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Council

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

PRESENT Councillor Dawn Greatorex - In the Chair

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

Paul Wilson (Chief Executive), Tim Braund (Director of Regulatory Services), Steve Capes (Director of Regeneration & Policy), Robert Cogings (Director of Housing), Karen Henriksen (Director of Resources), Helen Mitchell (Director of Corporate and Customer Services (Monitoring Officer)), Giles Dann (Regeneration and Place Manager), Jason Spencer (Electoral and Democratic Services Manager) and Tommy Shaw (Democratic Services Team Leader)

Note:

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APOLOGIES

Apologies for absence were received from Councillor(s): Steve Wain, Robert Archer, Stuart Lees, Mark Wakeman, Marilyn Franks, Nick Whitehead and Joanne Linthwaite.

267/23 - INTERESTS

Item 11 Proposal of a Notice of Motion (Rule of Procedure 16) – Motion A

Councillors Susan Hobson, Martin Burfoot, Sue Burfoot, Matt Buckler and John Bointon declared pecuniary interests in Item 11 – Motion A due to holding a pension within the Derbyshire Pension Fund.

Item 19 – Public Sector Biodiversity Duty – Update

Councillor Matt Buckler declared a pecuniary interest in Item 19 due to his employment with Derbyshire Wildlife Trust.

268/23 - PART A) LAND AT BAKEWELL ROAD MATLOCK: OUTCOME OF OPTIONS ASSESSMENT AND PROPOSED APPROACH

The Regeneration and Place Manager introduced a report which provided a summary of, and conclusions from, the economic and financial assessment completed by external consultants on development options for the site. The report also asked Members to consider an initial package of works to be commenced during the remainder of 2023/24.

The Updated Business Case for the proposed conversion of the former Market Hall, enabling provision of a new indoor leisure attraction was approved at the meeting of Community & Environment Committee held on 1 March 2022. The scheme received detailed planning consent on 8 February 2022. Project development had been overseen by the Project Management Group (PMG) with input from the Council's Legal and Finance teams.

Following this, several Invitation To Tender (ITT) exercises had been completed, unfortunately no acceptable/affordable tender was received. These therefore concluded without a contractor appointment, illustrating the significant challenge of delivering the proposed scheme within the volatile construction market, impacted by high cost inflation. As a result of this, in July Members were asked to consider a list of development options which were detailed within the report. Further assessment work was then completed by Thomas Lister and AMION consulting, the updated assessment was included as an addendum to the updated business case, this was presented to Members as an appendix to Part B of this report.

It was moved by Councillor Steve Flitter and seconded by Councillor Martin Burfoot that the recommendations as set out within the report be accepted. During debate, an amendment was proposed by Councillor Peter O'Brien and seconded by Councillor Roger Shelley to include the additional point as shown below:

9. That the Bakewell Road project be re-scoped as the "Matlock Western Gateway" initiative, in order to generate a wider range of community, environmental, commercial and residential opportunities to support the priorities in the Council Plan and that an all-Party Working Group be established to steer the re-scoping exercise, supported by appropriate external partners.

The proposed amendment was debated and put to the vote as follows:

08 For
14 Against
03 Abstentions

The Chair declared the amendment **LOST**.

It was moved that the substantive motion be put to the vote by Councillor Geoff Bond, this was seconded by Councillor Martin Burfoot.

I was then moved by Councillor Steve Flitter that a recorded vote taken, this was seconded by Councillor Sue Burfoot. The substantive motion, as moved and seconded, was then put to a recorded vote as follows:

For: 24, Councillors: Anthony Bates, John Bointon, Geoff Bond, Kelda Boothroyd, Matt Buckler, Martin Burfoot, Sue Burfoot, David Burton, Neil Buttle, David Chapman, Peter Dobbs, Nigel Edwards-Walker, Steve Flitter, Dawn Greatorex, Susan Hobson, David Hughes, Laura Mellstrom, Dermot Murphy, Andy Nash, Lucy Peacock, Simon Ripton, Roger Shelley, Peter Slack, Nick Wilton.

Against: 1, Councillor: Gareth Gee

Abstention: 1, Councillor: Peter O'Brien

It was therefore **RESOLVED**

1. That Members note the continuing challenges in delivering the project within the current economic climate.
2. That Members note the outcome of the updated economic and financial assessment of the project / development options agreed by Council (updating the previous business case) and completed by external consultants, and wider cost benefit / financial analysis prepared for the scheme.
3. That the long-standing commitment of the proposed cinema operator to working with the Council to this stage to pursue a scheme for Matlock be acknowledged and minuted.
4. That previous input to the project and close working with Matlock Community Vision Steering Group be acknowledged and minuted.
5. That, taking account of the updated economic and financial assessment of the project and current economic climate, the proposed conversion of the former Market Hall comprising a two-screen cinema and food and beverage unit be deferred with a review of the position to be undertaken in approx. 18 months' time should economic conditions improve.
6. That an initial Phase 1 works package to the existing bus station as proposed in the report be progressed in early 2024 comprising: external works to the building; internal works to the bus station area to improve waiting facilities for bus passengers and taxi users and public realm works in the immediate vicinity.

7. That the existing District Council Capital Programme allocation to the wider development scheme be retained subject to review of the scheme as per recommendation 5.
8. That proposals for re-allocating UK Shared Prosperity Fund and Rural England Prosperity Fund capital funding allocated to the project in 2024/25 be developed for consideration by the Derbyshire Dales UKSPF Partnership Board, both for the Bakewell Road Site and alternative schemes, in accordance with the criteria set out in Section 6, and a further report be brought back to Members at the earliest opportunity.

The Chair declared the motion **CARRIED**.

269/23 - PUBLIC PARTICIPATION

Re: Agenda Item 13 – Gypsies and Travellers – Update

In accordance with the procedure for public participation, Mr Stephen Walton (Local Resident) and Mr Richard Walsh (Local Resident) made statements regarding the Gypsies and Travellers - update report.

The following representations were received in writing prior to the meeting and were distributed to Members:

STATEMENT from Ms Victoria Friend, Chair Rowsley Parish Council

“Dear Councillors,

The Parish Council and residents of Rowsley are extremely concerned that the decision to designate the car park at Old Station Close in Rowsley as a temporary traveller site has only been postponed and not removed completely. The postponement prior to the meeting on 28th September was due to the extensive representation of local opposition to use of the car park in Rowsley as a temporary site due to its complete unsuitability and the detrimental impact it would have on local business which employ local people, as well as on the local community and tourism industry within the Derbyshire Dales and Peak District National Park. Rowsley is a small village and the car park is essential to our local businesses on the Industrial Estate as well as to tourists using the Derwent Valley Heritage Way, Cycle Trail and numerous popular walks through the National Park to Chatsworth, Bakewell, Stanton Moor and Haddon Hall that all start in the village. The contemporary arts centre, The Level was located on Old Station Close because of the essential amenity of the car park close by. This car park is full of cars all day every day. If the car park is taken out of use the detrimental impact on the village will be enormous and disproportionate. In addition, the site is situated on the river bank within the flood zone that has caused such distress to residents of the village in recent years, not least just a few weeks ago when several houses were flooded yet again and the village was completely inaccessible for several hours due to flood water.

The residents of Rowsley would like the assurance of the council that the Old Station Close car park will not be considered as a Traveller site at any point in the future.”

STATEMENT from Ms Sarah Porter, Clerk to Baslow and Bubnell Parish Council

“Hello,

On behalf of Baslow and Bubnell Parish Council I am writing to raise concerns about the traveller item on the agenda for 14th December.

Having expressed concerns over this topic before, I am surprised I was not notified about this report and only heard about it via our District Councillor.

The Council is concerned that any consultation on site will be online only. This is not an inclusive way of engaging the community and should only form one method of consultation.

The Council notes the proposal to appoint land agents to look for suitable sites. Will this include sites which the District Council has already considered and deemed unsuitable such as the sites within the Peak Park? To not do so would seem a waste of resources.

Previously, Baslow Nether End car park was included as a potential site. Baslow is one of the key gateways to the Peak District and leads to Chatsworth. Parking is already an issue in the village, particularly during holidays and weekends, and so reducing the available car parking spaces will cause a huge impact on the rest of the village. The Parish Council has recently undertaken consultation to look at this and can provide data to show this. The impact on a loss of parking to the village will be felt by the local businesses still trying to recover from the lockdowns of Covid.

The Parish Council urges the District Council to confirm that this site nor any other in Baslow is on a potential list?

I look forward to hearing from you on this matter.

Best wishes,

Sarah”

STATEMENT from Ms Julie Baranek, Clerk to Matlock Bath Parish Council

“We would very much like the following to be passed to Councillors in connection with tonight’s agenda item on Travellers.

I write on behalf of Matlock Bath Parish Council. Councillors watched with interest the debate at the DDDC Council meeting in September on the traveller situation in Derbyshire Dales.

Matlock Bath Parish Council were encouraged to hear that members of the Working Group felt that Station Car Park is not a suitable site for the traveller family. As you will all remember, Council only ever agreed that they should use this as a temporary site until 31st January 2023 although the residents of Matlock Bath have had to endure the travellers encamped there for a number of years.

We noted that the meeting agreed that finding a permanent site for the homeless traveller families was a top priority and should be expedited with great haste. The Parish Council would wholeheartedly agree with this. We would also agree that the whole of the Derbyshire Dales area should share the ‘burden’ of the traveller families whilst permanent sites are found and developed. However, Councillors felt that Matlock Bath over the years has done its bit already.

In previous correspondence to Derbyshire Dales, the Parish Council has expressed great concern regarding the effect the lack of coach parking in the village has had on local

businesses. This was echoed at the meeting. Our District Councillor, Cllr Nick Whitehead, spoke strongly and passionately about this and quoted the figures we had obtained from DDDC in 2019.

In 2019 – the last ‘normal’ year, 809 coaches purchased a parking ticket for the coach park bringing an estimated 20,225 visitors to the village (based on a figure of each coach bringing 25 occupants). This was a deliberately conservative estimate.

In comparison, 2023 no coaches were able to park in the coach park, this resulted in an estimated loss of over 20,000 visitors to the village with a resultant loss of income to the businesses in the village. As you will be aware, there is no other town or village in the Derbyshire Dales where businesses are so reliant on visitors transported to it by coach.

Even if each visitor had spent just £5, this is a loss of income to the businesses of the village of around £100,000.

In addition, the loss of income to DDDC – 809 x £5.50 (if they stay less than 3 hours) - £4450, toilets – 20,000 x 20p - £4,000.

The Parish Council is strongly requesting that the family on the coach park are moved to another temporary site as soon as possible until a permanent site is established for them. Although in previous years residents have tolerated these travellers over the winter period when tourism is most quiet, we would urge DDDC to move them no later than 31st January – 12 months after they should have been removed. Earlier would be preferable but understand that it might not be possible.

The Parish Council is extremely concerned that some coach companies will not return to Matlock Bath after such a lengthy time the coach park has been out of action. We would appreciate it if some kind of recompense could be given to these companies to encourage them to return. Perhaps free coach parking until the end of May. This might ensure that coaches return during the early part of the year and the Easter holidays and then subsequently the summer. We are aware that coaches which do not come around Easter time are more likely not to come in the summer.

Although we know that investigation was made into fitting a height barrier some years ago in Station Car Park, we would ask that it be re-visited into possibly finding a solution to prevent other traveller families from using the coach park area. We are aware that many other travellers have visited the site during the time the family have been permitted to use it, which has resulted in an increase in defecation on Lovers Walks, litter, noise and anti-social behaviour.

On behalf of all residents and businesses in Matlock Bath, we strongly urge the Working Group and Derbyshire Dales District Council to find an alternative temporary, and in due course, a permanent site for these homeless travellers.

Unfortunately, Matlock Bath residents have ‘had enough’ and businesses are greatly feeling the squeeze with the loss of income that has resulted in the travellers being in the village.

We are now another 11 weeks down the line and no action has been taken and the prospect of the coach park returning to its proper use is no nearer. The 2024 tourist season in Matlock Bath starts with the February half term holiday which, because Easter is at the end of March, is even earlier than usual. It would appear that our village is to continue to suffer the following for the foreseeable future.

Environmental issues – I understand that the Council has given this a top policy priority and consider them with every decision they make:

- *Noise – the geography of the village means that noise issue echo around the valley. The village suffers the continual barking of dogs often 24 hours a day. Shouting is another issue again often from 5am in the morning until late at night.*
- *Rubbish dumped on the site which has to be cleared by DDDC staff.*
- *The surrounding footpaths in a conservation area/grade 2 listed park are being used as a human toilet making them unusable by both residents and visitors.*

Behaviour such as this would not be tolerated from any other residents of Derbyshire Dales.

The economic effect on businesses in the village:

- *As highlighted in the paragraph above*
- *Less quantifiable is the effect that it has on visitors who drive into the car park, the largest and most popular in the village, see the traveller encampment and do not stop. We know it does have an effect as the Parish Council has received correspondence to that effect (which have been passed on to DDDC).*

We now call on the Council to take immediate action and move this family to another tolerated site so that the coach park can return to its correct use. Once this has happened follow the other proposals we have put forward to help restore the tourist economy of the village to its previous level. The Parish Council did send an e-mail to Paul Wilson, Steve Flitter and Marilyn Franks on 8th October but to date no response has been received.

Kind regards,

Julie”

STATEMENT from Mr Harry White, Chairman of Calver Parish Council

“Dear Councillors,

I am writing on behalf of Calver Parish Council with great concerns about your search for the Temporary Traveller Sites.

Back in September the decision was made by the council to rescind the decision taken on the subject of Potential Temporary traveller sites last year on the 24th of November 2022.

We have particular concerns for the sites proposed local to Calver, these being the land to the rear of Edge View Stoney Middleton, Hawkhill road Car park Eyam, Nether End Car Park Baslow, the two sites in Bakewell, and Old Station Close Car Park Rowsley.

Just before your full Council meeting in September the agenda item was 'Postponed'.

We ask that this agenda item be permanently withdrawn for future consideration.

None of these sites are appropriate for Traveller families as they are all too close to local residents' properties and local businesses in the area.

We totally object to any of the above sites being considered and we expect a reply with decisions made by the council.

I ask that this please be shared with ALL councillors and with Paul Wilson the Chief Executive.

Kind Regards

Harry White, Chairman of Calver Parish Council

270/23 - LEADERS' ANNOUNCEMENTS

Councillor Steve Flitter, Leader of the Council, gave the following announcements:

"I'd first like to thank all those who sent messages of condolence to both my wife and I and Councillor Steve Wain and his wife following recent losses.

As you will be aware, a comprehensive Organisational Update was circulated earlier this month to all Members and if you haven't had the opportunity to read it yet then I would strongly encourage you to do so as it contains a lot of information about the fantastic work which has been undertaken by this Council.

In relation to the proposed closure of the Natwest Bank in Bakewell, on behalf of the Council I have sent a strongly worded letter to the CEO, Mr Paul Thwaite, and encouraged him to meet with us, the MP, and other interested parties to work together to find a future solution to in person banking in this part of the Dales. I received a response earlier this afternoon which reiterates the previous standard responses issued and offers a meeting with the local Director for the branch, rather than the requested meeting with the senior leadership of Natwest. This is very disappointing, however I will continue to explore with colleagues how we can continue to exert influence on Natwest.

I would also like to talk about a recent meeting of the Vision Derbyshire Joint Committee for Economic Prosperity, it was good to see that the Business Start Up Grants Scheme has currently funded 100 projects with a combined value of nearly £350,000, with a further £99,000 currently being appraised. I also noted that the client investment, within the private sector, totalled £485,000 taking the total for project investment so far to £835,000. A decision was made that the remainder of the Retained Business Rates would go to the new Strategic Leadership Board to support their ongoing work. It is also worth noting that we hope to bring the draft terms of reference for this Board to the January meeting of this Council for consideration.

At the most recent meeting of Vision Derbyshire, we were presented with graphs showing which issues District Councils would be unable to vote on, due to being out of the remit of their responsibilities. I raised a question regarding the ability for District Councils to vote on issues relating to Public Transport, as whilst this is not strictly within the roles and responsibilities of the District Council, it does have large impacts on the lives of our residents via the planning system, housing, traffic, and most of all the connectivity of a rural area such as the Derbyshire Dales. I hope to receive a response to my queries soon.

I was delighted to hear that Jason Spencer, the Council's Democratic and Electoral Services Manager, has been formally recognised for his distinguished service by the Association of Democratic Services Officers. At their recently held Annual Conference, Jason was robbed of winning the award, but his shortlisting for it clearly demonstrates his achievements over the past 30 years in corporate governance. I'm sure that you would all like to join me in congratulating Jason on this excellent achievement.

I'm sure all Members agree that the effectiveness of this Council is heavily influenced by the hard work and commitment of our staff. As an employer, we need to ensure that we have a workforce who are well-managed, respected and valued. I am therefore delighted to report that in the recent bi-annual staff survey, which was completed by 80% of our employees, the highest response rate ever recorded, staff satisfaction levels have again improved on the results recorded in 2021, 2019 and 2017.

Thirty-eight questions had more than 70% positive responses, this compares with thirty-one questions in 2021; 24 questions in 2019 and 10 questions in 2017. The top results are:

- *94% feel confident raising issues with their immediate line manager.*
- *87% state that their manager gives them support and guidance to do their job.*
- *86% state that their manager shows genuine concern for them.*
- *85% are satisfied with the District Council as an employer.*
- *85% feel well managed by their immediate line manager.*

The cross-party Traveller Working Group continues to meet with a view to progressing the identification of permanent and temporary Traveller sites, you will note that there is an update report from this group on the agenda today. I can't stress enough how important it is for Members of this Council to continue to work together in this regard. We must strive for a solution, not only for the Travellers but equally for the residents of the District.

I would also like to draw attention to the East Midlands Combined Mayoral Authority elections which will take place on the 2nd May 2024. It's vitally important that we engage and work hard to get the best for Derbyshire Dales as this new authority will naturally focus on the cities and larger towns within the area. There is an opportunity to foster good relations with the other Derbyshire Leaders on the Strategic Leadership Board where there is an appetite for refreshed collaborative activity in Derbyshire especially on matters relating to the combined authority. At this morning's meeting it showed that there is recognition that a future partnership approach should specifically align with proposals for the East Midlands Mayoral Combined Authority to secure collective influence.

I'm pleased to report that the decarbonisation works have now been completed at the Agricultural Business Centre and also here at the Town Hall, you can find out more information relating to this Council's current work towards our climate change goals in the most recent Organisational Update.

Before I finish, I would also like to take this opportunity to encourage you to shop locally across the District by taking advantage of free parking in all of our car parks after 2pm every day for the rest of December.

And Finally, it just leaves me to say a massive thank you to all of the Officers who work hard to support Members and to take this opportunity to wish you all a very Merry Christmas and a Happy New Year."

271/23 - CIVIC CHAIR'S ANNOUNCEMENTS

The Civic-Chair of the Council, Councillor David Burton introduced Rector Stephen Monk, of St Helen's Church, who provided some words of reflection.

The deputy Civic-Chair of the Council, Councillor Peter Slack, spoke on the events that he had attended throughout the year:

“On Thursday 31st August, I attended a charity reception and dinner held by the Lord-Lieutenant, Mrs Elizabeth Fothergill, fundraising for ABF, The Soldiers Charity, at the Carriage House Restaurant, Chatsworth.

I was extremely impressed by a former soldier that had lost his legs in Afghanistan, He explained that he had been a young soldier and loved serving his country, having been in hospital a long time where he was fitted with artificial legs. He did not give up and started a new life, getting married and having two children and today he works for the charity all around the country, he is truly a brave man.

On Saturday 30th September, I attended Derby Cathedral for the appointment of Reverend Canon Nicky Fenton as Archdeacon of Derbyshire Peak and Dales. Nicky said that she was looking forward to working within the High Peak and the Derbyshire Dales.

I was once again at Derby Cathedral, on Sunday 8th October, to attend the Legal Service of the High Sheriff of Derbyshire, Theresa Peltier. I am pleased to say that Theresa is a resident of the Wirksworth Ward, and I celebrate the appointment.

On Thursday 19th October, I was pleased to attend the 771st Ilkeston Chartered Fair, which is one of the largest street fairs in the country. It was a lovely October morning, large crowds assembled with many school children, His Worship the Mayor Cllr Frank Phillips invited children on to the stage to help ring the celebrated bell which opens the fair. We were all invited to go to the Dodgems, Big Wheel, and other fairground attractions and afterwards a lovely buffet lunch was served, which completed a wonderful morning and early afternoon.

On Friday 10th November, my daughter and I travelled up to the top of the district to Great Hucklow for a Remembrance Service. Even though it was a cold day there was good turnout, the children had made incredibly beautiful poppies and little teddy bears. As Great Hucklow has no village bells, all the Children had hand bells which they rang in sequence, the memorial for the village is set in the lovely chapel of the Unitarian Church.

On remembrance Sunday, I attended Wirksworth memorial, which forms part of the new market area of Wirksworth. As we stood silently for two minutes, leaves slowly drifted down from the trees, it reminded me so much of the fallen soldiers.

In the afternoon, I attended Matlock remembrance service parading from the Imperial Rooms to the Parkhead where an exceptionally large crowd had assembled, and the Council Leader, Cllr Steve Fitter, gave the British Legion tribute to the fallen.

On Tuesday 5th December, my daughter and I attended the University of Derby for the carol service. I was extremely impressed by the wonderful singing, poetry and dancing of the students and the great multiculturalism of the university. The dancing of two young students was very impressive, keeping absolutely in sequence. There must have been a great amount of practice put into the dance. The event was well attended by many Derbyshire Mayors and Civic Chairs, which all enjoyed it, with mince pies, and mulled wine being served afterwards.

Finally, I attended the Derbyshire County Council Carol Service of Councillor David Taylor, Civic Chairman, at Belper Christ Church. Again, the service was well attended by Mayors

and Civic Chairs of Derbyshire and the Lord High Sheriff, coffee and mince pies were served afterwards.”

272/23 - COMMITTEES

It was moved by Councillor Kelda Boothroyd, seconded by Councillor Martin Burfoot and

RESOLVED (unanimously)

That the non-exempt minutes of the Committees listed in the Minute Book for the period 13 September 2023 to 30 November 2023 be received.

The Chair declared the motion **CARRIED**.

273/23 - QUESTIONS (RULE OF PROCEDURE 15)

Question from Councillor Mark Wakeman to Councillor Steve Flitter, Leader of the Council:

“On Tuesday 5th December, the Leader of DDDC wrote to Natwest about the forthcoming closure of Natwest bank in Bakewell, supporting the campaign launched by Sarah Dines MP and local Conservative Members on 24th November.

Has he also signed the petition started by our MP protesting against the closure?”

Councillor Flitter provided the following response.

RESPONSE:

I have not signed the petition because I do not see this as a party political issue or an issue solely affecting Bakewell. My reason for writing to Natwest was to express the concerns of residents and businesses in Bakewell and across the Derbyshire Dales that key facilities such as banks and post offices offer more than just financial transactions or mail delivery points: they are lifelines and community hubs that connect individuals to the wider social and economic network. The withdrawal of those services is more than an inconvenience; it is a disruption that risks leaving our rural communities feeling isolated and disconnected.

I will support every effort to encourage a review of this decision which has been taken with no public consultation with residents, businesses, the District Council or the MP.

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

“Despite my best efforts, the report of the Gypsy and Traveller Working Group presented to you today does not contain the email from Phil Mulligan, the CEO of the Peak District National Park Authority, clearly stating the position of the national park in relation to provision of Traveller Sites in the Peak Park.

Can the Council Leader explain why not?”

Councillor Flitter provided the following response.

RESPONSE:

The purpose of the report before Members this evening is to provide an update on the work undertaken by officers following the decisions taken by Council on the 28th September 2023.

The report seeks specific approval of revised site criteria to be adopted in the search for permanent and temporary tolerated Traveller sites and it is for members to determine whether this should include or exclude sites within the Peak District National Park.

274/23 - APPROVAL OF MINUTES OF PREVIOUS MEETING

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

RESOLVED (unanimously)

That the minutes of a meeting of Council held on 28 September 2023 be approved as a correct record.

The Chair declared the motion **CARRIED**.

275/23 - GYPSIES AND TRAVELLERS - UPDATE

The Director of Housing introduced a report which provided an update on the implementation of the 28th September 2023 Council resolutions, and sought specific approval for a revised site search and assessment criteria to be adopted in the search for permanent and temporary tolerated Traveller sites.

At the previous meeting of Council, Members considered a report from the cross-party Member led Traveller Working Group, which proposed a range of measures to progress the identification of suitable sites for Gypsy and Traveller families to whom the District Council has a statutory homelessness duty. This subsequent report provided an update on the work that had been undertaken to date in progressing a number of the decisions made at the last meeting of Council.

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

RESOLVED (unanimously)

1. The site search and assessment criteria set out in Appendix 1 are adopted.
2. The Council formally discontinues work in relation to the Woodyard, Homesford.
3. That expenditure of £3,623 in relation to the Woodyard, Homesford is noted and that the unspent revenue budget of £21,377 is re-designated for the appointment of land agents.

The Chair declared the motion **CARRIED**.

276/23 - DURATION OF MEETINGS (MOTION TO CONTINUE)

At 20:30, it was moved by Councillor Matt Buckler, seconded by Councillor Peter Dobbs and

RESOLVED

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

Voting

16 For
09 Against
01 Abstained

The Chair declared the motion **CARRIED**.

The meeting adjourned at 20:35, and reconvened at 20:45.

Councillor David Burton and Councillor Lucy Peacock left the meeting.

277/23 - DERBYSHIRE DALES PLAN 2024-2028

The Leader of the Council introduced a report which proposed a process and timescale for the completion of the detailed Derbyshire Dales plan for the period 2024-28. This report reiterated the commitments of the Council's leadership, setting out the Aims, Themes and Principles which would guide the plan.

The Derbyshire Dales Plan (corporate plan) sets out the aims of the Council for the coming years and lists the key improvement projects. The plan is the over-arching strategy for the Council as it sets out specific areas to maintain and improve service delivery in the coming years.

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

RESOLVED (unanimously)

1. That the Aims, Themes and Principles set out in Appendix 1 be approved as the basis of the new Derbyshire Dales Plan.
2. That the draft Theme priorities and outcomes set out in Appendix 2 be noted as work in progress.
3. That a cross-party working group established for each of the five Themes (each with one member from each Political Group) responsible to policy committees, as set out in the report.
4. That each Political Group makes their nominations to the working groups directly to the Council's Director of Corporate and Customer Services (Monitoring Officer) by no later than 5pm, 15 December.
5. 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**.

20:56 – Councillor Dermot Murphy left the meeting.

278/23 - REFERRED ITEM - RECOMMENDATIONS OF THE LOCAL PLAN SUB-COMMITTEE

Members were asked to consider the recommendations of the Local Plan Sub-Committee which sought Council approval of a supplementary revenue budget of £13,922 for 2023/24 for a Principal Planning Policy Officer from 1st January 2024 to 31 March 2024. It was proposed that this be funded from the Revenue Grants Unapplied Reserve, noting that the estimated annual cost of £55,688 from 1st April 2024 would be built into the Medium-Term Financial Plan.

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

RESOLVED (unanimously)

That a supplementary revenue budget of £13,922 for 2023/24 be approved for an appointment of a Principal Planning Policy Officer from 1 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 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 this motion **CARRIED**.

279/23 - REVENUE BUDGET MONITORING QUARTER 2 2023/24

The Director of Resources introduced a report which updated Members on the Council's revenue budget for 2023/24 and sought approval for virements and the revised budget for 2023/24.

Following the setting of a net revenue budget at the March 2023 meeting of Council, this was updated when the revised net revenue budget of £14,132,053 was approved at the September 2023 meeting of Council. The report informed Members that following the approval of the revised budget, there had been a number of virements approved, which had impacted directorate totals. These approved budget changes were detailed at Appendix 1 to the report. Additional requests for the use of earmarked reserves were summarised at Appendix 2 to the report.

The current forecast out-turn position at Quarter 2 was detailed at Appendix 3 to the report. Following the repeated increases of the Bank of England's base rate throughout the 23/24 financial year, the forecast for the investment income budget had been repeatedly amended. It was noted within the report that the current assumption was that a 5% average interest rate would be achieved on investments for the remainder of the financial year. A breakdown of the other key variances within the forecast out-turn position at Quarter 2 was presented within the report, and a full summary of reserves, with forecasts, was included at Appendix 4.

The budget amendments highlighted within the report had been introduced into an update of the Medium-Term financial Plan and the updated plan was presented in detail at Appendix 5 to the report.

It was moved by Councillor Steve Flitter, seconded by Councillor Nick Wilton 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 £795,579 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 1.18 of the report.
4. That the updated Medium Term Financial Plan (Appendix 5) be approved.

The Chair declared the motion **CARRIED**.

280/23 - CAPITAL PROGRAMME UPDATE

The Director of Resources introduced a report outlining spending for each project against the approved 2023/24 capital programme as at 30th September 2023 and sought approval for an updated capital programme for 2023/24 to 2027/28 and associated financing, taking account of the expected slippage into 2024/25. Two new projects were proposed for inclusion in the revised programme.

At the Council meeting on 27th July 2023 Members approved a revised capital programme totalling £38,450,376, covering the financial years 2023/24 to 2027/28, this was summarised in Table 1 of the report. The two new projects proposed for inclusion in the revised capital programme were set out in Table 4 of the report. These were the Local Authority Housing Fund Round 2 and the Devolution Retrofit projects.

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

RESOLVED (unanimously)

1. That the Capital Programme expenditure to 30th September 2023 be noted.
2. That re-phasing of existing projects for completion over the next 4 years be approved.
3. That new projects totalling £1,259,100, set out in paragraphs 2.12 to 2.15 of the report, be approved for inclusion in the programme.
4. That the revised capital programme for 2023/24 to 2027/28, as shown in Appendix A, totalling £37,770,410 be approved.
5. That financing of the Capital Programme from sources summarised at paragraph 3.21 and shown in Appendix A be approved.
6. That the balance of funds available over the 5-year programme, shown at Appendix B, be noted.

The Chair declared the motion **CARRIED**.

281/23 - ASHBOURNE REBORN FINANCIAL RISK UPDATE

The Regeneration and Place Manager introduced a report which summarised the activity and progress relating to the Ashbourne Reborn Grant Funding Agreements for the Highways and Public Realm project and the Link Community Hub project, and the associated financial risks.

The report presented Members with a brief background to the programme and how it aimed to transform Ashbourne town centre through significant improvements to the highways and public realm and the development of the Link Community Hub. It was noted that the programme would principally be funded by the UK Government through a funding allocation from the Levelling Up Fund, Round 2.

The responsibilities of the District Council, as the accountable body for the programme, were outlined within the report, along with the requirement for Grant Funding Agreements to be completed to enable the defrayal of grant to delivery partners. The reasons for the delays and the procedure leading to the completion and approval of the Grant Funding Agreements were set out within the report.

It was moved by Councillor David Hughes, seconded by Councillor Anthony Bates and

RESOLVED

1. That completion of the Grant Funding Agreements between the District Council and Derbyshire County Council for the Highways and Public Realm project and between the District Council and Ashbourne Methodist Church for the Link Community Hub project be noted.
2. That the increased financial risk to the District Council associated with the Grant Funding Agreement for the Highways and Public Realm project, and proposed measures to help mitigate this risk, be noted.

Voting

22 For

00 Against

01 Abstention

The Chair declared the motion **CARRIED**.

21:05 – Councillor Matt Buckler left the meeting for consideration of the following item due to previously declaring a pecuniary interest.

282/23 - PUBLIC SECTOR BIODIVERSITY DUTY - UPDATE

The Director of Regulatory Services introduced a report which provided a further update to Members about the Biodiversity Duty and set out activities which the District Council had undertaken and was currently undertaking that would contribute to meeting the new requirement.

The report informed Members of recent legislation relating to the responsibilities of Local Authorities to conserve and enhance biodiversity in relation to their functions. This included the implementation of the Environment Act which would introduce mandatory 'Biodiversity Net Gain' (BNG) requirements from development sites from January 2024.

The report detailed the steps taken in the preparation of a biodiversity action plan designed to meet the enhanced Biodiversity Duty, including the indicative timeframes for the preparation of the plan. The approved specification was included in Appendix 1 to the report, this was approved by the Community and Environment Committee, along with a budget to commission the plan.

It was moved by Councillor David Chapman, seconded by Councillor Martin Burfoot and

RESOLVED (unanimously)

1. That the specialist professional services quotation brief for the preparation of a biodiversity action plan at Appendix 1 be approved.
2. That the updates on the preparation of the Local Nature Recovery Strategy be noted.
3. That the updated timeframe for the delivery of Biodiversity Net Gain be noted.
4. That the updates to the initial Assessment of District Council activities linked to the Biodiversity Duty and Biodiversity Resolution at Appendix 2 be noted.
5. That a delivery plan and costing be prepared for a collaborative project between the Council and the Derbyshire Swift Group to address the loss of swift nesting sites across the district and that this be presented to the appropriate committee for consideration.

The Chair declared the motion **CARRIED**.

283/23 - PROPOSAL OF A NOTICE OF MOTION (RULE OF PROCEDURE 16)

21:14: Councillor Nick Wilton left the meeting during consideration of the following motion due to declaring a pecuniary interest as an employee of National Rail.

The Council considered motion B as submitted by Councillor Andy Nash in accordance with rule of procedure 16, this is included below.

Motion B

Public Transport Motion

A good public transport system is a vital component of the administration's commitment to maintaining thriving and sustainable communities, and to enable our residents to live, work and study without dependence on the private car. It is also fundamental to the Council's commitment to reducing carbon emissions, in the context of the acknowledged climate emergency, and practically, through integration with active transport modes such as walking and cycling.

However, in many parts of the Derbyshire Dales, the reliability of local bus services has deteriorated to the point where residents are unable to rely on them and passengers are left stranded, with little or no information offered by the bus operators. At the same time, most of our rural communities are seeing little or no meaningful investment from the £47 million funding awarded to Derbyshire County Council through the Bus Service Improvement Plan.

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

RESOLVED

That this Council:

1. Recognises that a sustainable, effective and integrated public transport network must serve our local communities and confirms its responsibilities to advance that network through all means possible including the planning process, advocacy and support for innovative provision including active transport.
2. Seeks an urgent meeting with relevant Members of the County Council to address the issues of reliability of local bus services.
3. Seeks an urgent meeting with Members of the County Council and Bus Service Improvement Plan Partnership, to advocate a reassessment of current investment proposals (including Demand Responsive Transport, rail, bus, cycle and footpath integration, Real Time Information, transport hubs, roadside shelters and environmentally friendly buses) within the Derbyshire Dales, and where these cross the authority's boundaries.
4. Establishes an all-Party Transport Group of Members through which issues relating to public transport can be raised, discussed and circulated.

Voting

19 For

00 Against

01 Abstention

The Chair declared the motion **CARRIED**.

21:29: Councillors Martin Burfoot, Sue Burfoot, John Bointon, Susan Hobson, and David Chapman left the meeting during consideration of the following motion due to declaring pecuniary interests in the matter concerned.

The Council then considered Motion A as submitted by Councillor Laura Mellstrom in accordance with rule of procedure 16, this is included below.

Motion A

Pension Divestment Motion

In May 2019, this Council declared a climate emergency and pledged to become carbon neutral by 2030. Since then, a number of significant actions have been taken towards achieving that goal, in terms of this Council's Scope 1 and 2 emissions. The climate impact of the investment of the Council's employee pension monies has not yet been addressed.

The most effective way an individual can reduce their carbon footprint is to switch their pension fund out of fossil fuels. It is estimated that this one step can be 21 times more effective than the combined effect of giving up flying, going vegetarian and switching energy

provider^[1]. Pension divestment from fossil fuels is supported by UNISON which actively assists its members to campaign for divestment^[2].

This Council's employees are members of the Derbyshire Pension Fund which is administered by Derbyshire County Council. Derbyshire is one of 8 counties in the Central area Pool of the Local Government Pension Scheme, but Derbyshire Pension Fund retains control of its own investment strategy.

This is set out in two documents written in November 2020: The Investment Strategy Statement^[3] and the Climate Strategy^[4]. The Fund's climate strategy is weak and unambitious:

- *to achieve net zero in its portfolio by 2050,*
- *to "monitor" the relative weight of oil and gas with sustainable investments, and*
- *to "engage" with the fossil fuel companies it invests in.*

The strategy of "engagement" is not only of doubtful effectiveness, but it ignores (a) the ethics and morality of continuing to fund climate-damaging businesses, and (b) the financial risks of investment in fossil fuels. By staying invested in fossil fuels, the Fund risks being left holding a portfolio of "stranded assets" after other major investors have pulled out of the sector. Sustainable investments regularly outperform fossil fuel investment products in the global markets.

This Council does not control the investment decisions of the Derbyshire Pension Fund, but it has a voice and should use it now to call on DCC to divest the Fund of fossil fuel investments.

The Fund's Investment Strategy Statement and Climate Strategy were to be reviewed after no later than 3 years. That review is now overdue, so this is the ideal moment to send a clear message to DCC that its approach to the investment of pension money needs to change, that "engagement" is not strong enough, that 2050 is not soon enough.

Divestment motions have already been passed by Derby City Council, Chesterfield Borough Council, Amber Valley Borough Council, Bolsover District Council and High Peak Borough Council.

It was moved by Councillor Laura Mellstrom, seconded by Councillor Peter Slack and

RESOLVED

1. That this Council calls upon Derbyshire County Council's Pensions and Investments Committee and the managers of the Derbyshire Pension Fund
 - a. With immediate effect, to freeze any further investment into publicly traded fossil fuel companies;
 - b. By 31 December 2025, to divest the Derbyshire Pension Fund of all investments in fossil fuel stocks, equities, and funds that include fossil fuel related assets or projects;
 - c. Urgently to review and update its Investment Strategy Statement and Climate Strategy to incorporate these objectives, and to adopt a method for quantifying and addressing climate change risks affecting other investments.

2. That this Council instructs the Council's Chief Executive to write to the Derbyshire County Council Pensions and Investments Committee with a copy of this Motion, asking them to take this action.
3. That this Council formally responds to the consultation launched by the Derbyshire Pension Fund on 13 December 2023, closing on 31 January 2024, and that this response will support the divestment objectives set out in the motion; the response is to be formulated in consultation with Councillor Laura Mellstrom and Councillor Peter Slack.
4. That this Council will publicise the Derbyshire Pension Fund's consultation process and encourage participation by individual Council Members, employees, residents and local businesses.

Voting

12 For

01 Against

02 Abstentions

The Chair declared the motion **CARRIED**.

^[1] <https://makemymoneymatter.co.uk/21x/>

^[2] <https://www.unison.org.uk/content/uploads/2018/01/Divest-from-carbon-campaign.pdf>

^[3] <https://www.derbyshirepensionfund.org.uk/site-elements/documents/pdf/derbyshire-pension-fund-investment-strategy-statement.pdf>

^[4] <https://www.derbyshirepensionfund.org.uk/site-elements/documents/pdf/derbyshire-pension-fund-climate-strategy.pdf>

Meeting Closed: 9.58 pm

Chair