were also noted as having possible negative effects on performance across the organisation.

It was moved by Councillor Nick Wilton, seconded by Councillor Nick Whitehead and

RESOLVED (unanimously)

1. That the Outturn performance against Corporate Plan targets for 2022/23 be noted.
2. That the outturn performance against the Key Performance Indicators for 2022/23 be noted.
3. That the outturn performance for 2021/22 against the newly launched Office for Local Government finance and waste management metrics be noted.
4. That bi-annual reports continue to be presented to Members to highlight progress demonstrate good performance, and address areas for improvement.

The Chair declared the motion **CARRIED**.

176/23 - RESILIENCE, RESOURCES AND PRIORITIES

The Chief Executive introduced a report which covered a series of issues relating to organisational resilience, resources and priorities and outlined potential options for Members to consider in order to deliver a package of measures to aid the recruitment and retention of staff, to ensure that the Council would be adequately resourced to deliver its core services and priorities.

It was noted that in the post Covid-19 era, local government faced a series of acute workforce challenges on a scale which had never been experienced.

Members were informed that maintaining sufficient capacity and skills, attractiveness as a career choice, competition from other sectors, flexible working arrangements and the continuous inflationary erosion of pay were all having a severe impact upon the ability of Councils of all types and sizes to attract and maintain staff of the calibre required to deliver high quality services. At the same time, there was a constant need to prioritise corporate projects and initiatives in order to ensure that the organisations resources are aligned to efficient and effective service delivery.

In recent years, Members had regularly considered reports which had looked at Organisational Resilience, Resources and Priorities, this report focussed upon a number of current and future challenges faced by the organisation, these were listed in the report. Section 10 of the report outlined the proposed options to enhance recruitment and retention.

It was moved by Councillor Nick Whitehead, seconded by Councillor Nick Wilton and

RESOLVED (unanimously)

1. That all of the options to enhance recruitment and retention as outlined in the report (Section 10) be developed by officers for further detailed consideration.
2. That the views of the Scrutiny Committee be taken into consideration in the development of further options and proposals presented to Council for approval.

The Chair declared the motion **CARRIED**.

177/23 - UPDATED SCRUTINY COMMITTEE WORK PROGRAMME 2023/24

Councillor David Hughes introduced the updated Scrutiny Committee work programme for 2023/24.

Members asked that the process by which Section 106 agreements are negotiated for large developments be added to the work programme to be investigated. It was noted that a briefing would be provided by the Development Manager and that following the briefing, this could be considered as a possible topic for scrutiny.

The Committee asked that the Overview of Information Systems be integrated into the Consultation and Engagement project due to foreseen overlap. It was also requested by the Chair that scrutiny of the Lead Local Flood Authority's advice be brought forward, with a report to be brought to the next meeting regarding the legal responsibilities and information relating to the problems which have arisen. Members also asked that consideration of the

Waste Collection Contract be postponed allowing for the changes resulting from round optimisation to be fully implemented.

It was moved by Councillor Nick Wilton, seconded by Councillor Nick Whitehead and

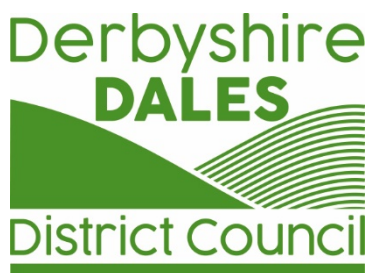
RESOLVED (unanimously)

1. That the updated work programme for 2023/24 be approved subject to the changes as proposed by the Committee.
2. That the terms of reference for the scrutiny of the advice of the Lead Local Flood Authority be approved.
3. That draft terms of reference be produced for the waste collection contract and consultation and engagement projects, and that these be presented to a future meeting of the Committee for approval.

The Chair declared the motion **CARRIED**.

Meeting Closed: 7.47 pm

Chairman



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Biodiversity Sub-Committee

Minutes of a Biodiversity Sub-Committee meeting held at 6.00 pm on Tuesday, 24th October, 2023 in the Council Chamber, Town Hall, Matlock, DE4 3NN.

PRESENT

Councillor Matt Buckler - In the Chair

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

Dr Claire Mead and Dr Andy Broadhurst (Derbyshire Swift Conservation Project)

Tim Braund (Director of Regulatory Services), Joanna Hill (Climate Change Project Officer) and Angela Gratton (Democratic Services Officer)

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APOLOGIES

No apologies for absence were received.

178/23 - APPROVAL OF MINUTES OF PREVIOUS MEETING

It was moved by Councillor Peter Slack, Seconded by Councillor Roger Shelley and

RESOLVED (unanimously)

That the minutes of the meeting of the Biodiversity Sub-Committee held on 13 September 2023 be approved as a correct record.

The Chair declared the motion **CARRIED**.

179/23 - PUBLIC PARTICIPATION

The following statement and question were submitted by Ms Sue Bliss, Matlock Local Resident

"I'm hoping that the destruction of wildflowers, (on many sites within a few metres of my home on Morledge) which are a valuable habitat and source of sustenance for insects won't be repeated next spring.

Please could the Biodiversity Sub-Committee let me know what progress has been made in changing the mowing regime to help reverse the decline in biodiversity."

The following response was provided:

Thank you for your question.

Your recommendation to alter the mowing regime to enhance biodiversity is one that the District Council has already undertaken. The District Council operates a monthly cut rather than on all verges that has been proven to enhance diversity. In addition, areas that have been identified under the Biodiversity Project has been left to two or three cuts a year.

The Biodiversity Sub-Committee will look to continue the Biodiversity Project under a new Biodiversity Action Plan. The subject of mowing regimes will likely be covered in the plan. Fortunately, mowing season has ended and the Council has six months to put forward a new management regime. This will be done in a structured manner to include highway safety, local users, accessibility and encompass other perspectives.

180/23 - INTERESTS

Item 6 - Biodiversity net gain update:

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.

181/23 - PROPOSAL FOR A COLLABORATIVE PROJECT BETWEEN DERBYSHIRE SWIFT CONSERVATION PROJECT AND DERBYSHIRE DALES DISTRICT COUNCIL

The Climate Change Project Officer introduced two members of the Derbyshire Swift Conservation Project, Dr Claire Mead and Dr Andy Broadhurst who gave a presentation to Members outlining a project which would be undertaken in collaboration with the District Council to address the loss of common swift nesting sites across the district.

Members were informed that the common swift had declined across the UK by more than 65%, it was noted that the main factor for this decline appeared to be the ongoing loss of suitable nest sites on existing buildings as building repairs, renovation and replacement gradually results in the loss of access holes to their nest sites.

The three phases of the Derbyshire Dales Swift Project were detailed as follows:

Phase I: surveying

Objectives:

- 1) To provide accurate data to determine the distribution of nesting swift colonies.
- 2) To provide accurate data to determine estimates of swift population numbers.
- 3) Establish areas and types of buildings used and preferred by swifts.

Phase II: risk assessment

Objectives:

- 4) Identify high risk areas where nest sites will be lost.
- 5) Raise awareness of swift decline and the importance of nest availability working with the project co-ordinator and local volunteers, the Derbyshire Dales Swift Project would fund events (meeting rooms, printing costs etc) and help raise local awareness of the project and what we're trying to achieve. The aims would be to identify high risk areas, establish contact with landlords, social housing managers and householders and plan the distribution and extent of nest box installation.

Phase III: mitigation

Objectives:

- 6) Establish nest installation programme.
- 7) Monitor impact of nest box programme.

Once the target number of boxes is identified, based on the evidence collected, Derbyshire Dales Swift Project would set up a nest installation programme. By providing a recognised, credible source of advice, and installation service, we would be able to instigate a successful nest box programme across the Derbyshire Dales.

Examples of actions to encourage uptake could include:

- a) Pay installation costs.
- b) Subsidise box costs for householders who take part in the scheme.
- c) A fund to be allocated for free provision of boxes to households unable to pay.

Monitoring: householders would be encouraged to take part in a citizen science project to record the uptake of swift nest boxes. We would also use a nest box webcam to create public awareness on our websites and social media.

The proposal focused on creating and replacing nesting sites on our existing housing and buildings. It was noted within the report that the opportunity presented was at a significant scale and less time constrained than interventions on new built development. It was also noted that the installation of Swift boxes – phase 3 of the proposed project - is a simple and relatively inexpensive process but it is important that the preceding phases are undertaken to ensure the interventions have the most impact.

Swift boxes are referred to as 'universal nesting boxes'. They can accommodate house sparrows, starlings, tree sparrows, blue tits, great tits, and occasionally house martins, therefore offering nesting sites to a variety of native bird species. Stabilising and reversing species loss has a clear benefit to biodiversity – both locally and globally.

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

RESOLVED (unanimously)

That a delivery plan and costings are prepared for the project and presented to the appropriate committee for consideration.

The Chair declared the motion **CARRIED**.

182/23 - BIODIVERSITY NET GAIN UPDATE

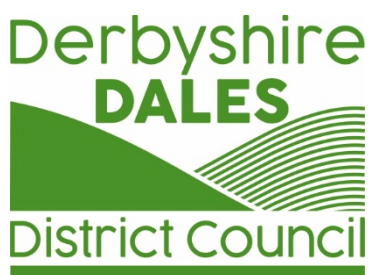
The Climate Change Project Officer presented Members with an update on Biodiversity Net Gain. On the 27th September 2023 DEFRA confirmed that the Government was delaying the introduction of the mandate to deliver 10% Biodiversity Net Gain (BNG) on all sites, contained in the 2021 Environment Act.

BNG was meant to become part of the planning system in England in November 2023. However, DEFRA had announced that under its 'updated timetable' developers would be required to deliver net gain on all sites from January 2024. DEFRA also announced that by the end of November they would publish all guidance and the regulations.

Members were informed that a further update on the Council's activities in preparation for the delayed launch of BNG would be provided as part of a wider Biodiversity update report at the next Biodiversity Sub-Committee meeting in November, as agreed at the Sub-Committee meeting on 13 September 2023.

Meeting Closed: 6.45 pm

Chairman



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Community & Environment Committee

Minutes of a Community & Environment Committee meeting held at 6.00 pm on Thursday, 26th October, 2023 in the Council Chamber, Town Hall, Matlock, DE4 3NN.

PRESENT

Councillor Martin Burfoot - In the Chair

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

Present as substitute - Councillors: Roger Shelley

Paul Wilson (Chief Executive), Tim Braund (Director of Regulatory Services), Robert Cogings (Director of Housing) and Tommy Shaw (Democratic Services Team Leader)

Note:

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Councillor Martin Burfoot thanked all council officers, emergency services and volunteers involved in addressing and responding to the flooding events of the previous weekend suffered by residents and businesses.

APOLOGIES

Apologies for absence were received from Councillor(s): Robert Archer and Peter Slack

183/23 - APPROVAL OF MINUTES OF PREVIOUS MEETING

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

RESOLVED (unanimously)

That the minutes of the meeting of the Community and Environment Committee held on 07 September 2023 be approved as a correct record.

The Chair declared the motion **CARRIED**.

184/23 - RECEIVE THE MINUTES OF SUB-COMMITTEE MEETINGS

It was moved by Councillor Matt Buckler, seconded by Councillor Roger Shelley and

RESOLVED (unanimously)

That the minutes of the following Sub-Committee meetings be received:

- Local Plan Sub-Committee – 27 September 2023
- Biodiversity Sub-Committee – 13 September 2023

The Chair declared the motion **CARRIED**.

185/23 - PUBLIC PARTICIPATION

There was no public participation.

186/23 - INTERESTS

Item 8 – Biodiversity Action Plan Specification.

Councillor Matt Buckler declared a non-pecuniary interest in Item 8 due to his position at Derbyshire Wildlife Trust and so did not vote on the item.

18:03 – Councillor Kelda Boothroyd entered the meeting.

187/23 - QUESTIONS PURSUANT TO RULE OF PROCEDURE NUMBER 15

Councillor Steve Wain put forward the following questions to Councillor Martin Burfoot, Chair of the Community and Environment Committee:

“Chair.

Matlock has once again recently featured in the media regarding yet another flooding event and the serious issues the town has with parts of its ineffective infrastructure, exposed by, excessive housing development, inadequate planning assessment and a lack of knowledge of its hydrology and geology.

In July 2023 there was a Public Health incident around Presentation Avenue, Matlock, where the foul and surface drainage infrastructure surcharged during a significant rain fall event. A Care Centre was flooded with human waste and an adjacent Academy had human waste discharged into its Play Area. Later pupils were seen playing in the human waste. This is abhorrent and unacceptable.

Currently the foul waste from 300 homes is channelled through this drainage network. This includes properties on Bentley Close, Gritstone Road and Asker Lane. The waste water flow is exacerbated by joining combined surface and foul water flows on Chesterfield Road and the gradient on to Presentation Avenue.

It must be noted that the foul waste from an additional 78 houses proposed to be built adjacent to Gritstone Road, are projected to flow through the infrastructure under the Care Home and Academy.

Are you surprised, or shocked by this increased risk? I was, but not apparently the Derbyshire County Council LLFA, who appear to have failed to mention this in their most recent consultation response regarding the protracted Gritstone Road planning application.

In this document the LLFA also rescinded a holding objection relating to excessive water flows from the site, which they had imposed, in 2022. Again, no rationale was provided, in justification for this action.

Furthermore, in the same consultation they appear to abdicate responsibility and pass responsibility to our LPA, by recommending six conditions. Regularly these conditions appear to say, "construction shall not commence until a detailed assessment has been provided to, and approved by the LPA".

Who are the experts here? I know DDDC have qualified Planners, but by their own admission they are not drainage specialists!

In the above consultation response, the LLFA have also failed to specifically mention, or comprehensively comment upon, other significant issues highlighted by the community including:-

- *the significant increase in size and safety concerns of the attenuation dams, which are now so large that they require a Panel Engineer to assess them,*
- *continuing to allow excessive surface water flows from the developed area (phase1), against original STW instruction,*
- *their willingness to proceed with culverting a significant length (230m) of surface water flow, against both their own and Environment Agency policy,*
- *culverting increased surface water flows under existing homes on Bentley Close, without knowledge of where the flows actually outfall,*
- *not commenting upon, or apparently assessing the increased impact of deforestation above the proposed site.*
- *Failing to fully take account of the risk to the recently reviewed, highly sensitive, Bentley Brook catchment and the impact upon the Knowleston Place Pump Station.*

I sincerely hope that you are able seek further clarification from the LLFA and protect Officers and the Derbyshire Dales District Council from any Potential subsequent litigation, regarding flooding issues linked to this site and therefore I ask:-

1. Will the Chair of this Committee, on behalf of the local community, businesses and our Council, ensure Derbyshire County Council, Local Lead Flood Authority, provide an assurance that they have robustly assessed all the issues highlighted by the community regarding the entire hybrid site and provide full reasoning and documentation to support all their recommendations in the consultation document dated 22 September 2023?

2. Will you also ensure that the LLFA provide a comprehensive response, and documentation, to explain their irrational and potentially reckless decision to rescind the previous holding objection, in light of all the new documented evidence submitted by the community and STW?"

Councillor Martin Burfoot provided the following response:

Dear Cllr Wain

Thank you for your questions relating to surface and foul water drainage issues in several neighbourhoods in the area north of Matlock town centre.

Firstly, I want to say that I share your view that it is disgusting and totally unacceptable that recent flooding events in the town have resulted in human waste being deposited in premises below Presentation Avenue, off Chesterfield Road.

Thank you for your continuing efforts, and those of your colleague councillors and local resident groups, to uncover what you all consider to be the cause of this, as well as those responsible.

I am sure you will understand that it would be inappropriate for me to comment in detail on any aspect of the current Gritstone Road / Wolds Farm planning application.

However, I believe it is vital that our Officers demand a full report from the Panel Engineer appointed by the County Council to examine the drainage aspects of that application, to enable our Planning Committee members to reach an informed decision, in due course. I consider that this and other similar applications should not be brought before the Planning Committee unless and until officers are fully satisfied that detailed plans of supporting infrastructure are approved, would be conditioned and in place prior to the commencement of any housing development.

Likewise, with regard to the need for a preliminary risk assessment of any large flood attenuation basins proposed, I will work with officers and relevant members, including you Cllr Wain, to insist that the Environment Agency examine that risk assessment should it be considered necessary under the Reservoirs Act.

Finally, I can assure you, Cllr Wain, that I will also work with officers to get an assurance from the County Council's Lead Local Flood Authority that all the issues and concerns highlighted by Matlock councillors and the local community have been robustly assessed and evidence provided to confirm and support their recommendations to this Council.

Cllr Martin Burfoot

Chair, Community and Environment Committee

188/23 - ASHBOURNE AIR QUALITY MANAGEMENT AREA ACTION PLAN

The Director of Regulatory Services introduced a report which summarised discussions at the first meeting of the Air Quality Action Plan Working Group core group, the report also proposed that further updating reports be provided to future meetings of this Committee.

At the meeting of the Community and Environment Committee held on 7 September 2023, it was resolved that an air quality action plan working group be re-established with a core group consisting of at least one officer from the District Council and two elected Members taken from the list set out in the report. It was also resolved at that meeting that the

preliminary findings of that group be reported to the next meeting of the Community and Environment Committee.

It was noted within the report that the core group met on 4 October 2023 and the discussions which took place were detailed. These discussions included the position regarding actions for inclusion within the action plan following public consultation, the public support for a 20-mph zone within the town, and the potential synergies between the air quality action plan and the ambitions of the Ashbourne Reborn programme. The timescales for the development of further discussions and preparation of an updated suite of options for the final draft action plan were also detailed within the report.

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

RESOLVED (unanimously)

1. That the first meeting of the Air Quality Action Plan Working Group core group be noted.
2. That a further updating report be submitted to the December meeting of this Committee.

The Chair declared the motion **CARRIED**.

189/23 - BIODIVERSITY ACTION PLAN SPECIFICATION

The Director of Regulatory Services introduced a report which sought Member approval for a specialist professional services quotation brief for the delivery of a Derbyshire Dales Biodiversity Action Plan. It was noted within the report that the resulting action plan would allow the Council to meet the requirements of the enhanced Biodiversity Duty as set out in the Environment Act 2021.

At a meeting of Council on 26 January 2023, it was resolved to support the recovery of nature across the Derbyshire Dales. A subsequent report to Council on 16 March 2023 advised Members of the Biodiversity Duty, and set out the activities being undertaken by the District Council which contributed to meeting the new requirement. This report also recommended that a plan be prepared to set out further actions which should be undertaken to meet the requirements of the newly enhanced Biodiversity Duty. Following this decision, the Biodiversity Sub-Committee agreed that a specification be prepared for a new biodiversity 'action plan'.

The quotation brief was approved by the Biodiversity Sub-Committee on 13 September 2023, following which it was referred to this meeting of the Community and Environment Committee for the appropriate approval.

It was moved by Councillor Steve Wain, Seconded by Councillor David Chapman and

RESOLVED (unanimously)

1. That the specialist professional services quotation brief at Appendix 1 be approved.
2. That the funding mechanism for the plan, as set out in paragraph 7, be approved.

3. That Council be recommended to approve a supplementary revenue budget in 2023/24 to reflect the proposed expenditure of £58,791 associated with the action plan for nature specification and work to prepare for the delivery of Biodiversity Net Gain (BNG). This would be financed by the transfer of £11,984 from the grants unapplied reserve, £26,807 grant receivable in 2023/24 and £20,000 from the General Reserve.

The Chair declared the motion **CARRIED**.

19:15 – Councillor Andy Nash left the meeting.

190/23 - PRIVATE RENTED SECTOR STUDY

The Director of Housing introduced a report which sought Member approval to recruit an additional Home-Options Officer on a temporary basis, and to engage consultants to develop an initial business plan for an Ethical Lettings Agency and direct provision of private rented homes.

The District Council, in partnership with Amber Valley Borough Council, received a £25,000 grant from the Local Government Association (LGA) and their Housing Advisors Programme at the end of 2021/22. The grant award followed a successful bid for funding to undertake research into the private rented sector across the areas covered by both authorities. Altair were appointed to undertake the research which took place between April 2022 and March 2023. The final report was received prior to the local elections in May, which resulted in a delay in reporting this information to Members. The recommendations proposed by Altair were set out in the report for Members to consider.

It was moved by Councillor Peter O'Brien, Seconded by Councillor Matt Buckler and

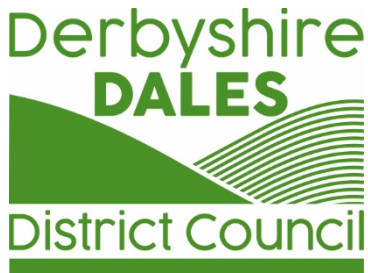
RESOLVED (unanimously)

1. That an additional Home-Options Officer be recruited on a temporary basis, funded by an earmarked reserve.
2. That the Director of Housing engage suitable consultants to develop an initial business plan for an Ethical Lettings Agency and direct provision of private rented homes that can be brought back to Members for further consideration.

The Chair declared the motion **CARRIED**.

Meeting Closed: 7.30 pm

Chairman



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Governance & Resources Committee

Minutes of a Governance & Resources Committee meeting held at 6.00 pm on Thursday, 2nd November, 2023 in the Council Chamber, Town Hall, Matlock, DE4 3NN.

PRESENT

Councillor Nick Wilton - In the Chair

Councillors: Neil Buttle, Stuart Lees, Lucy Peacock, Simon Ripton, Roger Shelley and Marilyn Franks

Kerry France (Legal Services Manager), Mike Galsworthy (Estates and Facilities Manager), Karen Henriksen (Director of Resources), Jenny Williams (Head of the Internal Audit Consortium), Lucy Harrison (Democratic Services Assistant), Tommy Shaw (Democratic Services Team Leader) and Paul Wilson (Chief Executive)

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): Geoff Bond, Steve Flitter and David Hughes

191/23 - APPROVAL OF MINUTES OF PREVIOUS MEETING

It was moved by Councillor Stuart Lees, Seconded by Councillor Lucy Peacock and

RESOLVED

That the minutes of the meeting of the Governance and Resources Committee held on 14 September 2023 be approved as a correct record.

Voting

06 For

00 Against

01 Abstention

The Chair declared the motion **CARRIED**.

192/23 - PUBLIC PARTICIPATION

There was no public participation.

193/23 - INTERESTS

Item 10 Asset Management Plan – Land Holdings Review Phase 7

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

194/23 - QUESTIONS PURSUANT TO RULE OF PROCEDURE NUMBER 15

No questions were received.

195/23 - ASSET MANAGEMENT PLAN - LAND HOLDINGS REVIEW PHASE 7

6:02pm – Councillor Stuart Lees left the room for the consideration of this item due to declaring an interest.

The Estates and Facilities Manager introduced a report representing the seventh phase of an ongoing review of the Council's land and property assets in accordance with the Asset Management Plan. This phase of the Land Holdings review covered two sites in the District, one for acquisition for operational requirements and one for which expressions of interest had been received for enhancing a facility.

Site 1 was required as an extension to Bakewell Cemetery and site 2 would bring an underused area of land back into community use. Following consideration of planning, legal and estate management factors, together with operational requirements, recommendations were made regarding whether the sites should be acquired, retained, allocated for a particular use or sold and the terms which would apply.

The results of the review and the recommendations for the two sites were summarised in Appendix 1 together with plans of each site. Each of the sites were voted on individually, the decisions are outlined below.

It was moved by Councillor Neil Buttle, Seconded by Councillor Simon Ripton and

RESOLVED (unanimously)

1. That, in respect of Site 1, Land south of Bakewell Cemetery, the Estates and Facilities Manager be delegated to agree terms for the acquisition of the required land and access rights as outlined in Appendix 1 of this report, subject to planning consent and subject to further approval by this Committee.

2. That a request be made to Council (for the update due in February 2024) to include an amount of £125,000 in the Capital Programme for 2024/25 and £75,000 in 2025/26 in respect of Site 1 to cover the land purchase costs and enabling infrastructure works to form a cemetery extension.

The Chair declared the motion **CARRIED**.

It was moved by Councillor Neil Buttle, Seconded by Councillor Simon Ripton and

RESOLVED (unanimously)

3. That in respect of Site 2, Fishponds at Fishpond Meadows, Ashbourne, the Estates and Facilities Manager be delegated to proceed with a leasehold disposal of the site as outlined in Appendix 1 of this report, subject to appropriate Public Open Space consultation.
4. That it be noted that the disposal in three above comprises an undervalue transaction as permitted under the General Disposal Consent 2003.

The Chair declared the motion **CARRIED**.

196/23 - ANTI-FRAUD BRIBERY AND CORRUPTION STRATEGY (INCLUDING ANTI-MONEY LAUNDERING POLICY)

The Director of Resources introduced a report which sought Member approval for the Council's updated Anti-Fraud, Bribery and Corruption Strategy (including Anti-Money Laundering Policy) which was attached as Appendix A to the report.

The Council last reviewed its Anti-Fraud and Corruption Strategy and Anti-Money Laundering Policy in 2018. Members were informed that in line with good practice for all public bodies, the Council should have in place an up-to-date Anti-Fraud, Bribery and Corruption Strategy. The formal commitment to this strategy would serve to restate the Council's zero tolerance of fraud and all forms of malpractice. The refresh of the strategy would provide an opportunity to promote the key message to both Members and Employees.

The strategy had been reviewed and updated to reflect developing good practice. It was noted that there had been no regulatory or legislative changes since the last review. The changes made aimed to provide further clarity to Officers and Members as to the requirements of the strategy and guidance as to what may indicate potential money laundering activities.

It was moved by Councillor Simon Ripton, Seconded by Councillor Marilyn Franks and

RESOLVED (unanimously)

That the updated Anti-Fraud, Bribery and Corruption Strategy (including Anti - Money Laundering Policy), which was attached as Appendix A to the report, is approved.

The Chair declared the motion **CARRIED**.

197/23 - INTERNAL AUDIT PROGRESS UPDATE 2023/24

The Head of the Internal Audit Consortium introduced a report providing a progress update in respect of the 2023/2024 Internal Audit Plan. The report included a summary of internal audit reports issued since the last meeting of the Committee and updated Members on the implementation of internal audit recommendations.

Members were informed that recruitment difficulties meant that very little of the 2022/23 Internal Audit plan had been completed however, a Senior Auditor commenced at the end of May 2023 and an Auditor in July 2023. Progress against the 2023/24 plan and whether this was still achievable had been assessed. It was anticipated that most of the plan would be completed so the plan had not been revised at the time of publishing the report.

A summary of reports issued to date in respect of the 2023/24 financial year was included at Appendix 1. Appendix 2 provided a summary of the progress made on the 2023/24 internal audit plan overall and attached at Appendix 3 was a summary of made, implemented and overdue internal audit recommendations as at the end of September 2023.

It was moved by Councillor Neil Buttle, seconded by Councillor Roger Shelley and

RESOLVED (unanimously)

That the report be received and noted.

The Chair declared the motion **CARRIED**.

198/23 - ARREARS FOR WRITE OFF 2023/24

The Director of Resources introduced a report providing information about debtor write offs authorised by the Director of Resources under delegated authority in accordance with the Council's Financial Regulations and sought approval for the write off individual debts of £10,000 or more in accordance with the Council's Financial Regulations.

Under regulation 5.2.12 of the Council's Financial Regulations, authority was delegated to the Director of Resources to write-off individual debts up to £10,000. Under the scheme of delegation to officers the Director of Resources also had authority to write off any arrears that had been caused by an officer error. The report detailed those debts of £10,000 or more for which authorisation to write-off was required from the Committee under regulation 5.2.12 of the Financial Regulations.

This mid-year report for 2023/24 covered arrears relating to council tax, nondomestic rates, housing benefit overpayments and sundry debts. It was noted that any debt would be reinstated where further information subsequently came to light that allowed further recovery action to be pursued. Appendix 1 to the report detailed the schedule of proposed write offs.

It was moved by Councillor Simon Ripton, seconded by Councillor Stuart Lees and

RESOLVED (unanimously)

That the individual debts of £10,000 or more listed in Appendix 1 of the report totalling £80,136.38 be approved for write off.

The Chair declared the motion **CARRIED**.

199/23 - ANNUAL REPORT ON THE REGULATION OF INVESTIGATORY POWERS ACT (RIPA)

The Legal Services Manager introduced an annual report providing an update on the Council's use of RIPA and related matters.

The Regulation of Investigatory Powers Act 2000 (RIPA) was put in place to ensure that the use of investigatory powers by certain organisations complied with the UK's obligations under the European Convention on Human Rights (ECHR) including Article 8 (the right to privacy). The District Council's RIPA Policy was approved by Council in January 2020 and updated in July 2022 to include a procedure for the use of corporate social media accounts to access information.

Following the adoption of the updated policy in July 2022, the Council was subject to a desktop inspection by the Investigatory Powers Commissioner's Office (IPCO). The feedback from the IPCO was that the policy was well structured but required a further update in respect of:

- (a) Part two of the policy, which provides guidance regarding the acquisition of communications data, does not reflect the impact of Section 73 of the Act. The organisation is yet to form a collaboration with the National Anti-Fraud Network and the SRO should ensure that all are aware of the opportunities presented under Section 73 of the IPA going forward.
- (b) Deletion of references to the OSC Procedures and Guidance document which is now obsolete.

Whilst the authority had not carried out any activity under the Act for some time, the IPCO was pleased that a number of targeted training sessions were delivered in 2021 to those involved in the use, application, and authorisation of covert tactics.

It was moved by Councillor Roger Shelley, Seconded by Councillor Simon Ripton and

RESOLVED (unanimously)

1. That the Annual Report on the Council's use of the Regulation of Investigatory Powers Act be accepted and approved.
2. That the Regulation of Investigatory Powers Act (RIPA) Policy be amended as detailed within the report.

The Chair declared the motion **CARRIED**.

200/23 - SUCCESSION PLANNING

The Chief Executive introduced a report summarising the difficulties the Council was facing regarding recruitment in a competitive employment market and noted that there were several potential retirements in singleton post.

The report sought Member approval of a Succession Planning policy. A draft of the policy had been considered by the Corporate Leadership Team before going to consultation at the Employee Group and Joint Consultative Group.

Members were informed that since the pandemic there had been an increase in the turnover of staff and in addition, the Council had experienced proven difficulty to recruit in some key posts. Steps taken to date to try to resolve these problems were detailed in section 2.2 of the report.

The Council's annual equality report confirmed that there was an ageing workforce, with 34% of staff aged over 55, an age where they could consider flexible retirement. It was noted that even though the state retirement age had moved to 66+, the Council would face the retirement of long serving, skilled and knowledgeable colleagues when they chose to retire over the next decade. Members were informed that many of these colleagues were in 'singleton posts' and would give a significant loss of knowledge if they retired without a potential successor. In addition, it was noted that service delivery could be severely affected if the Council was unable to recruit to these posts at first attempt.

It was moved by Councillor Simon Ripton, seconded by Councillor Stuart Lees and

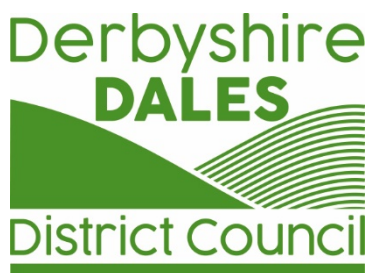
RESOLVED (unanimously)

That the proposed Succession Planning policy be adopted.

The Chair declared the motion **CARRIED**.

Meeting Closed: 6.48 pm

Chairman



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Licensing & Appeals Sub-Committee

Minutes of a Licensing & Appeals Sub-Committee meeting held at 10.30 am on Wednesday, 8th November, 2023 in the Committee Room, Town Hall, Matlock DE4 3NN.

PRESENT

Councillor Neil Buttle - In the Chair

Councillors: Marilyn Franks and Steve Wain

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

The Applicant and their Representative.

Public

APOLOGIES

Apologies were received from Councillor(s): Lucy Peacock

201/23 - ELECTION OF A CHAIRMAN

It was moved by Councillor Steve Wain, seconded by Councillor Marilyn Franks and

RESOLVED (unanimously)

That Councillor Neil Buttle be elected as Chair of the Sub-Committee.

The Chair declared the motion **CARRIED**.

202/23 - INTERESTS

There were no declarations of interest.

203/23 - LICENSING ACT 2003 - APPLICATION FOR VARIATION TO PREMISES LICENCE BANK HOUSE BAR AND RESTAURANT, MAIN ROAD, HATHERSAGE, S32 1BB

It was reported that, in accordance with the Council's Licensing procedures, an application had been received for a variation of Premises Licence made under section 34 of the Licensing Act 2003, held in respect of Bank House Bar and Restaurant in Hathersage.

The circumstances of the Applicant's referral to the Sub-Committee were as a result of objections being made to the application by two local residents. As these objections could not be resolved to the satisfaction of all parties by the Licensing Manager, the matter was referred to the Sub-Committee.

The Chair invited the participants to introduce themselves, asked whether any party wished the Sub-Committee to consider the application in private and confirmed that the Sub-Committee was quorate.

The Licensing Manager gave an outline of the application.

The Sub-Committee and the other parties were afforded an opportunity to request clarification of the Licensing Manager's report.

The Applicant, Mr Lawrence Key, then presented the case for the Bank House Bar and Restaurant. The Sub-committee also heard representations from the Applicant's witness, Sir Kevin Barron.

The Sub-Committee had an opportunity to question the Applicant and their Witness.

All parties were afforded an opportunity to request clarification of any points.

The Sub-Committee members confirmed that they had sufficient information to make a decision and withdrew into private session to discuss their findings.

204/23 - DECISION

The Sub-Committee resumed in public session.

It was moved by Councillor Steve Wain, seconded by Councillor Marilyn Franks and

RESOLVED (unanimously)

That having considered all the evidence put before it, the Sub-Committee determined that the Applicant will be granted the application to vary the Premises Licence, subject to the following two conditions:

- General outside lighting will be reduced after 10pm significantly so that only pathways around the site are illuminated from a low level to allow safe access and egress around the outside areas of the premises.
- The temporary bar in the outside area will be staffed on every occasion the bar is in use for the sale of alcohol. Any staff responsible for operating the bar will be fully trained in selling alcohol and in escalating any issues they are unable to resolve, to

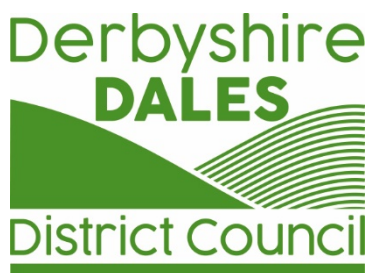
the Premises Licence Holder/Designated Premises Supervisor or a person nominated.

The Chair declared the motion **CARRIED**.

Chairman

Meeting Closed: 12.20 pm

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Licensing & Appeals Sub-Committee

Minutes of a Licensing & Appeals Sub-Committee meeting held at 10.30 am on Tuesday, 14th November, 2023 in the Committee Room, Town Hall, Matlock DE4 3NN.

PRESENT

Councillor Mark Wakeman - In the Chair

Councillors: Peter Dobbs, Susan Hobson and Mark Wakeman

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

The party that raised the review and their representatives: PC Lora Holdgate (Licensing Officer, High Peak and Derbyshire Dales), Sgt Adam Harrison (Licensing Officer), Mr Adam Keenaghan (Legal Representative) and Fiona Brooks (East Midlands Police Legal Services).

The Premises Licence Holder and their representatives: Mr Luke Taylor (Premises Licence Holder), Mr John Taylor (Designated Premises Supervisor), Mr Chris Grunert (Legal Representative) and Mr Darrell Butterworth (Expert Witness).

Ms Amanda Goodwill (Environmental Health Manager), Mr David Cowley (Principal Environmental Health Officer), Mr Matthew Hulley (Environmental Health Officer), Cllr Susan Burfoot (Derbyshire Dales District Council), Cllr Steve Wain (Derbyshire Dales District Council) and Mr Richard Plant (Local Resident).

Press and Public

APOLOGIES

Apologies were received from Councillor(s):

205/23 - ELECTION OF A CHAIR

It was moved by Councillor Susan Hobson, seconded by Councillor Peter Dobbs and

RESOLVED (unanimously)

That Councillor Mark Wakeman be elected as Chair of the Sub-Committee.

The Chair declared the motion **CARRIED**.

206/23 - INTERESTS

Councillor Susan Hobson informed the Hearing that she had previously been employed as a Police Officer.

207/23 - APPLICATION FOR REVIEW OF A PREMISES LICENCE FORM THE CHIEF OFFICER OF POLICE FOR DERBYSHIRE - BULAN BAR AND NIGHTCLUB

It was reported that, in accordance with the Council's Licensing Procedures, an application had been received for a Review of a Premises Licence made under section 51 of the Licensing Act 2003, by the Chief Officer of Police for Derbyshire.

The Chair invited the participants to introduce themselves, asked whether any party wished the Sub-Committee to consider the application in private and confirmed that the Sub-Committee was quorate.

The Licensing Manager gave an outline of the application.

The Sub-Committee and the other parties were afforded an opportunity to request clarification of the Licensing Manager's report.

The party which raised the review then presented their case to the committee. The Sub-Committee heard representations from PC Lora Holdgate and Mr Adam Keenaghan.

The Sub-Committee was given opportunity to question the party which raised the review.

All parties were then afforded an opportunity to request clarification of any points.

The Sub-Committee then heard representations from Ms Amanda Goodwill on behalf of the Environmental Health Service, Councillor Sue Burfoot, Councillor Steve Wain and Mr Richard Plant.

All parties were afforded an opportunity to request clarification of any points.

Mr Darrell Butterworth, the Licensee's expert witness, presented his report and associated recommendations to the Sub-Committee.

The Sub-committee were afforded an opportunity to question Mr Butterworth and all Parties present were given the opportunity to request clarification on any points raised.

Mr Chris Grunert, the Licensee's solicitor, then presented their case on behalf of Mr Luke Taylor, the Licensee.

The Hearing adjourned at 13:10 for lunch, the Hearing reconvened at 13:40.

The Sub-Committee had an opportunity to question the Licensee and their solicitor.

All Parties were afforded an opportunity to request clarification of any points.

The Licensing Manager, the Licensee and their representatives, and the party that submitted the application for a review were then all offered the opportunity to summarise their respective cases to the Sub-Committee.

The Sub-Committee members then confirmed that they had sufficient information to make a decision and withdrew into private session to discuss their findings.

208/23 - DECISION

The Sub-Committee resumed in public session.

It was moved by Councillor Susan Hobson, seconded by Councillor Peter Dobbs and

RESOLVED (unanimously)

That having considered all the evidence put before it, the Sub-Committee determined that the Licence should be amended to incorporate the following:

1. That the amendments, as recommended by the Chief Officer of Police for Derbyshire and included at Appendix 2, Item 5A to the report, be incorporated into the Premises Licence of Bulan (Bar and Nightclub) in order to safeguard the promotion of the following three licensing objectives: the prevention of crime and disorder; public safety; and the prevention of public nuisance.
2. That the Premises Licence Holder be required to complete the actions recommended by Derbyshire Fire and Rescue Service as included at Appendix 3 to the report in order to safeguard the promotion of public safety as a licensing objective.
3. That the amendments, as recommended by the Environmental Health Service and included at Appendix 3 to the report, be incorporated into the Premises Licence of Bulan (Bar and Nightclub) in order to safeguard the promotion of the following three licensing objectives: the prevention of crime and disorder; public safety; and the prevention of public nuisance.
4. That the recommended conditions arising from the review completed by Mr D J Butterworth, with the exemption of condition (a), due to contradiction of the recommendations of the Chief Officer of Police, as included at page 25 of the report submitted on behalf of the Premises Licence Holder be incorporated into the Premises Licence of Bulan (Bar and Nightclub) in order to safeguard the promotion of the following three licensing objectives: the prevention of crime and disorder; public safety; and the prevention of public nuisance.

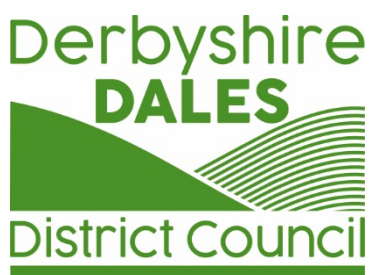
The Chairman declared the motion **CARRIED**.

Reason for Decision

The reasons for the decision are contained within the associated decision notice.

Chairman

Meeting Closed: 3.18 pm



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Planning Committee

Minutes of a Planning Committee meeting held at 6.00 pm on Tuesday, 14th November, 2023 in the Council Chamber, Town Hall, Matlock, DE4 3NN.

PRESENT

Councillor Sue Burfoot - In the Chair

Councillors: Sue Burfoot, John Bointon, Neil Buttle, Peter Dobbs, Nigel Norman Edwards-Walker, David Hughes, Stuart Lees, Dermot Murphy, Peter Slack, Nick Whitehead, Kelda Boothroyd and Marilyn Franks.

Present as Substitute - Councillors: Kelda Boothroyd and Marilyn Franks

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 – 17

Note:

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APOLOGIES

Apologies for absence were received from Councillor(s): David Burton, Peter O'Brien, Robert Archer, Laura Mellstrom and Mark Wakeman

209/23 - APPROVAL OF MINUTES OF PREVIOUS MEETING

It was moved by Councillor David Hughes, Seconded by Councillor Stuart Lees and

RESOLVED

That the minutes of the meeting of the Planning Committee held on 10 October 2023 be approved as a correct record.

Voting

10 For

0 Against

2 Abstentions

The Chair declared the motion **CARRIED**.

210/23 - INTERESTS

Item 5.2 - APPLICATION NO. 23/00447/FUL - Change of use and alterations to upper floors for short-term occupancy living accommodation at 9 – 11A Market Place, Ashbourne, Derbyshire, DE6 1EU.

And

Item 5.3 - APPLICATION NO. 23/00448/LBALT - Internal and external alterations to create short-term occupancy living accommodation, new entrance and new cellar access to basement at 9 – 11A Market, Ashbourne, Derbyshire, DE6 1EU.

Councillor Stuart Lees declared a pecuniary interest in Items 5.2 and 5.3 as he was the Applicant.

Item 5.9 - APPLICATION NO. 23/00959/LBALT - Various proposed works at Market Place and Victoria Square, Ashbourne, Derbyshire, DE6 1EX.

Councillor David Hughes declared a non-pecuniary interest in Item 5.9 due to being Chair of the Ashbourne Reborn Programme Board.

Councillor Peter Dobbs declared a non-pecuniary interest in Item 5.9 due to being a member of the Ashbourne Reborn Programme Board.

Councillor Stuart Lees declared a non-pecuniary interest in Item 5.9 due to being a member of the Ashbourne Reborn Programme Board.

211/23 - APPLICATION NO. 23/00229/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 Darren Abbott (Applicant) spoke in support of the application. Mr Paul Thorne (Local Resident) and Ms Sarah Bond (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 summarised letter of representation received from a local resident.

Councillor Peter Slack proposed a motion to defer consideration of the application to allow for the plans to be amended to address issues relating to development density and incursion into the adjacent conservation area. This motion was seconded by Councillor Nick Whitehead and put to the vote as follows:

Voting

4 For

8 Against

0 Abstentions

The Chair declared the motion **LOST**.

It was moved by Councillor Stuart Lees, seconded by Councillor Dermot Murphy and

RESOLVED

That authority be delegated to the Development Manager or Principal Planning Officer to grant planning permission, subject to the following conditions, and following the completion of a S.106 planning obligation to secure 17 affordable homes (including 5 first homes), a contribution of £51,300 for healthcare, a contribution of £8,327.70 for parks and gardens, a contribution of £3,368.70 for allotments, a contribution of £10,000 for monitoring of the Travel Plan and a contribution of £4,000 for stock for Wirksworth library.

And subject to the following additional conditions:

33. The development hereby permitted shall not be occupied until the access, parking and turning facilities to that individual building to the nearest public highway has been provided as shown on drawing 008 Rev L.

Reason:

To ensure that access is provided to each property in the interests of highway safety and conformity with submitted details.

34. No part of the development hereby approved shall be occupied until visibility splays are provided from a point 0.6m above carriageway level at the centre of the access to the application site and 2.4 metres back from the near side edge of the adjoining carriageway as shown on drawing 600422-HEX-XX-XX-DR-TP-0200 Rev P05. These splays shall thereafter be permanently kept free of all obstructions to visibility over 0.6m in height above carriageway level.

Reason:

In the interests of highway safety.

35. No individual dwelling shall be occupied until sheltered, secure and accessible bicycle parking has been provided in accordance with details which shall first be submitted to and approved in writing by the Local Planning Authority. The storage area shall be maintained for this purpose thereafter.

Reason:

To promote sustainable travel and healthy communities

36. The Residential Travel Plan hereby approved, dated 2nd August 2023 shall be implemented and monitored in accordance with the regime contained within the Plan. In the event of failing to meet the targets within the Plan a revised Plan shall be submitted to and approved in writing by the Local Planning Authority to address any shortfalls, and where necessary make provision for and promote improved sustainable forms of access to and from the site. The Plan thereafter shall be implemented and updated in agreement with the Local Planning Authority and thereafter implemented as amended.

Reason:

To reduce vehicle movements and promote sustainable access.

37. Prior to commencement of the development hereby permitted details of a construction management plan shall be submitted to and approved in writing by the Local Planning Authority. The approved plan shall be adhered to throughout the construction period. The plan/statement shall include but not be restricted to:

- a) Parking of vehicle of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);
- b) Advisory routes for construction traffic;
- c) Any temporary access to the site;
- d) Locations for loading/unloading and storage of plant, waste and construction materials;
- e) Method of preventing mud and dust being carried onto the highway;
- f) Arrangements for turning vehicles;
- g) Arrangements to receive abnormal loads or unusually large vehicles;
- h) Joint Highway Condition survey;
- i) Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses.

Reason:

In the interests of safe operation of the adopted highway in the lead into development both during the demolition and construction phase of the development.

38. Notwithstanding the provisions of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or in any Statutory Instrument revoking or re-enacting that Order with or without modification) no extensions be erected within the curtilage of plot 27, 28, 29, 30, 31, 32, 33, 35 or 36 without the prior written permission of the Local Planning Authority on an application submitted to it.

Reason:

To ensure that the affordable dwellings remain of a size to be more affordable.

Voting

8 For

2 Against
2 Abstentions

The Chair declared the motion **CARRIED**.

212/23 - APPLICATION NO. 23/00447/FUL

7:16pm - Councillor Stuart Lees left the room for the consideration of this application.

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

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

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

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

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

RESOLVED (unanimously)

That planning permission be approved subject to the conditions set out in section 8 of the report.

The Chair declared the motion **CARRIED**.

213/23 - APPLICATION NO. 23/00448/LBALT

Councillor Stuart Lees remained absent for the consideration of this application.

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

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

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

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

RESOLVED (unanimously)

That Listed Building Consent be granted, subject to the conditions set out in the report.

The Chair declared the motion **CARRIED**.

214/23 - APPLICATION NO. 23/00765/FUL

7:27pm - Councillor Stuart Lees re-entered the meeting.

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, Ms Cathy Cooke (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 Nick Whitehead and

RESOLVED (unanimously)

That planning permission be approved as it was determined that the preservation of what remained of the building and the benefits to wildlife outweighed the harm to the character and appearance to this part of the Bolehill conservation area.

The Chair declared the motion **CARRIED**.

215/23 - APPLICATION NO. 23/00768/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 Vicki Raynes (Local Resident) and Mr Ian Strange (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 summarised letter of representation received from a local resident.

It was moved by Councillor David Hughes, seconded by Councillor Nick Whitehead and

RESOLVED

That planning permission be approved subject to the conditions set out in section 8 of the report and the additional condition below, and that the application be linked to the S106 legal agreement pertaining to hybrid planning permission 20/00037/FUL.

1. That appropriately sized badger holes be established in order to allow for badgers to pass through property boundaries thereby preserving the established badger corridor.

Voting

11 For

01 Against

00 Abstentions

The Chair declared the motion **CARRIED**.

216/23 - DURATION OF MEETINGS (MOTION TO CONTINUE)

At 8.30pm, it was moved by Councillor David Hughes, seconded by Councillor Peter Slack 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**.

217/23 - APPLICATION NO. 23/00912/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 Vicki Raynes (Local Resident) and Mr Ian Strange (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 summarised letter of representation received from a local resident.

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

RESOLVED

That planning permission be approved subject to the conditions set out in section 8 of the report and the additional condition below, and that the application be linked to the S106 legal agreement pertaining to hybrid planning permission 20/00037/FUL.

1. That appropriately sized badger holes be established in order to allow for badgers to pass through property boundaries thereby preserving the established badger corridor.

Voting

9 For

3 Against

0 Abstentions

The Chair declared the motion **CARRIED**.

8:45pm - meeting adjourned for 10 minutes.

8:45pm - Councillor Nick Whitehead left the meeting.

218/23 - APPLICATION NO. 23/00209/FUL

8.55pm – The meeting reconvened.

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 Scott O'Dell (Agent) and The Hon David Legh on behalf of the Trustees of the Meynell and South Staffordshire Hunt (Applicant) spoke in support of the application. Mr Nigel Francis (Local Resident) spoke against the application and Mr William Hudson (Local Resident) commented on the application.

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

Correspondence received after publication of the agenda was distributed at the meeting. This comprised of a summarised letter of representation received from a local resident.

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

RESOLVED (unanimously)

That planning permission be approved subject to the conditions set out in section 8 of the report and the following two additional conditions:

1. Notwithstanding the approved plans, prior to the first occupation of the dwelling within the Whelping Lodge, a detailed scheme for additional planting along the northern boundary of the site, timescale for implementation and ongoing maintenance shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter not be carried out other than in accordance with the approved details.

Reason: In the interests of protecting the amenity of neighbouring properties in accordance with policy PD1 of the Adopted Derbyshire Dales Local Plan (2017).

2. Prior to the first occupation of any part of the development hereby approved, a scheme of drainage measures to alleviate surface water run-off from the paddock and existing drive shall be submitted to and approved in writing by the Local Planning Authority. The drainage measures shall thereafter be implemented in full prior to the first occupation of the development.

Reason: To ensure that surface water drainage is adequate in accordance with policy PD8 of the Adopted Derbyshire Dales Local Plan (2017).

The Chair declared the motion **CARRIED**.

219/23 - APPLICATION NO. 23/00210/LBALT

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 Scott O'Dell (Agent) and The Hon David Legh on behalf of the Trustees of the Meynell and South Staffordshire Hunt (Applicant) spoke in support of the application. Mr Nigel Francis (Local Resident) spoke against the application and Mr William Hudson (Local Resident) commented on the application.

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

It was moved by Councillor Stuart Lees, seconded by Councillor Kelda Boothroyd and

RESOLVED (unanimously)

That the application for Listed Building Consent be approved subject to the conditions set out in section 8 of the report.

The Chair declared the motion **CARRIED**.

220/23 - APPLICATION NO. 23/00959/LBALT

9.30pm - Councillors Peter Dobbs, David Hughes and Stuart Lees left the meeting for the consideration of this application.

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

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

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

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

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

RESOLVED

That Listed Building Consent be granted subject to the conditions set out in section 8 of the report.

Voting

7 For

0 Against

1 Abstentions

The Chair declared the motion **CARRIED**.

221/23 - APPEALS PROGRESS REPORT

9.42pm - Councillor Peter Slack left the meeting.

Councillor David Hughes put forward the following motion:

“That Derbyshire Dales District Council Planning Committee requests that the Chair of the Planning Committee writes to the Head of the Planning Inspectorate and the Planning Inspector who conducted the appeal ref. APP/P1045/W/22/331609 noting the Committee’s disappointment with the decision reached, and noting further its disappointment that the Inspector did not consider the rights of children to play safely in their front gardens. When playing, children, and particularly small children, are often oblivious to traffic dangers. The danger to children in changing a private if shared drive into a highway is manifest and should have been given due weight in coming to a decision instead of being ignored.”

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

RESOLVED (unanimously)

That the appeals progress report be noted and that the Chair of the Planning Committee writes to the Head of the Planning Inspectorate regarding the appeal ref. APP/P1045/W/22/331609 noting the Committee’s disappointment with the decision reached.

Voting

7 For

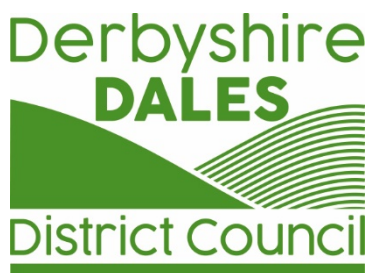
0 Against

1 Abstentions

The Chair declared the motion **CARRIED**.

Meeting Closed: 9.52pm

Chair



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Ernest Bailey Charity Committee

Minutes of a Ernest Bailey Charity Committee meeting held at 6.00 pm on Tuesday, 28th November, 2023 in the Council Chamber, Town Hall, Matlock, DE4 3NN.

PRESENT

Councillor Joanne Linthwaite - In the Chair

Councillors: Sue Burfoot, Steve Flitter, Marilyn Franks, Susan Hobson, David Hughes, Steve Wain and Nick Whitehead

Lucy Harrison (Democratic Services Assistant), Emma Mortimer (Community Development Officer) and Karen Henriksen (Director of Resources)

Note:

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APOLOGIES

Apologies for absence were received from Councillor(s): Matt Buckler, Martin Burfoot, David Burton and Roger Shelley

222/23 - ELECTION OF THE CHAIR AND VICE-CHAIR

It was moved by Councillor Sue Burfoot, seconded by Councillor Steve Flitter and

RESOLVED (unanimously)

That Councillor Joanne Linthwaite be elected Chair of the Ernest Bailey Charity Committee.

The Chair declared the motion **CARRIED**.

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

RESOLVED (unanimously)

That Councillor Nick Whitehead be elected Vice-Chair of the Ernest Bailey Charity Committee.

The Chair declared the motion **CARRIED**.

223/23 - APPROVAL OF MINUTES OF PREVIOUS MEETING

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

RESOLVED (unanimously)

That the minutes of the meeting of the Ernest Bailey Charity Committee held on 17 11 2022 be approved as a correct record.

Voting

03 For

00 Against

05 Abstentions

The Chair declared the motion **CARRIED**.

224/23 - INTERESTS

Item 7 – Distribution of Charitable Grants

Councillor Nick Whitehead declared an interest in Item 7 Application 5/23 Matlock Bath Arts Pavilion.

Councillor Joanne Linthwaite declared an interest in Item 7 Application 7/23 Holy Trinity Church Tansley.

225/23 - STATEMENT OF FINANCIAL POSITION

The Director of Resources introduced a report setting out the financial position of the Charity as at the end of the 2022/23 financial year and provided estimates for 2023/24. The report also sought approval for the investment of the Charity's funds with Derbyshire Dales District Council.

In 2022/23, the charitable fund administered by the Council had earned on average an interest rate of 0.90% for 2022/23 earning £1,357. Grant payments in 2022/23 amounted to £3,980.

At the last meeting of the Committee in November 2022, the freehold sale of a section of the land at Pope Carr Road, Matlock was approved. After the costs of the surveys etc had been deducted, the net proceeds amounted to £17,192.50. The Director of Resources invested the net proceeds, adding them to the £150,00 investment, the endorsement of this decision was sought from Members.

The Charity's financial position at 31 March 2023 was £169,316.95.

For 2023/24, it was noted that the amount available in the distribution fund was £7,813, being equal to the estimated interest receivable in the year. Members were informed that, if they wished to do so, they could award grants totalling £7,812.52 plus up to £2,124.45 and still retain an investment of £167,192.50. Any grants awarded over the forecast would reduce the balance carried forward.

The recommendations as set out in the report were moved by Councillor Steve Wain, seconded by Councillor Susan Hobson with the removal of recommendation 4 and the addition of recommendation 5:

5. That payment of grants may not be made until documentary evidence of expenditure has been sought, except in exceptional circumstances where evidence cannot be provided until after expenditure has taken place.

The motion was then put to the vote and

RESOLVED (unanimously)

1. That the financial statement for the 2022/23 financial year be received.
2. That Members endorse the investment with Derbyshire Dales District Council in respect of the net proceeds of £17,192.50 from the sale of land at Pope Carr Road, Matlock.
3. That the funds of the Charity continue to be invested with Derbyshire Dales District Council.
4. That progress on the Review be noted.
5. That payment of grants may not be made until documentary evidence of expenditure has been sought, except in exceptional circumstances where evidence cannot be provided until after expenditure has taken place.

The Chair declared the motion **CARRIED**.

226/23 - DISTRIBUTION OF CHARITABLE FUNDS

The Committee considered a total of 12 applications for Grant Aid.

It was moved by Councillor Joanne Linthwaite, seconded by Councillor Nick Whitehead and

RESOLVED (unanimously)

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

The Chair declared the motion **CARRIED**.

APPLICATIONS 1/23, 3/23, 4/23, 6/23, 8/23, 9/23

It was moved by Councillor David Hughes, seconded by Councillor Nick Whitehead and

RESOLVED (unanimously)

APPLICATION NO 1/23 – Darley Dale School PTA

That a grant of £175 be awarded towards the purchase of sports equipment.

APPLICATION NO 3/23 – South Darley School PTA

That a grant of £175 be awarded for the purchase of a planter for children to grow plants.

APPLICATION NO 4/23 – Hall Leys Skate Park Project

That a grant of £350 be awarded to aid in the replacement of the skate park in Hall Leys Park.

APPLICATION NO 6/23 – Derbyshire Carers Association

That a grant of £200 be awarded for activities for carers.

APPLICATION 8/23 – Matlock Bath Holy Trinity School

That a grant of £175 be awarded for the purchase of willow structures for the school grounds.

APPLICATION NO 9/23 – Matlock Bath Pre-School

That a grant of £340 be awarded for the purchase of art material.

The Chair declared the motion **CARRIED**.

APPLICATION 2/23 – Derbyshire Federation for Mental Health

It was moved by Councillor Nick Whitehead, seconded by Councillor Sue Burfoot and **RESOLVED**

That a grant of £1000 be awarded for activities and refurbishment.

Voting

05 For

03 Against

00 Abstained

The Chair declared the motion **CARRIED**.

APPLICATION 7/23 – Holy Trinity Church Tansley

Councillor Joanne Linthwaite left the meeting during consideration of this item due to previously declaring an interest.

It was moved by Councillor Steve Flitter, seconded by Councillor Steve Wain and

RESOLVED (unanimously)

That a grant of £1000 be awarded for the replacement of heating system.

The Chair declared the motion **CARRIED**.

APPLICATION 10/23 – Matlock and District 1st Responders

It was moved by Councillor Steve Flitter, seconded by Councillor Nick Whitehead and

RESOLVED (unanimously)

That a grant of £1000 be awarded for responder kit for new recruits.

The Chair declared the motion **CARRIED**.

APPLICATION 5/23 – Matlock Bath Arts Pavilion

Councillor Nick Whitehead left the meeting during consideration of this item due to previously declaring an interest.

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

RESOLVED (unanimously)

That a grant of £1000 be awarded for roof repairs.

The Chair declared the motion **CARRIED**.

APPLICATIONS: 11/23 and 12/23 (2 LOCAL RESIDENTS)

It was moved by Councillor Steve Wain, seconded by Councillor Joanne Linthwaite and

RESOLVED

That a grant of £200 be awarded to a resident to help pay for a violin and lessons.

That a grant of £195 be awarded to a resident to help pay for gas and electric, toddler clothing and bedding, food and tension rods and nets.

Voting

06 For

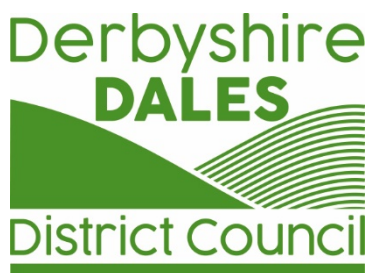
01 Against

00 Abstained

The Chair declared the motion **CARRIED**.

Meeting Closed: 6.57 pm

Chairman



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Local Plan Sub-Committee

Minutes of a Local Plan Sub-Committee meeting held at 6.00 pm on Thursday, 30th November, 2023 in the Council Chamber, Town Hall, Matlock, DE4 3NN.

PRESENT

Councillor Peter O'Brien - In the Chair

Councillors: Matt Buckler, Martin Burfoot, Nigel Norman Edwards-Walker, Gareth Gee, Susan Hobson, David Hughes, Lucy Peacock and Roger Shelley

Steve Capes (Director of Regeneration & Policy), Mike Hase (Policy Manager) and Tommy Shaw (Democratic Services Team Leader)

Note:

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APOLOGIES

Apologies for absence were received from Councillor(s): Robert Archer

227/23 - APPROVAL OF MINUTES OF PREVIOUS MEETING

It was moved by Councillor Roger Shelley, Seconded by Councillor Gareth Gee and

RESOLVED (unanimously)

That the minutes of the meeting of the Local Plan Sub-Committee held on 27 September 2023 be approved as a correct record.

The Chair declared the motion **CARRIED**.

228/23 - PUBLIC PARTICIPATION

Councillor Vicky Raynes spoke on behalf of Tansley Parish Council regarding Item 5, Derbyshire Dales Local Plan – Settlement Hierarchy.

18:06 – Councillor Edwards-Walker entered the meeting.

229/23 - INTERESTS

There were no declarations of interest.

230/23 - LOCAL PLAN POLICY REVIEW

The Policy Manager introduced a report which provided Members with the details of key policy areas that the Local Plan review would seek to address in the future. The report informed Members of the requirement on each local planning authority to complete a review of the local plan every five years, starting from the adoption of the plan. In the case of the Derbyshire Dales, the review was required to be completed no later than December 2022, the commencement of this was formally endorsed by Council in November 2020.

The report informed Members of the work that had been completed to date, including the areas of work completed by consultants in order to ensure that the evidence base which underpinned the Derbyshire Dales Local Plan was up to date. It was noted that following this work a report was considered by Council which detailed the work undertaken and the areas which were determined as requiring modification to set a basis for future decisions on planning applications. A detailed schedule of all policies considered necessary to be revised were set out at appendix 1 to the report.

The key policy areas were summarised at paragraph 2.1 of the report, it was noted that whilst no detailed work had been completed on revisions to the wording of the policies in the Local Plan, given the comprehensive nature of the policy review it was considered that the areas identified remained valid and would continue to form the basis for future work on the Local Plan Policies.

It was moved by Councillor Martin Burfoot, Seconded by Councillor Gareth Gee and

RESOLVED (unanimously)

1. That the key topic areas as set in Paragraph 2.1, in addition to the topics listed below, be noted.
 - The relationship between development landscaping requirements and biodiversity net gain.
 - The retrofitting of existing properties to advance progression towards net zero goals.
 - Ensuring that infrastructure is adequate to support development, specifically drainage.
 - Ensuring that policies are endorsed and supported by residents, developers, and the planning inspectorate.
 - A clear definition of ‘Thriving and Flourishing Communities’ be established for use in the development of policies.

- That the equalities implications be considered throughout the process of policy development and implementation.
 - Renewable energy generation, at all spatial levels, to support the District in addressing the impacts of climate change.
 - Holiday and second homes, to enable the Local Plan to reflect the introduction in the Levelling Up Act of measures to bring their control within the scope of planning.
2. That future reports be presented to this Sub Committee for consideration, and which set out details of new and revised policy wording for inclusion in the Derbyshire Dales Local Plan review.

The Chair declared the motion **CARRIED**.

231/23 - DERBYSHIRE DALES LOCAL PLAN - SETTLEMENT HIERARCHY

18:37 – Councillor Matt Buckler entered the meeting.

The Policy Manager introduced a report which set out the outcomes of work that had been undertaken to review and update information relating to the assessment of the relative roles and functions of mid and lower tier settlements across the plan area and the extent to which they could contribute towards meeting future needs.

The report recommended that Members note the findings of the updated settlement hierarchy assessment and that the contents of the assessment would be used to inform the strategic development framework in the Derbyshire Dales Local Plan. The full Settlement Hierarchy assessment was set out in Appendix 1 to the report.

It was moved by Councillor Lucy Peacock, Seconded by Councillor Matt Buckler and

RESOLVED (unanimously)

1. That the Sub Committee notes the updated Settlement Hierarchy assessment as set out in Appendix 1.
2. That the evidence from the updated Settlement Hierarchy Assessment be taken into account in the development of a revised strategy and policies for the location and scale of development within the revised Derbyshire Dales Local Plan.
3. That a further report be presented to this Committee which utilises the evidence from the updated Settlement Hierarchy to develop an appropriate strategy for development across the plan area.

The Chair declared the motion **CARRIED**.

232/23 - DERBY, DERBYSHIRE AND EAST STAFFORDSHIRE GYPSY AND TRAVELLER ACCOMMODATION ASSESSMENT 2023

The Policy Manager introduced a report which provided Members with details of the Derby, Derbyshire and East Staffordshire Gypsy and Traveller Accommodation Assessment 2023.

The report sought Member endorsement for the contents of the assessment which was included at Appendix 1 to the report.

It was noted within the report that the assessment research had made use of several data sources including:

- An online survey and telephone interviews with key stakeholders regarding the accommodation needs of Gypsies, Travellers, Travelling Showpeople and boat dwellers.
- A review of the secondary information: a review of national and local planning policies and recently undertaken similar assessments, and analysis of secondary data.
- Surveys of Gypsies, Travellers, and Travelling Showpeople, covering a range of issues relating to accommodation and service needs.

It was also noted in the report that this updated evidence base would help the District Council to determine the extent to which Gypsy and Traveller site provision would need to be addressed in the future, through both policies and practical implementation.

It was moved by Councillor Gareth Gee, Seconded by Councillor David Hughes and

RESOLVED (unanimously)

1. The contents of the Derby, Derbyshire and East Staffordshire Gypsy and Traveller Accommodation Assessment 2023 be endorsed.
2. That the contents of the Derby, Derbyshire and East Staffordshire Gypsy and Traveller Accommodation Assessment be taken into account in the future review of the Derbyshire Dales Local Plan.
3. A further report be brought to this Sub Committee which sets out policies and proposals that address the consequences of the Derby, Derbyshire and East Staffordshire Gypsy and Traveller Accommodation Assessment.

The Chair declared the motion **CARRIED**.

233/23 - DERBYSHIRE DALES LOCAL PLAN - BUSINESS CASE FOR ADDITIONAL STAFFING RESOURCES

The Policy Manager introduced a report which sought Member endorsement for the securing of additional staffing resources for the Planning Policy Team to achieve the Progressive Alliance's 'fresh approach' to the Derbyshire Dales Local Plan review within the timescales required by the Government and approved in the Derbyshire Dales Local Development Scheme 2023-2026.

The report explained how the scope of the Local Plan review had recently been expanded and how the review had been prioritised highly by the leadership of the incoming administration. The current structure of the Planning Policy team was also covered within the report, this showed Members where the proposed additional resource would fit within the existing team and how this would provide the required improvement to resource capacity.

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

RESOLVED (unanimously)

1. That the need for the appointment of additional staff within the Planning Policy team is noted.
2. That the Local Plan Sub Committee supports the appointment of a Principal Planning Policy Officer.
3. That Council be recommended to approve a supplementary revenue budget of £13,922 for 2023/24 for a Principal Planning Policy Officer from 1st January 2024 to 31 March 2024, to be funded from the Revenue Grants Unapplied Reserve, and to note that the estimated annual cost of £55,688 from 1st April 2024 will be built into the Medium-Term Financial Plan, financed from the Neighbourhood Planning Grant and the Custom Build Register Grant, that sit within the Revenue Grants Unapplied Reserve, until exhausted.

The Chair declared the motion **CARRIED**.

Meeting Closed: 8.07 pm

Chair.

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