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<DRAFT_Record of Decision_Temporary Traveller
Site_Matlock Bath Station Yard Car Park.docx>

McLaughlin, James

From: Purdy, Garry
Sent: 28 October 2022 11:33
To: Braund, Tim
Cc: Hobson, Susan; Shirley, Andrew; McLaughlin, James; Wilson, Paul; Donnelly, Tom; Lees, Stuart
Subject: Re: [OFFICIAL (SENSITIVE)] Consultation - Urgent Decision - Designation of Matlock Bath Station Yard Car Park as a Temporary Site for a Specific Traveller Family
Categories: Gypsy and Traveller

Tim
An Urgent Decision Notice has been signed by myself and Cllr Andrew Shirley following an email from James to move the Traveller family from Ashbourne to the Station car park Matlock Bath as soon as the Illuminations at Matlock Bath close on 31 October 2022
Following the Council decision on 29 September 2022 on the Amendment to move the family to the site at Northwood I fully expected that Council approval to be acted upon.
It was not and has added further stress, anger and mental health issues to the people of Ashbourne, and including our Councillors who dare not visit their own Town in the knowledge that they will be further accosted and abused. It is not a question of what the family think Tim, it is a question now of complying with the Urgent Decision Notice and I therefore expect plans to be put in place for the family to be moved, with the assistance of our Staff on 1st November 2022 and be moved to Matlock Bath.
Feelings are running extremely high in Ashbourne and a Public meeting is being called for and such action could possibly stir tempers more to the point of concern for some vigilante action.
Enough is enough for Ashbourne and so take due notice that I fully expect the action I have detailed to be carried out with the backing of the Emergency Decision Notice signed off.

Sent from my iPad
Cllr Garry W Purdy BSc(Hons)
Leader Derbyshire Dales District Council
Representing Masson Ward

On 28 Oct 2022, at 11:10, Braund, Tim <tim.braund@derbyshiredales.gov.uk> wrote:

Cllr Hobson

Thanks for the email. The Environmental Health team will be visiting the encampment today to discuss the new offer with the family. We should gain some idea about whether they will view this more positively then.

Regards

Tim

Tim Braund
Director of Regulatory Services



From: Hobson, Susan
Sent: 28 October 2022 10:52
To: Purdy, Garry <Garry.Purdy@derbyshiredales.gov.uk>
Cc: Shirley, Andrew <Andrew.Shirley@derbyshiredales.gov.uk>; McLaughlin, James <James.McLaughlin@derbyshiredales.gov.uk>; Wilson, Paul <paul.wilson@derbyshiredales.gov.uk>; Braund, Tim <tim.braund@derbyshiredales.gov.uk>
Subject: Re: [OFFICIAL (SENSITIVE)] Consultation - Urgent Decision - Designation of Matlock Bath Station Yard Car Park as a Temporary Site for a Specific Traveller Family

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Thank you for agreeing to this urgent decision.

I am told this morning that the mood in Ashbourne is febrile and that there is a lot of negative activity on social media.

Ashbourne members, and their families, are being verbally abused in the town and this cannot be tolerated.

For the sake of the safety of the Traveller family, and also the concerns of the settled community this move must be initiated as soon as possible.

I would like to thank Councillor Purdy for his earlier initiative and, although this was not progressed, he was trying to balance the needs of all those concerned.

It would only be common courtesy for Mr Pugh to be informed officially.

Kind Regards

Councillor Susan Hobson
Deputy Leader Derbyshire Dales District Council
Chatsworth Ward
Sent from my iPad

On 28 Oct 2022, at 09:17, Purdy, Garry <Garry.Purdy@derbyshiredales.gov.uk> wrote:

James

As you know I suggested previously that after the close of the Illuminations at the end of October this year that the Traveller family at Ashbourne should be moved to

the Station car park Matlock Bath but with the stipulation that they should be moved off at the end of January 2023 (you have the date 2022) prior to the School terms opening of the Heights of Abraham Matlock Bath and so I am pleased to see the stipulation that I requested in your email.

I only ever saw the Northwood site as a temporary- temporary situation pending the end of October.

I therefore agree this Urgent decision

Garry

Ps I would like a letter being sent to Mr A & R Pugh, Heights of Abraham in order to reassure them of the stipulation at the end of January

Sent from my iPad

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Leader Derbyshire Dales District Council

Representing Masson Ward

On 27 Oct 2022, at 22:19, Shirley, Andrew
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Dear James,

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Regards

Andrew

Cllr Andrew Shirley
Clifton and Bradley Ward
Derbyshire Dales District Council

Sent from my iPad

On 27 Oct 2022, at 17:20, McLaughlin, James
<James.McLaughlin@derbyshiredales.gov.uk> wrote:

Good afternoon Cllrs Purdy and Shirley,

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This proposal emerged during a meeting of the working group held on 19 October 2022 following site visits across the district, including the site at Harrison Way, Northwood, which had previously been agreed by the Council on 29 September as a temporary site. Members of the working group concluded that the site at Harrison Way would not be suitable for occupation at this time and proposed the site at Matlock Bath Station Yard as an alternative.

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Before commencing the formal consultation process required by the Constitution, the working group instructed me to consult Political Group Leaders on their views and to establish a further level of political support for their proposal. Having consulted all five group leaders, there is unanimous (albeit reluctantly from Cllr Purdy as a ward Member for this site) acceptance of the proposal. Following the specific feedback from Cllr Purdy, the proposed period of designation as a temporary site would be from 1 November 2022 to 31 January 2023, during the winter months where there is reduced demand for the parking spaces at this site. The date of 31 January 2022 has also been submitted to the Community Law Partnership, which is acting on behalf of the specific Traveller family, as the period when the Council will not seek eviction from Matlock Bath as an incentive to secure their vacation of the Clifton Road Coach and Car Park by 4 November 2022. It will not be possible to revisit this date if the specific Traveller family comply with the request.

I have prepared a decision notice, which is attached, that seeks to confirm the urgent decision to designate the land at Matlock Bath Station Yard as a temporary site for occupation by a specific

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Following consultation with the Chairman of the Council and the Leader of the Council I am required to notify the ward Members for Masson Ward of the decision. This is not consultation, but a notification of the decision.

Subject to your consent to the urgency, the decision may be taken and implemented by officers and we will confirm this to the Gypsy and Traveller Site Provision Working Group and other political group leaders.

I am on leave from today until Monday 7 November, so Paul will be able to assist with or coordinate a response to any queries in the meantime.

Best wishes,
James

James McLaughlin

Director of Corporate & Customer Services
and Monitoring Officer

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McLaughlin, James

From: Wilson, Paul
Sent: 28 October 2022 12:03
To: McLaughlin, James
Subject: RE: Consultation - Urgent Decision - Designation of Matlock Bath Station Yard Car Park as a Temporary Site for a Specific Traveller Family

Categories: Gypsy and Traveller

No problem James

Paul Wilson
Chief Executive



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tel (01629) 761126

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From: McLaughlin, James
Sent: 28 October 2022 11:45
To: Wilson, Paul <paul.wilson@derbyshiredales.gov.uk>
Subject: Re: [OFFICIAL (SENSITIVE)] Consultation - Urgent Decision - Designation of Matlock Bath Station Yard Car Park as a Temporary Site for a Specific Traveller Family

Paul,

Can you amend the typo on the decision notice referred to by Cllr Purdy and then forward to Cllr Murphy. I didn't want to do that until Cllrs Shirley and Purdy had agreed to the urgency.

Once that is done it can go to the Committee Team for publication when we are ready for it to be published

Thanks
James

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From: Wilson, Paul <paul.wilson@derbyshiredales.gov.uk>
Sent: Friday, October 28, 2022 9:23:02 AM
To: Purdy, Garry <Garry.Purdy@derbyshiredales.gov.uk>; Shirley, Andrew <Andrew.Shirley@derbyshiredales.gov.uk>
Cc: McLaughlin, James <James.McLaughlin@derbyshiredales.gov.uk>; Wilson, Paul <paul.wilson@derbyshiredales.gov.uk>; Braund, Tim <tim.braund@derbyshiredales.gov.uk>; Hobson, Susan <Susan.Hobson@derbyshiredales.gov.uk>
Subject: RE: [OFFICIAL (SENSITIVE)] Consultation - Urgent Decision - Designation of Matlock Bath Station Yard Car Park as a Temporary Site for a Specific Traveller Family

Cllr. Purdy,

I will write to Andrew and Rupert Pugh today advising them of the position.

Regards
Paul

Paul Wilson
Chief Executive



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tel (01629) 761126

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From: Purdy, Garry
Sent: 28 October 2022 09:17
To: Shirley, Andrew <Andrew.Shirley@derbyshiredales.gov.uk>
Cc: McLaughlin, James <James.McLaughlin@derbyshiredales.gov.uk>; Wilson, Paul <paul.wilson@derbyshiredales.gov.uk>; Braund, Tim <tim.braund@derbyshiredales.gov.uk>; Hobson, Susan <Susan.Hobson@derbyshiredales.gov.uk>
Subject: Re: [OFFICIAL (SENSITIVE)] Consultation - Urgent Decision - Designation of Matlock Bath Station Yard Car Park as a Temporary Site for a Specific Traveller Family

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Garry

Ps I would like a letter being sent to Mr A & R Pugh, Heights of Abraham in order to reassure them of the stipulation at the end of January

Sent from my iPad
Cllr Garry W Purdy BSc(Hons)
Leader Derbyshire Dales District Council
Representing Masson Ward

On 27 Oct 2022, at 22:19, Shirley, Andrew <Andrew.Shirley@derbyshiredales.gov.uk> wrote:

Dear James,

Thank you for this email which I have read, together with the attached notice. It is my view that you are correct that this is an urgent matter and therefore I approve the designation of the Matlock Bath Station Car Park as a temporary site for a specific traveller family.

Regards

Andrew

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Derbyshire Dales District Council

Sent from my iPad

On 27 Oct 2022, at 17:20, McLaughlin, James <James.McLaughlin@derbyshiredales.gov.uk> wrote:

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agreement or otherwise to the proposed decision and its urgency. I am unable to take a decision without your consent to urgency. I would also seek your agreement to the wording of the attached decision notice in respect of this matter, as this is the document that will be published on the Council's website.

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Best wishes,
James

James McLaughlin
Director of Corporate & Customer Services
and Monitoring Officer

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<DRAFT_Record of Decision_Temporary Traveller Site_Matlock Bath
Station Yard Car Park.docx>

McLaughlin, James

From: Braund, Tim
Sent: 28 October 2022 12:43
To: Purdy, Garry
Cc: Hobson, Susan; Shirley, Andrew; McLaughlin, James; Wilson, Paul; Donnelly, Tom; Lees, Stuart
Subject: RE: [OFFICIAL (SENSITIVE)] Consultation - Urgent Decision - Designation of Matlock Bath Station Yard Car Park as a Temporary Site for a Specific Traveller Family
Categories: Gypsy and Traveller

Cllr Purdy

Thank you for your email. You have made some assertions here that I feel I must address, not least for the benefit of the Ashbourne Members you have copied in, as I would not like them to think that action in relation to the encampment on the coach park has been delayed in any way.

Following the resolution at the Council meeting on 29 September, I contacted Dr Spencer at the Derbyshire Gypsy Liaison Group on 30 September, to explain the decisions taken and to ask for her assistance in persuading the family to leave the site voluntarily. I emailed you, Cllr Hobson, Paul and James about this and you agreed that this was the approach that was agreed at the meeting, albeit it wasn't recorded in the decision.

Officers from the Environmental Health team attended the site the following Monday (3 October) to explain the decision directly to the family and to encourage them to move voluntarily. At this stage the response from the family was one of resignation to the decision, suggesting that they would move of their own accord.

At the same time I asked Ash to arrange for the site at Harrison Way to be cleared as thoroughly as possible, so that the family could view it in the best possible light. This he arranged through the Clean and Green Team. I also asked Ash whether drivers and vehicles could be made available to help the family with the move. He confirmed that up to 8 towing vehicles and 8 experienced drivers would be able to assist. This information was conveyed to both the family and DGLG.

Liaison was maintained with the family and DGLG and it became clear that they were not prepared to move voluntarily. Consequently Directions to Leave were served on the family. These expired on 14 October. The site was visited on 14 October and since the family was still on site and application for an eviction order was made that day to the magistrates' court.

As you know, that application has been challenged through the issue of a JR pre-action letter, through the Community Law Partnership (CLP). This challenge has required the Council to withdraw its current application to the Court. Having spoken with our Legal Team we are of the view that the pre-action letter can be countered and Legal have sent an initial response to CLP. Legal will be following this up with a full rebuttal but I am advised that it is absolutely necessary that this legal issue is fully dealt with before we can recommence legal action.

Taking the legal challenge into account it is very important that we do obtain the views of the family in relation to this new offer. We will need to include this consultation in the documents that we are obliged to submit to the Court as part of a new application for an eviction order – we have to complete a welfare assessment and an eviction rationale, both of which will need to reference the fact that this conversation has taken place. A failure to undertake these steps correctly could

lead to further legal challenge with a much higher possibility that such a challenge would be successful, in turn leading to further delays. This is why it is so important that we follow the correct legal process in undertaking evictions.

Paul and I will continue to take advice from our Legal team as to the formal action we can take in light of the unresolved pre-action letter, but in the meantime colleagues will do all they can to secure a voluntary move as quickly as possible.

I hope that this helps to explain the situation.

Regards

Tim

Tim Braund
Director of Regulatory Services



Town Hall | Matlock | Derbyshire, DE4 3NN
tel 01629 761118 | mobile 07775 931052

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To: Braund, Tim <tim.braund@derbyshiredales.gov.uk>

Cc: Hobson, Susan <Susan.Hobson@derbyshiredales.gov.uk>; Shirley, Andrew

<Andrew.Shirley@derbyshiredales.gov.uk>; McLaughlin, James <James.McLaughlin@derbyshiredales.gov.uk>;

Wilson, Paul <paul.wilson@derbyshiredales.gov.uk>; Donnelly, Tom <Tom.Donnelly@derbyshiredales.gov.uk>; Lees, Stuart <Stuart.Lees@derbyshiredales.gov.uk>

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Cc: Shirley, Andrew <Andrew.Shirley@derbyshiredales.gov.uk>; McLaughlin, James <James.McLaughlin@derbyshiredales.gov.uk>; Wilson, Paul <paul.wilson@derbyshiredales.gov.uk>; Braund, Tim <tim.braund@derbyshiredales.gov.uk>
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Derbyshire Dales District Council

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Best wishes,
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James McLaughlin
Director of Corporate & Customer Services
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Traveller Site_Matlock Bath Station Yard Car
Park.docx>

McLaughlin, James

From: Wilson, Paul
Sent: 28 October 2022 13:56
To: Murphy, Dermot
Cc: McLaughlin, James; Purdy, Garry; Hobson, Susan
Subject: [OFFICIAL (SENSITIVE)] Urgent Decision Notice : Designation of Matlock Bath Station Yard Car Park as a Temporary Site for a Specific Traveller Family
Attachments: Urgent Record of Decision Temporary Traveller Site Matlock Bath Station Yard Car Park November 2022.docx
Importance: High
Categories: Gypsy and Traveller

Dear Cllr. Murphy,

I am writing to you in your capacity as Ward Member for the Masson Ward to inform you that in accordance with the Council's Constitution, an urgent decision has been taken in consultation with the Vice-Chairman of the Council (in the absence of Cllr Mrs Bull) and Leader of the Council, to implement a recommendation of the Gypsy and Traveller Site Provision Working Group to designate the coach park within the Matlock Bath Station Yard Car Park as a temporary site for a specific Traveller family from 1 November 2022 until 31 January 2023.

This proposal emerged during a meeting of the working group held on 19 October 2022 following site visits across the district, including the site at Harrison Way, Northwood, which had previously been agreed by the Council on 29 September as a temporary site. Members of the working group concluded that the site at Harrison Way would not be suitable for occupation at this time and proposed the site at Matlock Bath Station Yard as an alternative.

Given that there is an existing Council decision to direct the specific Traveller family to Harrison Way, the Council would need to take a further decision to designate the land at Matlock Bath Station Yard. There is no scheduled Council meeting or possibility of making arrangements for an extraordinary meeting of the Council in time, so it would be necessary for an officer (in this case James McLaughlin) to take an urgent decision on behalf of the Council to give effect to this recommendation so that arrangements can be made to seek the voluntary movement from Clifton Road Coach and Car Park or secure the eviction of the specific Traveller family with a direction to go to Matlock Bath Station Yard Car Park as a designated site.

Before commencing the formal consultation process required by the Constitution, the working group instructed James McLaughlin to consult Political Group Leaders on their views and to establish a further level of political support for their proposal. Having consulted all five political group leaders, there was unanimous (albeit reluctantly from Cllr Purdy as a ward Member for this site) acceptance of the proposal. Following the specific feedback from Cllr Purdy, the proposed period of designation as a temporary site would be from 1 November 2022 to 31 January 2023, during the winter months where there is reduced demand for the parking spaces at this site. The date of 31 January 2023 has also been submitted to the Community Law Partnership, which is acting on behalf of the specific Traveller family, as the period when the Council will not seek eviction from Matlock Bath as an incentive to secure their vacation of the Clifton Road Coach and Car Park by 4 November 2022. It will not be possible to revisit this date if the specific Traveller family comply with the request.

Officers have prepared a decision notice, which is attached, that confirms the urgent decision to designate the land at Matlock Bath Station Yard as a temporary site for occupation by a specific Traveller family from 1 November 2022 until 31 January 2023. In accordance with the Council Constitution, officers are required to notify the ward Members for Masson Ward of the decision. This is not consultation, but a notification of the decision.

I trust the above is of assistance, however please do not hesitate to contact me should you have any further questions.

Regards
Paul

Paul Wilson
Chief Executive



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