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## **COUNCIL**

### **Minutes of a Virtual Council Meeting held at 6.00 pm on Thursday 02 July 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, Steve Flitter, 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, Andrew Shirley, Peter Slack, Andrew Statham, Alasdair Sutton, Colin Swindell, Steve Wain and Mark Wakeman.

Paul Wilson (Chief Executive), Sandra Lamb (Director of Corporate Services), Tim Braund (Director of Regulatory Services), Karen Henriksen (Director of Resources), Steve Capes (Director of Regeneration and Policy), Rob Cogings (Director of Housing), Mike Galsworthy (Estates and Facilities Manager), Eileen Tierney (Licensing Manager), Jim Fearn (Communications and Marketing Manager) and Jackie Cullen (Committee Assistant).

Messrs Aaron Elliot and Matt McCormak-Evans, Altair.

The meeting was recorded and broadcast live on YouTube.

### **APOLOGIES**

Apologies for absence were received from Councillors Graham Elliott, Elisa McDonagh and Claire Raw.

The Director of Corporate Services advised that Agenda Item 12: LOCAL GOVERNMENT BOUNDARY REVIEW had been withdrawn from the meeting and was re-scheduled for a Special Meeting on 15<sup>th</sup> July; Agenda Item 13: STRATEGIC DIRECTOR RECRUITMENT had also been withdrawn and would be re-scheduled for a later date. An extra item had been

added following publication of the Agenda: PAVEMENT CAFÉ LICENSING, which had been accepted by the Chairman as an item of urgent business, in order to respond to an external deadline.

### **375/19 – PUBLIC PARTICIPATION**

In line with the Council's temporary suspension of direct public participation the following questions were submitted in writing and were read out at the virtual meeting:

#### **QUESTION from the Wolds Community, in relation to Item 14 – Decision Making Recovery Plan**

To ensure the democratic process is followed and this is put into proper context, we request that this question can be read out in full at the council meeting on 2nd of July 2020.

This question is about Item 14, The Decision Making Recovery Plan, relating to section 3.6 Planning Committees with specific reference to the phrase "to determine a small number of applications, which have attracted significant opposition" which is on page 105 of the agenda.

Will this council give assurance that:

- 1 The application 18/01242/EIA will **not** be brought before a virtual or online committee either on, before or after 22nd July 2020; and
- 2 A decision on this application will **not** take place until such time that full public participation can safely take place at a face to face meeting of the Planning Committee and; and
- 3 This major decision will be postponed until such time as a robust investigation has been undertaken regarding the Bentley Brook catchment as outlined and recommended by the Environment Agency in their letter of 4th February 2020.

If these assurances are not given this will be discriminatory against those who cannot engage in a virtual meeting thus eroding democratic rights. It will not give the Environment Agency opportunity to carry out further investigations which it has deemed necessary in relation to the application and its potential detrimental impact on their flood defence asset at Knowleston Place, Matlock. It will also undermine the right to make personal representation to council or committee.

#### **Response:**

1. None of us can be absolutely certain what will happen in respect of the current Covid-19 restrictions and the ability to hold full meetings of the Council and its Committees 'in person'. However, the Council recognises that this application will generate a great deal of public interest when it is ready to be determined and that this would be best serviced through a public meeting of the Planning Committee. It is not the intention of the Council to bring this application before a virtual meeting of the Planning Committee.
2. As per the answer to question 1, the Council recognises that the amount of public interest in this planning application will require robust public participation. Whilst none of us can guarantee the future in relation to Covid-19 restrictions it is the intention of the Council to enable this through a face to face meeting of the Planning Committee if possible.

3. The applicant has been asked to undertake analysis on the impacts of the development on the Bentley Brook catchment and this will be made available to the Environment Agency and the Lead Local Flood Authority prior to the application being considered by Committee. Those agencies' opinions on the adequacy or otherwise of the assessment will form part of the officer's report and will be considered by the Planning Committee.

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**QUESTION from Ms Lynn Irving on behalf of Hathersage Rewilding Group, on the conservation and biodiversity of green spaces with the District**

The Hathersage Rewilding Group is working with the Parish Council to conserve and enhance biodiversity within our green spaces. Therefore we were pleased to note from the minutes of the January meeting (item 270/19)) that the District Council is working with the County Council with regard to the mowing of verges and the possible creation of 'wildlife corridors'.

In item 271/19, members also discussed a motion to trial an alternative to the pesticide glyphosate and agreed to refer the motion to the Community & Environment Committee for a detailed report. We are very concerned about the use of glyphosate, which is "probably carcinogenic to humans" (World Health Organisation), and which has also been shown to be harmful to wildlife such as amphibians, bees and other invertebrates. My question is: "When can we expect the proposed report to be completed and any recommendations referred back to full Council for a decision to be made?"

Lynne Irving

**Response**

The Council has responded to the concerns surrounding the use of glyphosate by significantly reducing its use by our Clean & Green team. It is now only used in certain situations by staff wearing the appropriate Personal Protective Equipment and with no members of the public present.

Although the Council's weed spraying contractor is still using glyphosate, discussions are underway to consider a suitable alternative. We are currently in year 2 of a 3 year contract. Our Clean & Green team have continued to trail and review alternative treatments and we remain committed to finding a suitable alternative. At this present time, there are two products currently being assessed and two more arriving this month. A report on this matter will be presented to Members in September.

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**QUESTION from Ms Hilary Hart, a Grindleford resident, on the use of pesticides**

Why? Why is the outdated and dangerous practice of spraying Roundup continuing against the wishes of the local residents who have to suffer the immediate effects of it (along with the danger to their pets)? Grindleford was subjected to this on June 25th. Many residents are deeply concerned.

A brief synopsis for your information, in case the wider world has eluded the District Council's notice: Roundup is banned in the EU and this was the 2019 US ruling:

Juries in three U.S. lawsuits in the last year have ruled that Monsanto's glyphosate-based Roundup herbicide caused or significantly contributed to the onset of non-Hodgkin's

lymphoma, a life-threatening immune system cancer. Over US\$2-billion has been awarded in damages to four victims, and over 13,000 other lawsuits are now pending.

Particularly in National Parks, we are the guardians of our unique countryside heritage and in the Peak District we are encouraging wild flower verges, along with other beneficial wildlife and insect biodiversity. Your authorisation of the continuing use of Roundup liquidates any possibility of this.

From a nationwide view, Roundup is proven to kill bees. Without these there will be no future.

This is not a party political matter; it's a grave environmental concern for all of us. Please be good enough to explain just how your Council came to such a dangerous, inappropriate and ill-informed decision.

## **Response**

The Council has responded to the concerns surrounding the use of glyphosate by significantly reducing its use by our Clean & Green team. It is now only used in certain situations by staff wearing the appropriate Personal Protective Equipment and with no members of the public present.

Although the Council's weed spraying contractor is still using glyphosate, discussions are underway to consider a suitable alternative. We are currently in year 2 of a 3 year contract. Our Clean & Green team have continued to trail and review alternative treatments and we remain committed to finding a suitable alternative. At this present time, there are two products currently being assessed and two more arriving this month. A report on this matter will be presented to Members in September.

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## **QUESTION from Mr Dobbs, an Ashbourne resident, on the Air Quality Annual Status Report (ASR)**

Could Council clarify when the Air Quality Annual Status Report (ASR) is to be published? The Corporate Plan passed on 2<sup>nd</sup> March states the intention to:

'Publish an Air Quality Monitoring Report by July 2020 and where necessary commence appropriate mitigation measures and create an action plan by March 2021.'

I appreciate that the Council have needed to operate with changed priorities in the last 3 months, due to the pandemic. However, it is possible that there has been a greater impact on life expectancy and health from the high levels of air pollution in Ashbourne, than the prevalence of coronavirus.

## **Response**

The Council's ability to publish its annual Air Quality Status Report has been impacted by the pandemic, not least by the fact that the laboratory that we use to analyse our monitoring devices was closed early in lockdown. That laboratory subsequently reopened and the results that we have received back from them have been made available.

Officers are now working with Defra to agree the final submission of the Status Report and the report will be published as soon as Defra have confirmed that they are happy for this to happen. Whilst we haven't been given a firm timescale, officers do not expect that there will be a long delay.

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### **376/19 – INTERESTS**

Councillor Sue Bull declared a pecuniary interest in the additional item: PAVEMENT CAFÉ LICENSING in her capacity as a Licence holder.

### **377/19 – APPROVAL OF MINUTES OF PREVIOUS MEETINGS**

It was **RESOLVED** That the Minutes of the meetings of the Derbyshire Dales District Council held on 16 January, 05 March, 19 March and 12 May 2020 (unanimously) be approved as a correct record.

### **378/19 – LEADER'S ANNOUNCEMENTS**

In remarking on the awful death of George Floyd, Councillor Garry Purdy, Leader of the Council reiterated that Derbyshire Dales District Council condemned racism. The Council worked to promote equality across the Derbyshire Dales. Indeed, it had a statutory duty to eliminate unlawful discrimination, foster good relations and advance equality of opportunity in the district.

The District Council adopted a 'Dignity and Respect for All' policy in 2006 which stated that Derbyshire Dales District Council:

- believed that everyone had the right to dignity and respect as part of their everyday lives
- promoted and encouraged dignity and respect in the community
- was committed to challenging anything that undermined this basic right.

Councillor Purdy stated that he had been contacted by a young, concerned constituent, asking the Council to consider actions in support of Black Lives Matter. Councillor Purdy promised to carefully consider this, and would ensure that a motion to the full Council was prepared for the September meeting, which he hoped would receive full support.

For any member who did not see the pictures, Councillor Purdy confirmed that the Town Hall was lit up in purple on Wednesday 17 June to illustrate the District Council's commitment to challenging racism and inequality.

Councillor Purdy advised that since his last report to Council on 30 April, he had had weekly meetings with the Chief Executive as well as meetings with many Derbyshire leaders, and today with the LGA and the Rt Hon Robert Jenrick MP. Councillor Purdy acknowledged the losses suffered as a result of Covid-19 and said that it was important to continue to pay tribute to all frontline staff, and to continue to be vigilant with the threat of a second wave.

Councillor Purdy stressed that the start-up of the Derbyshire Economic Recovery Board to help kick-start the economy was a step in the right direction. The re-opening of Bakewell Market had met with high praise from Bakewell Ward Members, members of the public and Mr Joe Harrison, Chief Executive of the National Market Stallholders' Federation.

### **379/19 – CHAIRMAN’S ANNOUNCEMENTS**

The Chairman of the District of Derbyshire Dales advised that in these quieter moments he had been putting the finishing touches to the work undertaken in respect of his nominated charity, and that £675 had been raised thus far for Cancer Research.

### **380/19 – MAIDEN SPEECHES**

Councillors Robert Archer, Neil Buttle and Michele Morley presented their Maiden Speeches to the Council.

### **381/19 – COMMITTEES**

It was **RESOLVED** That the non-exempt minutes of the Committees listed in the Minute Book for the period 16 January 2020 to 11 June 2020 be received.  
(unanimously)

### **382/19 – QUESTIONS (RULE OF PROCEDURE 15)**

**(A) Councillor Joyce Pawley asked the following question of Councillor Garry Purdy, Leader of the Council:**

*“Following the recent court decision to allow this Council to move travellers from the Agricultural Business Centre in Bakewell we offered the homeless family, to whom we have a duty, the use of the car park off Old Station Road in Rowsley. On the 30<sup>th</sup> October 2019 the Community & Environment Committee of this Council agreed to let that family use the site with the prescription that the use would be subject to review in February 2020.*

*Could the Leader of the Council explain why that review did not take place at the February meeting of that Committee and why the family are still being advised to use the site, especially as the only planning consent for this type of use on the car park expired some time ago?”*

Councillor Purdy provided the following response:

Cllr Pawley is correct in stating that the Community and Environment Committee resolved on 30 October 2019 that the designation of the car park at Old Station Close, Rowsley as a temporary site for the Traveller family to whom the Council owes a homelessness duty should have been reviewed in February 2020. The fact that it wasn't was an oversight.

The circumstances around the matter are that very shortly after the meeting on 30 October 2020 the family that had been on site at Rowsley moved of their own accord to the ABC at Bakewell in order to support a terminally ill family member who was receiving care from a Bakewell GP, a care home in Bakewell and Ashgate Hospice. At that point the emphasis on officers was to manage the encampment at Bakewell and to attempt to secure an Order to move the family back to Rowsley.

Members are aware that the Court declined to grant such an Order until after the family member passed away in February 2020, such that the family was still on site at Bakewell at the time of the February Committee meeting.

Shortly after the family member passed away, the Council returned to Court and were granted a Possession Order, but with clear instructions from the judge that the Order must not be

implemented until such time as the movement restrictions introduced in response to Covid-19 were lifted. The family therefore remained on site at the ABC.

During the lockdown period further Traveller families arrived on site, culminating in a significant gathering of Travellers on the ABC and Showground early in June. It was thought that these families would otherwise have been attending Appleby Horse fair. In any event, the Travellers then on site made it clear that they had no intention of leaving in the foreseeable future and officers believed that they had little option but to seek a further Court Order covering land in both the Council's control and in the control of BAHS. This Order was obtained on 12 June and the Travellers were evicted from the site on Wednesday 17 June. In the absence of an alternative site the family was directed to Rowsley and the remaining Travellers on site were not offered a site at all. Members will be aware that they set up on private land in the vicinity and officers have been involved in further discussions around this issue. It is believed that this group has now left the district.

In all this activity officers had not presented a report to Committee seeking a review of the Rowsley site. However, the options available to them had not changed since the October 2019 report. There is still no agreement on a permanent site at this time and the temporary site options remain as stated in the October report – Rowsley or Middleton Road, Wirksworth. Of these two Rowsley is the more suitable. Having said that I have asked officers to bring a report to the next available meeting of the Community and Environment Committee updating on all relevant Traveller issues.

**Councillor Pawley asked the following supplementary question:**

*Under Policy HC6 of the Council's adopted local plan, we are obliged to find 9 permanent pitches for Travellers, which years later we have been unable to do. Perhaps a new approach was called for, whereby a scheduled date could be given which would instigate a more stringent approach to the procurement of suitable land?*

Councillor Purdy agreed to discuss the matter with officers. Councillor Purdy also advised that a report would be coming to the next meeting of the Community and Environment Committee, in which there may be some offers of permanent sites for consideration.

**(B) Councillor Matthew Buckler asked the following question of Councillor Garry Purdy, Leader of the Council:**

*"During the period of Covid-19 we did not move the traveller family, to whom we have a duty of care following their declaration of homelessness in 2018, from land in Bakewell and we have now done so to the site at Old Station Road, in Rowsley. The area that they have been moved to is not good enough as a site for the family for a number of reasons, and their presence there also prevents the car park being used by visitors to the businesses in the nearby industrial estate, businesses that have been massively impacted by the Coronavirus restrictions and that are currently emerging from lockdown.*

*What consideration was given to these businesses, and the users of the White Peak Loop, over the closure of the car park at Rowsley, which has not been undertaken in the way set out in the C+E committee paper of 30 October 2019?"*

Councillor Purdy provided the following response:

I refer Cllr Buckler to my reply to Cllr Mrs Pawley earlier. I will ask that officers address the issues you have raised about businesses and the White Peak Loop in their report to the next Community and Environment Committee.

**Councillor Buckler asked the following supplementary question:**

*It was wholly unacceptable to have Travellers living in a carpark for long periods of time; is it time to employ more stringent measures, such as compulsory purchase?*

Councillor Purdy stated that whilst compulsory purchase of land had not been ruled out, the Council had to consider its financial position; as such at this stage it would be more prudent to consider land that the Council owned.

**(C) Councillor Peter Slack asked the following question of Councillor Garry Purdy, Leader of the Council:**

*“In this country Coronavirus has claimed 40 to 50 thousand lives and affected many families including my own. But hopefully looking at the future and by this time next year we may have a vaccination which would make all the difference. But there still is a bigger long-term threat: the threat of Global Warming and Climate Change which could change the world completely and millions of lives could be in danger.*

*We at Derbyshire Dales District Council are pledged to be Carbon Free by 2030, so my questions are:*

*Question 1 - Is the Derbyshire Dales District Council still on course to achieve being Carbon Free by 2030?*

*Question 2 - Can you give me the ongoing or planned Renewable Energy Projects, like solar panels and heat retention schemes on DDDC buildings, or any small wind turbines planned at the depots? Also could you give me the number of Council petrol - diesel vehicles that have been replaced by electric vehicles or planned to be this year 2020-2021?”*

Councillor Purdy provided the following response.

At its meeting on 19 February 2020 the Community and Environment Committee approved delegated authority for the Director of Regulatory Services to procure expertise for the formulation of the Council's Climate Change Strategy and Action Plan. That work was put out to quotation and during lockdown a consultancy firm was appointed to undertake this piece of work. The consultancy is named ClearLead.

ClearLead have met virtually with key officers and with the Council's Climate Change Working Group in order to assist with the formulation of the Strategy and Action Plan. They have received detailed information on the Council's energy and fuel use and have undertaken a socially distanced tour and inspection of some of the Council's key assets and facilities. They are now calculating the Council's carbon footprint. From a combination of all this work they will then draft the Strategy and Action Plan. We expect the Strategy to set out the steps needed to achieve net zero by 2030 and to identify opportunities for renewable energy and electric (and similar) vehicles. The Strategy and Action Plan will be reported to Committee once received.

**Councillor Slack asked the following supplementary question:**

*There are only 9½ years left until the 2030 target; is the Council on course to reach this target?*

Councillor Purdy confirmed that the Council was on course for this date, and efforts would be accelerated once we had received ClearLead's report.

**(D) Councillor Steve Wain asked the following question of Councillor Garry Purdy, Leader of the Council:**

*"It is anticipated that we are likely to have increased visitors to our towns and parks throughout this summer, as people holiday in the UK rather than abroad.*

*In light of the recent unfortunate instances of public disorder on the beaches of Dorset and other locations around the Country, what actions are being taken by this Council to put in place safeguards to ensure the health, well-being and protection of our residents and visitors?*

*I have recently been made aware of a number of complaints regarding anti-social behaviour and drinking alcohol on Hall Leys Park. Having made enquiries with Officers and the Police, I understand that there may be issues with the Public Space Protection Orders implemented in 2018.*

*Is the Council confident that it currently has effective operational systems in place to work collaboratively with our partners, such as the Police, to keep people safe and lawfully enforce against those who wish to engage in anti-social behaviour, on our parks and public open spaces throughout the District?"*

Councillor Purdy provide the following response:

The Derbyshire Dales has always been an area which attracts high visitor numbers and we have always taken pride in being able to provide a welcoming environment.

We already work with the police, and in particular the local safer neighbourhoods teams, in ensuring that it remains a safe place for visitors and residents alike.

Antisocial behaviour can be, and is, addressed by the local SNTs and the new sergeant is keen to expand on that collaborative work through the use of our Public Spaces Protection Orders. Our officers are currently working towards making that happen by putting in place the necessary supporting processes, such as standardised Penalty forms, payment portals and associated administration. I have every reason to believe that such a collaboration will work well and be equally well received by our residents.

I have recently been contacted by the new Chief Inspector of Communities and will be holding a meeting with him soon.

**Councillor Wain asked the following supplementary question:**

*Due to the concern regarding the large number of people who were visiting the parks, what systems have been put in place to ease any potential tension; would the Public Spaces Protection Orders be effectively used and managed, and would the Council be seeking to extend the Public Spaces Protection Orders when appropriate?*

Councillor Purdy confirmed that the Council would seek to investigate an evidence base, and he would discuss the matter with the new Chief Inspector.

**(E) Councillor Clare Gamble asked the following question of Councillor Garry Purdy, Leader of the Council:**

- “1. The response to Coronavirus from this authority must have, by now, receded. The waste collection is virtually back to normal; the toilets and markets have reopened and the funds to help businesses have been distributed. On what date will the Community and Environment and Governance and Resources Committees next meet?”*
- 2. On June 11<sup>th</sup> 2020, the Emergency Committee committed the authority to an independent review of the events around the removal of the Ashbourne Director. What progress has been made to securing a date for this to take place and establishing the parameters of the enquiry?”*
- 3. Bayer have now agreed to pay out £8.8bn to settle court claims that Roundup causes cancer, and have set aside a fund for future claims. How will the Council be responding to this in terms of determination of whether Glyphosate is carcinogenic?”*

Councillor Purdy provided the following responses:

1. The response to the Coronavirus pandemic from this authority has not receded. Significant resources are still being dedicated to supporting businesses through the administration of the Discretionary Grants Fund; the development and implementation of measures to ensure the safe re-opening of the high street including licenced premises, and other aspects of community and economic recovery. The District Council is not therefore in a ‘business as usual’ situation.

Proposals for the resumption of the District Council’s policy committees will be considered at the Annual Meeting on 22 July.

2. An investigation has begun to:
  - Establish a factual timeline of events which resulted in the removal of the Blacks Head, Ashbourne and its safe return to the custody of the District Council;
  - Clarify the capacity of individuals involved and the source/authority of any permission granted.

The investigation team guided by the Monitoring Officer will include members of the internal legal team and will be independently reviewed by one of the Council’s appointed Independent Persons. The timeframe for completion is by 31 August 2020.

3. The Council has responded to the concerns surrounding the use of glyphosate by significantly reducing its use by our Clean & Green team. It is now only used in certain situations by staff wearing the appropriate Personal Protective Equipment and with no members of the public present.

Although the Council's weed spraying contractor is still using glyphosate, discussions are underway to consider a suitable alternative. We are currently in year 2 of a 3 year contract. Our Clean & Green team have continued to trial and review alternative treatments and we remain committed to finding a suitable alternative. At this present time, there are two products currently being assessed and two more arriving this month. A report on this matter will be presented to Members in September.

**Councillor Gamble asked the following supplementary questions:**

1. *At the Council Meeting scheduled for 22 July, would dates for the resumption of each policy committee be provided?*
2. *Regarding the recent events at Ashbourne, why was the first and only communication to Councils an email asking them not to talk to the press?*
3. *Had the Council changed its stance at all since the press announcement regarding glyphosate, specifically with regard to residents, wildlife and staff?*

Councillor Purdy said that in response to the first question, yes, dates would be given at the Annual Council Meeting on the 22<sup>nd</sup> July. Councillor Purdy said he was unable to respond to the second question as this was to be the subject of an independent inquiry; and in response to the third question, Councillor Purdy stated that it was safe when used as had been reported, and that the Council had considerably reduced its use.

**(F) Councillor Peter Slack asked the following question of Councillor Garry Purdy, Leader of the Council:**

*“After the killing of George Floyd by Minneapolis policemen, aided and abetted by three police colleagues, we have seen a great surge of protest at the treatment of black people of the United States, which has spread all over the world.*

*In this country we have seen great support and protest with black and white people coming out to march jointly for Black Lives Matter and awaking to the injustice of Black and all BAME peoples.*

*In the Derbyshire Dales District and Wirksworth we see evidence of a racist and colonial past which is totally offensive to BAME and the majority of white people. There is need to move the offensive items to museums, where the true history can be explained of the names and items to be judged offensive. We have seen problems at Ashbourne and Wirksworth with the Blacks Director signs and objects.*

*My Question is: will the Council look into a survey and review of the district with BAME representatives contributing to the review?”*

Councillor Purdy provided the following response:

Cllr. Slack will now be aware that there is proposal of a notice of motion to be considered this evening which acknowledges that as a District Council, we have a duty to address the legacy of colonialism, slavery and racism in all its forms.

We acknowledge the public outcry of hurt, pain and anger over these legacies and it is proposed in the motion that we undertake a review of all our own assets and a report be brought back to full council on completion. It will be for members to consider the scope of that

review. The District Council cannot however, be responsible for assets that are owned by others and it is for them to determine what action they propose to take on such matters.

**Councillor Slack thanked Councillor Purdy for his response, and reiterated that he would like to see black, Asian and minority groups taking part in the review.**

Councillor Purdy advised that the review would be circulated to the appropriate external organisations.

**(G) Councillor Matthew Buckler asked the following question of Councillor Garry Purdy, Leader of the Council:**

*“I have been asked to ask about our progress on reducing our carbon footprint on behalf of the Derbyshire Climate Coalition. In June 2019, DDDC declared a Climate Emergency, and pledged to become carbon neutral as an Authority by 2030. Since then, we’ve had significant flooding in Matlock and Darley Dale on more than one occasion, and the driest spring ever. Further afield, temperatures in the Russian Arctic, typically 0°C this time of year, have reached 45°C. Last week CO<sub>2</sub> levels reached a new 3 million year high of 418 ppm and the Committee on Climate Change (CCC) report suggested that the Government should be preparing for a 4°C global temperature increase. In a previous CCC report, this was recognised as having the potential to cost billions of lives around the world.*

*As we should be showing leadership both as a corporate body and as community representatives, what progress has been made on achieving our carbon target?”*

Councillor Purdy provided the following response:

I refer Councillor Buckler to my earlier response to Cllr Slack. I should add that we expect the work that we are doing with our consultants will enable us to identify the carbon savings made by the Council over the last 5 years as well as the potential for future savings.

**Councillor Buckler asked the following supplementary question:**

*Would the Leader let me know what is the Council’s current carbon footprint, and how does it compare with a year ago? What decisions, both relating to internal operations and the external ones for which you have responsibility, have been altered in the interim period to reduce it?*

Councillor Purdy advised that the ClearLead team were undertaking an investigation, and he would email the results when known.

**(H) Councillor Peter O’Brien asked the following question of Councillor Garry Purdy, Leader of the Council:**

*This is an urgent question for the Leader to be raised on Notice under the Urgency Provisions, to respond to the current situation and high risk of fire caused by disposable BBQ.*

*“In view of the recent spate of devastating wild fires on the moors and other open areas in the District to which the public have access, caused by the irresponsible use of disposable barbecues by the significantly increased number of visitors, will you follow the lead of High Peak Borough Council, supported by the Peak District National Park Authority, and recommend to an urgent meeting of the Emergency Committee or an Extraordinary meeting*

*of this Council, that a Public Spaces Protection Order across the Derbyshire Dales local authority area be introduced with at the earliest possible opportunity?”*

Councillor Purdy provided the following response:

Whilst I agree that this is an important matter, I cannot agree that it is urgent to the point where we may need to de-rail other activities and mis-direct resources that are currently stretched in dealing with a range of issues around the Pandemic. Discussion on the item would be more timely when the Council returns to normal business through the Committee cycle.

### **383/19 – PROPOSAL OF A NOTICE OF MOTION (RULE OF PROCEDURE 16)**

The Council debated the following Motion, submitted by Councillor Jason Atkin in accordance with Rule of Procedure 16:

*“Given what we have seen in other boroughs, districts and local government authorities around the UK in recent weeks, we have a duty to address the legacy of colonialism, slavery and racism in all its forms.*

*We acknowledge the public outcry of hurt, pain and anger over these legacies and that we undertake a review of all our assets and a report be brought back to full Council on completion of the review, with recommendations on what assets deemed as having these legacies to them and for their removal.”*

It was agreed after debate that two amendments be made to the Motion, with the final version as shown below:

*“Given what we have seen in other boroughs, districts and local government authorities around the UK in recent weeks, we have a duty to address the legacy of colonialism, slavery and racism in all its forms.*

*We acknowledge the public outcry of hurt, pain and anger over these legacies and that we undertake **in the first instance** a review of all our assets and a report be brought back to full Council on completion of the review..”*

It was moved by Councillor Jason Atkin, seconded by Councillor Chris Furness and

#### **RESOLVED**

That the following motion, as amended, submitted by Councillor Jason Atkin, is received:

*“Given what we have seen in other boroughs, districts and local government authorities around the UK in recent weeks, we have a duty to address the legacy of colonialism, slavery and racism in all its forms.*

*We acknowledge the public outcry of hurt, pain and anger over these legacies and that we undertake in the first instance a review of all our assets and a report be brought back to full Council on completion of the review.*

**Voting:**

<b>For</b>	<b>28</b>
<b>Against</b>	<b>7</b>
<b>Abstentions</b>	<b>0</b>

The Chairman declared the motion CARRIED.

**384/19 – BUILDING NEW COUNCIL HOUSING**

Councillor Steve Flitter left the meeting at 7.58 pm during discussion of this item.

The Director of Housing introduced the two members of Altair and thanked them for attending the meeting.

The Council considered a report that set out a business case for potential investment in a modest programme of new Council housing, with management and maintenance services delivered by a third party such as housing associations or private agents.

The Community Housing Team’s successful bid to The Local Government Association Housing Advisers Programme 2018/19 for a grant of £14,000 was used to appoint consultants Altair through the Local Government Association. The Community and Environment Committee had received a report on building new council homes on the 19<sup>th</sup> February 2020, where it approved the referral of the council housing proposal to full Council.

The report outlined the refined business case and the project programme for appointment of a development and managing agent for the new homes, which would involve the Council identifying, developing and owning 52 Council homes for affordable rent and shared ownership, with the first phase potentially delivering 7 homes. Altair had been supporting the Council with several activities in delivering these new Council homes, as set out in the report, and the latest programme of development, following a further review of the programme to date, was tabled in paragraph 3.3 of the report.

It was proposed that the Council would be the client and would procure property development services from housing associations or from private practice, seeking to procure a provider of housing management and maintenance services for the new homes. The specifications for the Managing Agent and Development Agent were attached as Appendices 1 and 2 to the report, and would form part of the contract documentation to be signed by the Council and its chosen supplier following the tender exercise.

The programme for procurement of a Development and Managing Agent was set out in paragraph 4.2 of the report, with a target of November 2020. It was anticipated that the first homes could potentially be handed over in quarter 4 2020/21.

Altair and the Council had assessed the updated delivery profile of the programme. The schemes anticipated to come forward were tabled in paragraph 3.4 of the report, with the resource implications for consideration by the Council in paragraph 3.5 of the report.

Altair and the Council had produced an initial programme for delivering the next phase of the project up until appointment of the development and managing agent in readiness for handover of the first homes. Some key dates were listed in the report. Key tasks were to

register as a Registered Provider (RP) with the Regulator for Social Housing (RSH) and to sign up as an Investment Partner with Homes England to access grant funding.

It was moved by Councillor Tony Morley, seconded by Councillor Mark Wakeman and

- RESOLVED** (unanimously)
1. That the principle of providing Council housing is endorsed and a tender exercise is undertaken to procure the services of a development and management agent;
  2. That delegated authority is given to the Director of Housing to make applications to register Derbyshire Dales District Council with Homes England and the Regulator of Social Housing;
  3. That a further report is presented to Council detailing the outcome of the tender process.

There was a short adjournment.

### **385/19 – PAVEMENT CAFÉ LICENSING**

Councillor Tom Donnelly left the meeting at 8.26pm during discussion of this item.

The Council were asked to consider a late addition to the Agenda, which the Chairman had agreed to accept as an item of urgent business in order to respond to an external deadline.

The report set out a new licensing requirement proposed by Government to assist businesses in the hospitality trade with the economic recovery following the easing of Covid-19 lockdown restrictions. The announcement was followed by the publication of the Business and Planning Bill, which set out in detail how Government initially envisaged the measures being implemented. The report set out the basics of how the system was expected to operate; set a fee for the service and suggested a scheme of delegation to enable the system to work effectively, within the very tight timescales that councils would be allowed to process and determine applications, as summarised in the report. A recommended scheme of delegation was set out in paragraph 3.6 of the report.

The officer recommendation was that the fee for Derbyshire Dales District Council was set at £100, in order to recover as much of the cost of administering the new system as possible.

Enforcement action would be undertaken in accordance with the Council's Enforcement Policy, with Officers working in the Licensing and Environmental Health teams taking the lead role in investigating complaints and instigating any action.

The Bill specified that these provisions were time limited and would expire at the end of 30 September 2021, so that any licence granted would cease at that time, subject to any future amendments of the Act that would presumably follow the Bill.

It was moved by Councillor Garry Purdy, seconded by Councillor Susan Hobson and

- RESOLVED**
1. That the District Council waive the fee of £100 for the determination of applications for Pavement Café licences;
  2. That regulation of pavement café licensing is discharged to the Licensing Committee, with specific decisions being delegated to officers as detailed at paragraph 3.6 of the report is adopted.

**Voting:**

<b>For</b>	27
<b>Against</b>	0
<b>Abstentions</b>	5

The Chairman declared the motion CARRIED.

**386/19 – MOTION TO CONTINUE**

It was moved by Councillor Peter O'Brien, seconded by Councillor Michele Morley and

**RESOLVED** That in accordance with Rule of Procedure 13, the meeting continue (unanimously) beyond 2½ hours to enable the business on the agenda to be concluded.

**387/19 – MATLOCK TOWN HALL: BUILDING ADAPTATIONS RELATING TO COVID-19**

The Council considered a report that outlined a number of proposed adaptations to the Town Hall building to allow safe use by staff and the public in line with Government guidance during the COVID-19 pandemic.

Due to the lockdown imposed on 23rd March this year, the Town Hall reception was closed to public visitors on 24th March 2020 and the majority of Town Hall based staff commenced working from home in accordance with Government guidance.

On 10th May 2020 the Government announced the easing of lockdown which relaxed some of the restrictions, though the Town Hall continued to operate with reduced staff numbers, with a typical building occupancy of 15–20. Following the Government's announcement regarding the phased reopening of non-essential retail/services throughout June and July, a risk assessment of the Town Hall had been undertaken (attached as Appendix 1 to the report). However, the Estates and Facilities Manager advised that the Risk Assessment was under constant review, and had moved on from the version set out in the report in accordance with government guidance. The Council's risk assessments and proposals for the building had been shared with the various other organisations that occupied the Town Hall.

The areas identified for attention/adaptation in order to comply with the current Government guidance were tabled in paragraph 2.2 of the report. However, it was reported that a number of adaptations had already taken place or had been ordered to avoid delays due to significant demand. A summary of the current position and the associated costs was set out in paragraph 2.3 of the report, and the proposed works were designed to make the Town Hall building compliant with Government regulations in respect of COVID-1. However, the main elements of the works would nevertheless result in an improved environment for staff and customers going forward, as outlined in the report.

The total cost of the works as outlined above was £40,000 and the suggested budgetary provision for this was included in the Financial Risk paragraph of the report.

It was moved by Councillor Sue Bull, seconded by Councillor Jason Atkin and

**RESOLVED**  
(unanimously)

1. that the work already undertaken is noted and the proposed building adaptation works are approved
2. That additional revenue expenditure of £40,000 is approved for the adaptation works.

### **388/19 – SEALING OF DOCUMENTS**

It was moved by Councillor Richard FitzHerbert, seconded by Councillor Garry Purdy and

**RESOLVED**  
(unanimously)

That the common seal of the Council be affixed to those documents, 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 9.03PM**

**CHAIRMAN**