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Community & Environment Committee

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

PRESENT

Councillor Helen Froggatt - In the Chair

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

Paul Wilson (Chief Executive), Tim Braund (Director of Regulatory Services), James McLaughlin (Director of Corporate and Customer Services (Monitoring Officer)), Ashley Watts (Director of Community and Environmental Services), Mike Hase (Policy Manager), Vikki Hatfield (Neighbourhoods Manager), Jim Seymour (DCC Transport Strategy Manager), Amanda Goodwill (Environmental Health Manager), Karen Carpenter (Environmental Health Officer) and Tommy Shaw (Democratic Services Team Leader)

Note:

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

APOLOGIES

Apologies for absence were received from Councillor(s): Tony Morley, Janet Rose and Andrew Statham

287/22 - APPROVAL OF MINUTES OF PREVIOUS MEETING

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

RESOLVED (unanimously)

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

The Chairman declared the motion **CARRIED**.

288/22 - PUBLIC PARTICIPATION

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

289/22 - INTERESTS

There were no declarations of interest.

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

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

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

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

Councillor Froggatt provided a verbal response:

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

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

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

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

291/22 - ASHBOURNE AIR QUALITY MANAGEMENT AREA ACTION PLAN

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

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

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

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

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

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

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

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

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

Reasons:

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

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

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

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

This amendment was put to the vote as follows:

11 For
01 Against
01 Abstention

The Chairman declared the amendment **CARRIED**.

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

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

This amendment was put to the vote as follows:

11 For
01 Against
01 Abstention

The Chairman declared the amendment **CARRIED**.

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

RESOLVED

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

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

Voting

11 For

01 Against

01 Abstained

The Chairman declared the motion **CARRIED**.

292/22 - MEMORIAL BENCH POLICY

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

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

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

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

RESOLVED

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

Voting

11 For

00 Against

03 Abstained

The Chairman declared the motion **CARRIED**.

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

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

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

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

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

RESOLVED (unanimously)

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

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

The Chairman declared the motion **CARRIED**.

Meeting Closed: 8.22 pm

Chairman