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## **COUNCIL**

### **Minutes of a Virtual Extraordinary Council Meeting held at 6.00 pm on Thursday 3 September 2020.**

Under Regulations made under the Coronavirus Act 2020, the meeting was held virtually. Members of the public were able to view the virtual meeting via the District Council's website at [www.derbyshiredales.gov.uk](http://www.derbyshiredales.gov.uk) or via our YouTube channel.

#### **PRESENT**

Councillor Richard FitzHerbert - In the Chair

Councillors Jacqueline Allison, Robert Archer, Jason Atkin, Richard Bright, Matthew Buckler, Sue Bull, Martin Burfoot, Sue Burfoot, Neil Buttle, David Chapman, Paul Cruise, Tom Donnelly, Helen Froggatt, Chris Furness, Clare Gamble, Alyson Hill, Susan Hobson, David Hughes, Stuart Lees, Tony Morley, Michele Morley, Peter O'Brien, Joyce Pawley, Garry Purdy, Mike Ratcliffe, Lewis Rose OBE, Mark Salt, Andrew Shirley, Peter Slack, Andrew Statham, Alasdair Sutton, Colin Swindell, Steve Wain and Mark Wakeman.

Paul Wilson (Chief Executive), James McLaughlin (Director of Corporate and Customer Services), Tim Braund (Director of Regulatory Services), Lee Gardner (Legal Services Manager), Steve Capes (Director of Regeneration and Policy), Ashley Watts (Director of Community & Environmental Services), Keith Postlethwaite (Neighbourhoods Manager), Jason Spencer (Electoral and Democratic Services Manager) and Jim Fearn (Communications).

The meeting was recorded and broadcast live on YouTube.

#### **APOLOGIES**

Apologies for absence were received from Councillors Graham Elliott, Steve Flitter and Elisha McDonagh.

#### **DECLARATION OF INTERESTS**

Councillor Alyson Hill declared a disclosable pecuniary interest in the matter under discussion as an employee of Derbyshire Fire and Rescue Service and left the meeting.

Councillors Jason Atkin, David Chapman and Chris Furness declared a personal interest in the matter under discussion as Members of the Peak District National Park Authority.

Councillor David Chapman also declared a personal interest as Chair of the Moors for the Future Partnership.

Councillor Sue Burfoot declared a personal interest in the matter under discussion as a Member of the Derbyshire Fire and Rescue Authority.

### **71/20 – NOTICE OF MOTION (RULE OF PROCEDURE 7) – PUBLIC SPACES PROTECTION ORDER - USE OF DISPOSABLE BARBECUES, LIGHTING OF FIRES AND ANY OTHER ACTIVITIES WHICH MAY INCREASE THE RISK OF WILD FIRES**

The Council considered a motion submitted by Councillors Jacqueline Allison, Neil Buttle, Paul Cruise, Clare Gamble and Peter O'Brien in accordance with Rule of Procedure 7.

A briefing paper on the use of public spaces protection orders was circulated to all Councillors in advance of the meeting.

At the meeting the motion was moved by Councillor Neil Buttle and seconded by Councillor Peter O'Brien as follows:

“The Council notes the significant recent increase in the use of disposable barbecues in the open countryside in the District, and the number of wild fires that have had a devastating and long-lasting deleterious impact on the ecology and biodiversity of our precious natural landscapes. The Council therefore resolves to:

1. urgently undertake a public consultation exercise to ascertain the level of support for the introduction of a Public Spaces Protection Order, to prohibit the use of portable and disposable barbecues, the lighting of fires, and any other activities which may increase the risk of wild fires; such an Order to extend to those areas of the District which are considered to be most vulnerable to outbreaks of wild fires;
2. include an Equalities Impact Assessment in the public consultation exercise, to ensure that the effect of any Order on all sections of the community is taken into account;
3. subject to the outcome of the public consultation exercise, and its consideration by Council, or an appropriate Committee, agree to the principal of the introduction of a Public Spaces Protection Order to prohibit the activities described in para 1 above;
4. ensure that the drafting of any Order does not disadvantage the local tourism and hospitality industry, such that activities prohibited in the open countryside may be permitted in controlled and supervised locations such as licensed caravan and camping sites, the grounds of public houses, and under the auspices of managed and supervised community events;
5. in view of the ability for wild fires to spread rapidly, invite neighbouring local authorities to consider the introduction of appropriate Public Spaces Protection Orders, as outlined above, to maximise the protection given to vulnerable habitats and landscape areas;
6. to invite the Peak District National Park Authority to actively participate in the public consultation exercise outlined in para 1 above and in the drafting of any subsequent

Order; the Authority also be invited to share the financial costs of the introduction of any Order;

7. agree that, due to the urgency of the situation giving rise to the need to consider the introduction of a Public Spaces Protection Order, and the potential impact of the process on internal staff resources, the use of external resources be approved if deemed appropriate; such resources to be funded from the General Reserve.”

During the debate on the motion the following amendment was moved by Councillor Garry Purdy and seconded by Councillor Sue Bull:

“To delete paragraphs 3 to 7 of the motion and replace paragraphs 1 and 2 with the following:

1. note that work is already under way by officers towards a renewal date on PSPO in effect within the Derbyshire Dales with commitments to undertake public consultation in accordance with statutory provisions
2. urgently delegate authority to the Director of Community and Environmental Services to engage with other local authorities and partners to investigate the potential and willingness to develop a multi-agency approach designed to increase education to the public with regard to this issue, and a report and be brought to Community and Environment Committee in due course to provide an update on progress”

During the debate on the amendment the mover and seconder agreed that the words “consider the introduction of a Public Spaces Protection Order (PSPO)” be added to the amendment.

In considering the motion and the amendment the following issues were discussed:

- The cost and practicalities of enforcing a PSPO.
- How existing National Park Authority byelaws could be used.
- Options for working in partnership with Councils and other agencies operating within the National Park boundaries.
- How to raise awareness of the risks relating to lighting fires and barbecues and providing safe facilities to help reduce the risks.

Councillors Tony Morley and Michele Morley left the meeting at 7pm during the discussion on the amendment.

The meeting was briefly adjourned from 7.20pm to 7.30pm. During the adjournment Councillor Robert Archer sent his apologies and did not return to the meeting.

Following the adjournment the amendment was put to the vote and carried with 22 votes for, no votes against and 7 abstentions.

The substantive motion was put to the vote and it was:

**RESOLVED**

That the Council notes the significant recent increase in the use of disposable barbecues in the open countryside in the District, and the number of wild fires that have had a devastating and long-lasting deleterious impact on the ecology and biodiversity of our precious natural landscapes. The Council therefore resolves to:

1. note that work is already under way by officers towards a renewal date on PSPO in effect within the Derbyshire Dales with commitments to undertake public consultation in accordance with statutory provisions
2. urgently delegate authority to the Director of Community and Environmental Services to engage with other local authorities and partners to investigate the potential and willingness to develop a multi-agency approach designed to increase education to the public with regard to this issue, consider the introduction of a Public Spaces Protection Order and a report and be brought to Community and Environment Committee in due course to provide an update on progress”

**Voting:**

<b>For</b>	28
<b>Against</b>	0
<b>Abstentions</b>	2

The Chairman declared the motion CARRIED.

**72/20 – SEALING OF DOCUMENTS**

It was moved by Councillor Ricard FizHerbert, seconded by Councillor Jason Atkin and

**RESOLVED** That the common seal of the Council be affixed to those documents, (unanimously) if any, required to complete transactions undertaken by Committees or by way of delegated authority to officers since the last meeting of the Council.

**MEETING CLOSED 8.00PM**

**CHAIRMAN**