

PARTNERSHIP & REGENERATION COMMITTEE  
1 MAY 2008

Report of Head of Planning Services

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## **CONSERVATION AREA CHARACTER APPRAISAL – ASHBOURNE**

### **SUMMARY**

The report summarises the representations received in respect of the Draft Ashbourne Conservation Area Character Appraisal and seeks approval to proceed with its adoption.

### **RECOMMENDATION**

1. That the Ashbourne Conservation Area Character Appraisal be adopted in accordance with the recommendations as set out in Appendix 1.
2. That authority be delegated to the Head of Planning Services to implement the statutory procedures necessary to amend the boundary of the Ashbourne Conservation Area as set out in Appendix 2.

### **WARDS AFFECTED**

Ashbourne North  
Ashbourne South

### **REASON WHY THIS IS A KEY DECISION**

The decision is likely to be significant in terms of its effect on the communities living and working in the Ashbourne North and Ashbourne South Wards.

### **STRATEGIC LINK**

Conservation Area Character Appraisals are to be carried out for designated and proposed Conservation Areas and these will assist in delivering the Council's aims of protecting and enhancing the environment as well as stimulating economic, community and environmental regeneration.

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## **1 BACKGROUND**

- 1.1 At the meeting of this Committee held on 13th December 2007 it was resolved that the Draft Ashbourne Conservation Area Appraisal be approved for a six-week period of public consultation. It was further resolved that the results of the public consultation exercise would be reported to this Committee, outlining the responses received during that consultation period (Minute 441/07 Refers).

- 1.2 The Draft Appraisal was subject to public consultation between 24th January and 6th March 2008. Copies of the draft document were distributed to key stakeholders including Ashbourne Town Council, the Ashbourne Partnership, Ward Members, Derbyshire County Council (Conservation and Highways Departments) and local residents.
- 1.3 All residents/owners of land/buildings proposed to be included within the Ashbourne Conservation Area were consulted individually. Posters advertising the consultation period and an advisory meeting were distributed around Ashbourne and a formal public notice was published in the local press. A press release was issued by the District Council which resulted in extensive coverage in the Ashbourne News Telegraph. The Appraisal document was also available on the District Council's website, at the Ashbourne First Stop Shop and Matlock Town Hall.
- 1.4 A public advisory session was held at the Ashbourne Leisure Centre on Thursday 7th February 2008. Around twenty-five individuals attended, including representatives from the Town Council, the Ashbourne Partnership and local residents.

## **2. REPORT**

- 2.1 As a result of the public consultation exercise, eight separate comments were received from four different sources - Ashbourne Town Council; Derbyshire County Council Highways Authority and two local residents. The Schedule at Appendix 1 summarises each representation and provides Officer comments and recommendations on each comment.
- 2.2 As a result of the comments received, there are no changes proposed to the draft Appraisal or to the proposals to extend the boundary of the Ashbourne Conservation Area.
- 2.3 It is, therefore, recommended that the Ashbourne Conservation Area Character Appraisal be modified in accordance with the recommendations set out in Appendix 1.
- 2.4 In order to modify the Ashbourne Conservation Area boundary as shown in Appendix 2, it is recommended that the Head of Planning Services be given delegated authority to implement the necessary statutory procedures.

## **3. RISK ASSESSMENT**

### **3.1 Legal**

The report proposes actions which fall within the Town and Country Planning Act 1990 and PPG15. The legal risk is, therefore, low.

### **3.2 Financial**

There are no financial risks arising from this report.

### **3.3 Corporate Risk**

There is no corporate risk arising from the report.

#### 4. OTHER CONSIDERATIONS

In preparing this report the relevance of the following factors has also been considered: prevention of crime and disorder, equality of opportunity, environmental, health, legal and human rights, financial, personnel and property considerations.

#### 5. CHAIRMAN'S COMMENT

I await the comments of the Committee with interest.

#### 6. CONTACT INFORMATION

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#### 7. BACKGROUND PAPERS

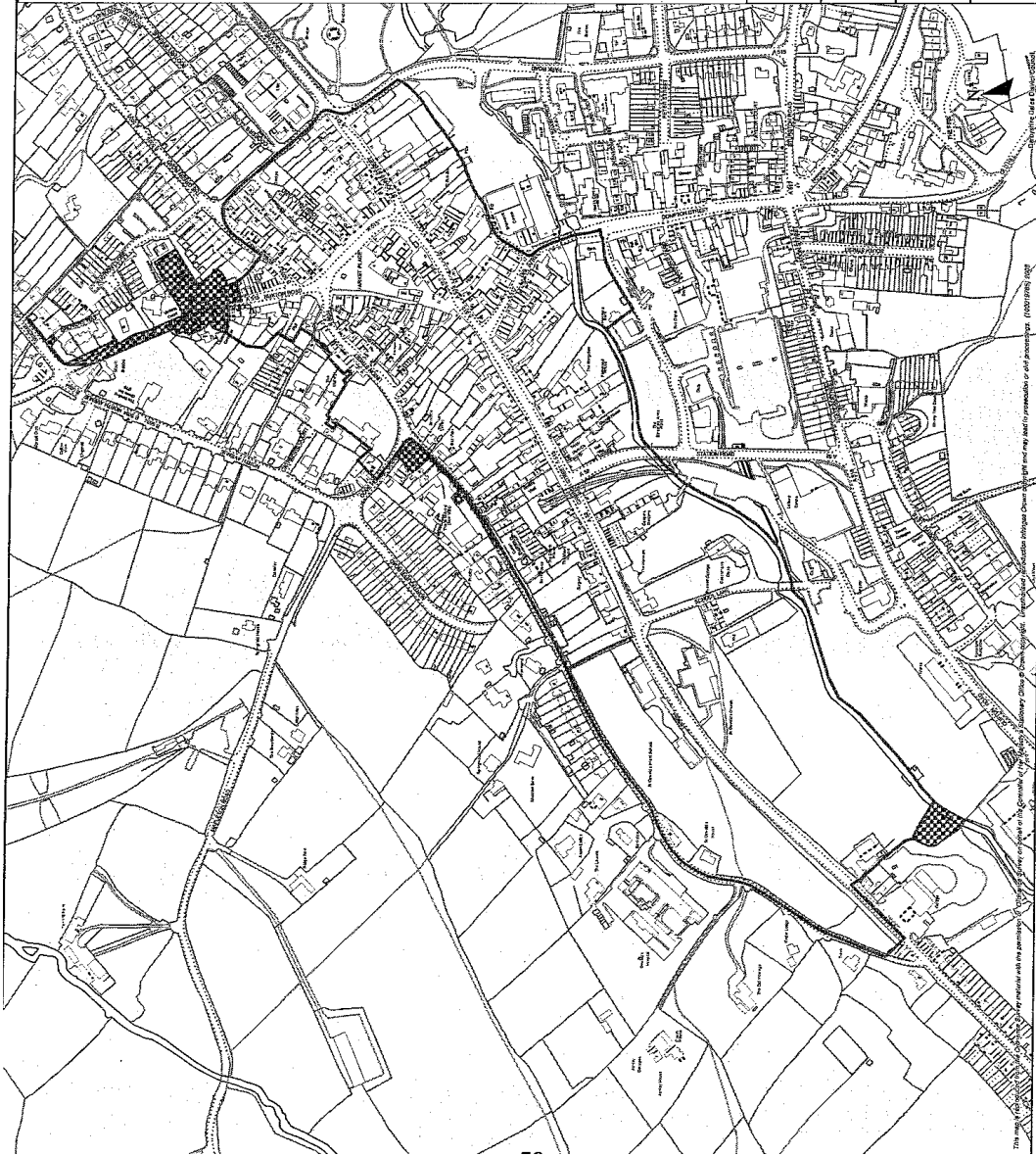
<b>Description</b>	<b>Date</b>
Reports to Partnership and Regeneration Committee	14th April 2003 and 16th September 2004
Planning Policy Guidance Note 15 : Planning and the Historic Environment - DoE & DNH	1994
Guidance on Conservation Area Character Appraisals - English Heritage	1997 and 2006
Letters received	6th March 2008 5th March 2008 12th February 2008 4th February 2008

**ASHBOURNE  
CONSERVATION AREA**  
CONSERVATION AREA BOUNDARY  
AS PROPOSED

Appendix 2

**KEY**

- ▭ Ashbourne Conservation Area Proposed Boundary
- ▣ Areas for Inclusion



This map is for information only and does not constitute a formal planning application. It is subject to the provisions of the Planning (Listed Buildings and Conservation Areas) Act 1967 and the Planning (Listed Buildings and Conservation Areas) Regulations 2001. It is not intended to be used for any other purpose.

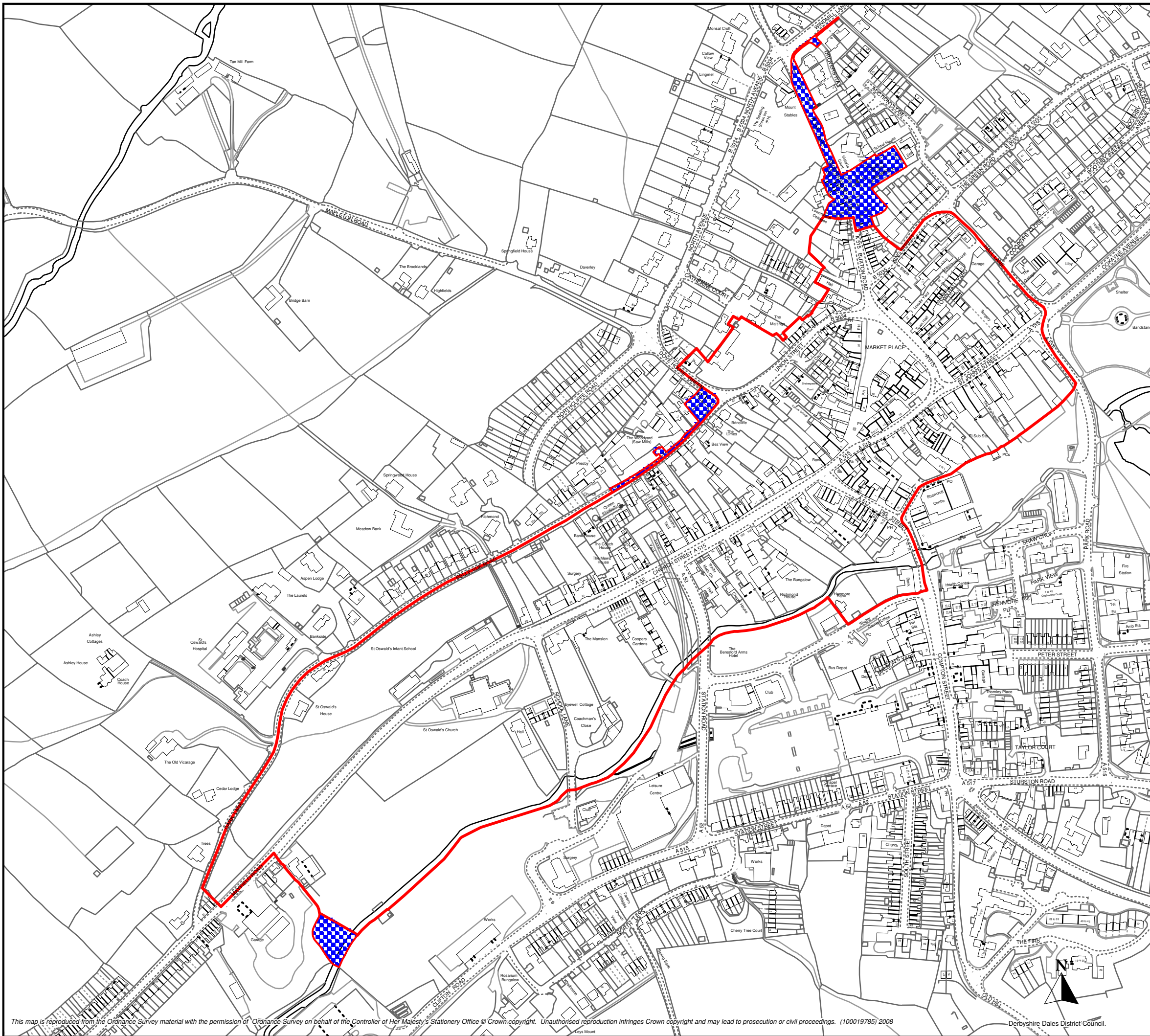
**Schedule**  
**Ashbourne Conservation Area Appraisal and Proposed Boundary Changes**

Representations received during the consultation period - 24th January to 6th March 2008


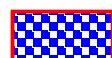
No.	Objector	Summary of Representation	Officer Comments and Recommendation
1	Ashbourne Town Council 06.03.08	Consider that there are areas which should be included:- <ul style="list-style-type: none"> <li>▪ The Gallery, which runs between St. John Street and Victoria Square and included in this area 'Bennetts' shop.</li> </ul>	<b>Comments:</b> The Gallery area is already located within the Ashbourne Conservation Area  <b>Recommendation:</b> No change to boundary.
2	Ashbourne Town Council 06.03.08	Consider that there are areas which should be included:- <ul style="list-style-type: none"> <li>▪ Middle Cale, which lies at the bottom of Market Place and probably dates back to Mediaeval times</li> </ul>	<b>Comments:</b> This area is already located within the Ashbourne Conservation Area  <b>Recommendation:</b> No change to boundary.
3	Ashbourne Town Council 06.03.08	Consider that there are areas which should be included:- <ul style="list-style-type: none"> <li>▪ Going up Buxton Road, the area to the right, immediately above St. Johns Church, now called Victoria Court. This building was erected in the time of Queen Victoria and was opened by one of her daughters. Councillors feel this is a nice building which should be preserved / maintained</li> </ul>	<b>Comments:</b> This building lies just beyond the proposed conservation area boundary. Whilst not an unattractive building it is not prominent in views north or south along Buxton Road. The remit for extending the conservation area in this part of the town is to protect the views into and out of the town; the walls demarking the boundary of the road and associated tree cover along the perimeter of the road. Where properties have been included this is because they are prominent within views on entering or exiting the town.  <b>Recommendation:</b> No change to boundary
4	Derbyshire County Council Highways Authority 05.03.08	Consider that it is unlikely that there are any issues in extending the Conservation Area, from a highway safety viewpoint	<b>Comments:</b> Noted  <b>Recommendation:</b> No change to boundary

5	M. F. Moore Mount Stables North Avenue, Ashbourne 12.02.08	Object to the proposed inclusion of the boundary walls to Buxton Hill into the Conservation Area. The reason is that unless another section of the Town Bypass (Mayfield Road to Sandybrook), is constructed in the very near future, it will be necessary to widen the road or it will be totally clogged up with large lorries trying to pass each other. The width of the footpath is a disgrace and very dangerous for pedestrians. Concerned that if the boundary walls to Buxton Hill are included in the Conservation Area it would be almost impossible to widen the roadway and create a situation where we have the worst of both worlds – No widening – No bypass.	<p><b>Comments:</b> Comments are noted in relation to traffic flows, but this was not a consideration of proposing the extension to the conservation area in this location, which was based on views and prominent buildings and boundary walls which are characteristic of Ashbourne.</p> <p><b>Recommendation:</b> No change to boundary</p>
6	M. F. Moore 12.02.08	A copy of this letter (i.e. the comments listed above) is being sent to Derbyshire County Council, Highways Department, who I hope will also object to the proposal.	<p><b>Comments:</b> Noted. Comments received from the Highway Authority are listed above, that there are no issues in extending the conservation area boundary from a highway safety point of view.</p> <p><b>Recommendation:</b> No change to boundary</p>
7	T & P Sanderson 20 Buxton Road, Ashbourne. 04.02.08--	Found the proposal most interesting, well explained and are very much in favour of it	<p><b>Comments:</b> Noted.</p> <p><b>Recommendation:</b> No change to boundary.</p>
8	T & P Sanderson 04.02.08	Found intriguing that photographs of the Hill had no traffic in sight, which they feel is a rare experience except in dead of night.	<p><b>Comments:</b> Noted</p> <p><b>Recommendation:</b> No change to boundary.</p>





# KEY

-  Ashbourne Conservation Area Proposed Boundary
-  Areas for Inclusion

## ASHBOURNE CONSERVATION AREA

CONSERVATION AREA BOUNDARY  
AS PROPOSED

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## **PARTNERSHIP AND REGENERATION COMMITTEE**

**Minutes of a Meeting held on Thursday, 1<sup>st</sup> May 2008 in the Council Chamber, Town Hall, Matlock at 6.00pm**

**PRESENT** Councillor Simon Spencer - In the Chair

Councillors David Barker, Ken Bull, Steve Bull, David Chapman, Mrs. Tracy Critchlow, David Fearn, Mrs. Janet Goodison, Andrew McCloy, Tony Millward, Mike Ratcliffe, Lewis Rose, OBE, Tony Rosser and Geoff Stevens

Councillors Peter Hume and Garry Purdy attended in their capacity as Ward Members.

Dave Brooks (Director of Planning and Development Services), Peter Foley (Director of Community Services – Designate), Sandra Lamb (Head of Democratic Services), Peter Bartle (Head of Property Services), Keith Postlethwaite (Grounds Maintenance Officer) Mike Galsworthy (Estates Manager), Tanya Shaw (Design & Conservation Officer), Steve Capes (Head of Organisational Development) and Brian Evans (Committee Administrator)

1 member of the press and 1 member of the public.

### **641/07 - MINUTES**

It was moved by Councillor Geoff Stevens, seconded by Councillor David Chapman and

**RESOLVED** That the Minutes of the Partnership & Regeneration Committee meeting held on 20<sup>th</sup> March 2008 be approved as a correct record.

Voting	In Favour	13
	Against	0
	Abstentions	1

The Minutes were signed by the Chairman.

### **642/07 - INTERESTS**

Agenda Item 6 – Matlock Bath Illuminations 2008 – Councillor Geoff Stevens declared a personal interest in this item as he worked at the event in a voluntary capacity. Councillor Stevens was present during voting and discussion on this item.



Agenda Item 7 – Car Park Management – Civil Parking Enforcements (CPE) and Other Related Matters - Councillor Mrs Tracy Critchlow declared a personal interest in this item as a member of Derbyshire County Council, a party to the scheme. Councillor Mrs Critchlow was present during discussion and voting on this item.

Agenda Item 9 – The Future of Sub-National Economic Development and Regeneration in Derbyshire – Councillor Lewis Rose declared a personal interest in this item as the Council's representative on the Derby & Derbyshire Economic Partnership (DDEP). Councillor Geoff Stevens declared a personal interest in this item as a member of emda. Councillor Mrs Tracy Critchlow declared a personal interest in this item as a member of Derbyshire County Council. All Councillors were present during discussion and voting on this item.

Agenda Item 12 – Tansley – Report on Assessment for Possible Conservation Area Designation – Councillor Mrs Tracy Critchlow declared a personal interest in this item as an ordinary member of English Heritage, a consultee on the assessment. Councillor Mrs Critchlow was present during discussion and voting on this item.

Agenda Item 13 – Conservation Area Character Appraisal – Ashbourne – Councillor Steve Bull declared a personal interest in this item as a member of Ashbourne Town Council, a consultee on the appraisal. Councillor Bull was present during discussion and voting on this item.

Agenda Item 14 – Draft “Derbyshire Climate Change Strategy” – Suggested Response to Consultation – Councillor Andrew McCloy declared a personal interest in this item as a Member of the Sustainable Youlgrave Group and Councillor Mike Ratcliffe as a Member of the Sustainable Wirksworth Group, as both groups had a particular interest in the issues under discussion. Councillor Mrs Tracy Critchlow declared a personal interest in this item as a member of Derbyshire County Council and the Peak District National Park Authority, consultees on the strategy. All Councillors were present during voting and discussion on this item.

Agenda Item 15 – Proposed Transfer of Land for Affordable Housing – Land at Birches Terrace, Ashbourne – Councillor Steve Bull declared a personal interest in this item as a member of Ashbourne Town Council, a consultee on the proposed transfer. Councillor Bull was present during discussion and voting on this item.

Agenda Item 16 – Consultation on Draft Policy on Roadside Memorials and Tributes – Councillor Mrs Tracy Critchlow declared a personal interest in this item as a member of Derbyshire County Council, the body who produced the draft policy. Councillor Mrs Critchlow was present during discussion and voting on this item.

### **643/07 – MATLOCK BATH ILLUMINATIONS 2008**

At its meeting on 20<sup>th</sup> March 2008 the Committee had resolved that a report be presented to this meeting on the outcome of discussions with Matlock Bath Parish Council and a meeting between local traders, Ward Members, the Chairman of the Partnership & Regeneration Committee and the Director of Planning & Development Services to enable a final decision to be taken regarding the approach to the 2008 event.

Initial preparations were under way for the staging of the 2008 Matlock Bath Illuminations, however, no commitment had yet been made in firming up any arrangements and this commitment was now necessary to enable the 2008 event to be staged.

The report detailed a number of key issues and made recommendations in relation to each:

- Meeting with local traders
- Budget:
  - overall position and aim
  - entrance charge Saturday and Sunday evenings
  - income from car parking
  - donations from local traders
- Main electrical contract

In an update to the report the Director of Planning & Development Services confirmed that pledges to date from local traders amounted to £6,900.

It was moved by Councillor Lewis Rose, seconded by Councillor Tony Millward and

**RESOLVED**  
(Unanimously)

1. That the entrance charge for the 2008 Matlock Bath Illuminations be increased to £4.00 per adult, £3.50 for pensioners with no charge for accompanied children, disabled persons and Matlock Bath Residents.
2. That efforts continue to increase the number of pledges from local traders and other sources of income.
3. That a 20% reduction on the entrance charge be offered for advance group bookings in excess of ten persons, with the coach driver to have free entry into the event.
4. That the Director of Planning & Development Services enters into negotiations with Matlock Electrical Services, Darley Dale, based on their 2007 tender rates with appropriate industry increases applied, with a view to agreeing and accepting a contract figure for the main Electrical Contract for the 2008 event.
5. That Standing Order 6(c) is waived in respect of advertising to enable 4. above.
6. That a report on the outturn of the 2008 event be presented to the Committee before the end of the calendar year.

**644/07 – CAR PARK MANAGEMENT – CIVIL PARKING ENFORCEMENT (CPE) AND OTHER RELATED MATTERS**

The Committee considered a report that gave an update on progress towards the countywide introduction of Civil Parking Enforcement (CPE), formerly referred to as Decriminalised Parking Enforcements (DPE), and a range of related matters.

Following the establishment of a CPE Project Board, comprising members of the County Council and District/Borough Councils, a draft joint agreement for the delivery of the resultant service had now been formulated, which detailed the framework of the future partnership between the respective authorities. The draft Memorandum of Understanding, which set down the principles of that agreement, was attached as Appendix 1 to the report. However a final version was still to be released.

The enforcement service was intended to be self-financing and the financial model prepared by the County Council's consultants, RTA Associates, suggested that following the initial twelve months there was a reasonable expectation that the service operating within the Derbyshire Dales may generate a modest surplus. A deficit was anticipated within the first twelve months, which represented initial revenue set up costs and further reflected that there would be a period during which enforcement would be undertaken, but where income from a proportion of the resultant penalty notices would be outstanding. A summary of marginal income and expenditure had been prepared by the consultant and was attached at Appendix 2 to the report.

In light of the financial information provided by the County Council's consultant and the Project Board's general accord in respect to the partnership agreement outlined within the Memorandum of Understanding, the County Council now sought a formal resolution to support its application to the Secretary of State for Civil Enforcement powers. In seeking such powers there would also be a requirement for the District Council to join the "Joint Committee of England and Wales for the Civil Enforcement of Parking and Traffic Regulations Outside London", along with the other participating Districts and Boroughs.

At the meeting of the Committee on 20<sup>th</sup> March 2008 it had been noted that there would be a need to make a new Off-Street Parking Places Order to coincide with the granting of Civil Parking Enforcement powers. Section 2.1 of the report suggested a number of items to be taken into consideration when preparing such an order.

It was moved by Councillor Mrs Tracy Critchlow, seconded by Councillor Tony Millward and

**RESOLVED**  
(Unanimously)

1. That progress towards the countywide introduction of Civil Parking Enforcement be noted.
2. That it be resolved to undertake Civil Parking Enforcement within the administrative boundary of Derbyshire Dales through partnership with Derbyshire County Council and to support the County Council's application to the Department for Transport for Civil Parking Enforcement, Special Parking Enforcement and Bus Lane Enforcement powers.
3. That it be resolved to join the Joint Committee of England and Wales for the Civil Enforcement of Parking and Traffic Regulations Outside London.
4. That approval be given to begin formal public consultation in respect of a new Parking Order which will reflect the changes in enforcement that will be brought about by the aforementioned powers.
5. That revisions to the Discount Season Ticket Scheme for the

Matlock area be approved, following the establishment of the parking areas associated with the Sainsbury's development.

Reason for Key Decision

The proposal involves parking related income, which exceeds £100,000.

**645/07 – VILLAGE PARKING SCHEME**

The Committee considered a report, which provided an update on a previous Village Parking Scheme grant requested by Kirk Ireton Parish Council.

At its meeting on 11<sup>th</sup> November 2004 the Committee had considered a request for grant assistance from the Parish Council in respect of legal costs required to modify a Section 106 Agreement of the Town & Country Planning Act, for the purpose of transferring the village car park to the Parish Council. At that time legal costs were unknown but were estimated to fall in the region of £1000 and it was therefore resolved that a grant up to the value of £1000 be approved. The legal agreement had now been concluded with a resultant shortfall in funding for legal fees of £280.29.

It was moved by Councillor Lewis Rose, seconded by Councillor Tony Millward and

**RESOLVED** That a sum of £280.29 as a supplementary Village Parking Scheme  
(Unanimously) grant to Kirk Ireton Parish Council, in respect of the project described in the report, be approved.

**646/07 – FUTURE OF SUB-NATIONAL ECONOMIC DEVELOPMENT & REGENERATION IN DERBYSHIRE**

At its meeting on 9<sup>th</sup> August 2007, Council considered a report which advised that the Sub-National Review of Economic Development proposed giving economic development funds to Local Authorities, rather than Regional Development Agencies (RDA's). At the time it was left open as to which tier of local government funding and powers would be devolved. The sub-regional structure was also to be revisited, putting into question the future of the Derby & Derbyshire Economic Partnership (DDEP) and the Peak District Rural Action Zone (RAZ).

The review report was published by the Government in March 2008 and responses sought by 20<sup>th</sup> June 2008. The East Midlands RDA (emda) has subsequently set out proposals for putting the reviews conclusions into practice. Both the Government review and emda's proposals, now make it clear that economic development funding and powers will be devolved to county and unitary authorities, not to district or borough councils. Emda additionally proposes that it's sub-regional structure, including the Derby & Derbyshire Economic Partnership (DDEP) and the Peak District Rural Action Zone (RAZ), be removed.

At the same time, the Derbyshire Local Area Agreement (LAA) structures for 2008–2011 are under negotiation within the county. It is likely that regeneration will have its own county-wide Board within the LAA structure, which will report to the LAA Sustainable Communities Board. Verbal agreement had been secured from the County Council that each District Council would have a seat on the Regeneration Board, however, the structures that would underlie this Board had yet to be determined.

Emda proposals were detailed in Section 2 of the report with the possible priorities for the Derbyshire Dales attached at Appendix 1 to the report.

The new Derbyshire Local Area Agreement (LAA) between the County Council and the Government would be finalised in June 2008. A structure of Boards was being set up to govern and manage the different elements of the LAA and further reports would be brought to Council when more information was available.

Section 4 of the report detailed the District Council's proposed responses to the Government, emda and Derbyshire County Council.

It was moved by Councillor Lewis Rose, seconded by Councillor Mike Ratcliffe and

**RESOLVED**

(Unanimously)

1. That the important role of District Council's in economic development and regeneration is recognised by the Government, emda and Derbyshire County Council.
2. That the post-April 2009 regeneration structure in Derbyshire includes a unit dedicated to the rural area.
3. That the District Council's response to the Government, emda and Derbyshire County Council, as set out in Section 4 of the report, be approved.

**647/07 – SURFACING AND DRAINAGE WORKS, NORTHWOOD DEPOT**

The Committee considered a report which identified the procurement route used for the appointment of contractors to carry out surfacing and drainage works to the rear and side yards at Northwood Depot. It had been agreed to provide a permanent tarmac surface, together with the necessary associated drainage to this area and in order to achieve this an allowance of £53,000 was made in the District Council's Capital Programme approved by Council on 10<sup>th</sup> March 2008.

Due to the urgent requirement to carry out the works it was determined that in order to save time, rather than prepare a detailed design and advertise the works for tender, an alternative method of procurement would be employed which still retained competition. Three local contractors were invited to submit "Design and Construct" quotations.

In an update to the report the Head of Property Services reported that quotations had now been received which, due to a number of reasons, were higher than the amount set aside in the Capital Programme. The chosen contractor was Johnson Surfacing of Chesterfield, Limited.

It was moved by Councillor David Fearn, seconded by Councillor Geoff Stevens and

**RESOLVED**

(unanimously)

1. That the Capital Programme provision of £53,000 be increased to £85,000 in order to allow the scheme to be progressed and in accordance with financial regulation H4 a supplementary capital estimate of £32,000 be approved, with this amount to be financed from a grant of £188,000 received under the Local Authority Business Growth Incentive.

2. That the appointment of Johnson Surfacing of Chesterfield Limited in the sum of £85,000 (£79,825 plus a contingency sum of £5,175) be noted.

## **648/07 – TEMPORARY RELOCATION OF DARLEY DALE COMMUNITY CENTRE FACILITY**

This report should have been presented to the Community & Environment Committee but was presented to this Committee as a matter of urgent business as there was a need to embark upon a course of action with an externally set deadline that would result in significant economic disadvantage accruing to the District if not met. The Chairman of both Policy Committees had agreed to this course of action.

The Committee had agreed to the sale of the A6 frontage site at the Dimple for the development of a family pub/restaurant in order to complement the overall Central Area Leisure Centre development. Marston's Plc of Wolverhampton had indicated that they were prepared to delay contract completion until 28<sup>th</sup> September 2008 if necessary, in order to allow the District Council to deal with the relocation of the existing Community Centre facility that occupied part of the site. Following discussions with the Community Centre Management Committee and Darley Dale Town Council, held with a view to agreeing the preferred approach to the relocation of the existing Community Centre facility, that could be achieved within the required timetable, a report had been considered by the Committee on 13<sup>th</sup> December 2007 where it was agreed to examine a number of options together with costings, funding opportunities and heads of terms with a view to a report to a future meeting of the Community & Environment Committee to enable a final approach to be agreed.

Following the examination of a number of options it had not proved possible to identify a deliverable scheme that would provide a permanent stand-alone site for the Community Centre within the required timescale and at a reasonable cost and therefore a temporary solution was required.

A number of additional options for a temporary location were identified and examined with the recommended approach being to locate a pre-fabricated building to accommodate the Darley Dale Community Centre facility on a site adjacent to the District Council's nursery site, off Megdale, as shown in Appendix 1 to the report. This would be on a temporary basis pending the construction of the Central Area Leisure Centre.

It was moved by Councillor David Fearn, seconded by Councillor Lewis Rose and

### **RESOLVED** (Unanimously)

1. That a pre-fabricated building to accommodate the Darley Dale Community Centre facility is located on a site adjacent to the District Council's Nursery site, off Megdale as shown in Appendix 1 to the report, on a temporary basis pending the construction of the Central Area Leisure Centre.
2. That a planning application be made by the Head of Property Services in respect of the erection of a temporary building on the site shown in Appendix 1 to the report.
3. That the sum of £50,000 required to enable 1. above be financed from the current provision in the Capital Programme for the Central Area Leisure Centre.



4. That subject to planning consent and 3. above, an order be placed by the Director of Planning and Development Services with a supplier that has seen to have put forward the most practical and cost effective solution.
5. That subject to planning consent plus 3. and 4. above, the site of the temporary building be let to Darley Dale Town Council for a period of three years with effect from 28 September 2008 at a peppercorn rent.
6. That formal notice is given to Darley Dale Town Council to vacate the existing Bakewell Road site by 27<sup>th</sup> September 2008.

### **649/07 – TANSLEY – REPORT ON ASSESSMENT FOR POSSIBLE CONSERVATION AREA DESIGNATION**

The Committee considered a report detailing the outcome of an assessment that had been undertaken to determine whether it was appropriate to designate the village of Tansley as a Conservation Area. The assessment had been undertaken in accordance with the guidance issued by English Heritage and National Planning Policy Guidance (PPG15). The assessment was attached at Appendix 1 to the report.

The assessment of the village of Tansley had led to the conclusion that the character and appearance of its buildings and spaces was not special and therefore did not justify a Conservation Area designation.

It was moved by Councillor David Fearn, seconded by Councillor Mike Ratcliffe and

**RESOLVED** That, based on the assessment against the English Heritage criteria  
(Unanimously) for Conservation Area Appraisals, the village of Tansley should not be designated as a Conservation Area.

### **650/07 – CONSERVATION AREA CHARACTER APPRAISAL – ASHBOURNE**

At its meeting on 13<sup>th</sup> December 2007 the Committee had resolved that the draft Ashbourne Conservation Area Appraisal be approved for a six week period of public consultation with the results of the consultation exercise to be reported to the Committee outlining the responses received during the consultation period. A schedule, attached at Appendix 1 to the report, summarised each representation received and provided officer comments and recommendations on those comments.

In order to modify the Ashbourne Conservation Area Boundary, as shown in Appendix 2 to the report, it was recommended that the Head of Planning Services be given delegated authority to implement the necessary statutory procedures.

It was moved by Councillor Tony Millward, seconded by Councillor Steve Bull and

**RESOLVED** 1. That the Ashbourne Conservation Area Character Appraisal  
(Unanimously) be adopted in accordance with the recommendations as set out in Appendix 1 to the report.

2. That authority be delegated to the Head of Planning Services to implement the statutory procedures necessary to amend the boundary of the Ashbourne Conservation Area as set out in Appendix 2 to the report.

Reason for Key Decision

The decision is likely to be significant in terms of its effect on communities living and working in the Ashbourne North and Ashbourne South Wards.

**651/07 – DRAFT “DERBYSHIRE CLIMATE CHANGE STRATEGY” – SUGGESTED RESPONSE TO CONSULTATION**

The draft “Derbyshire Climate Change Strategy” had been written for the Derbyshire Partnership Forum (DPF), which was the primary public sector partnership in Derbyshire, of which the District Council was a member. The draft Strategy had been out for consultation since 10<sup>th</sup> March 2008 and an Executive Summary was attached at Appendix 1 to the report.

The draft Strategy sets out the background to climate change globally, examines Derbyshire’s contribution to climate change and looks at some of the expected climate impacts on the County. It recognises that by taking action together organisations are more likely to succeed in reducing the greenhouse gas emissions that cause Climate Change. In addition, it indicates that all need to adapt the way they live and work to cope with a changing climate.

The draft Strategy was written for the Derbyshire Partnership Forum with a set of strategic objectives forming the core of the strategy, followed by themes explaining the impact of activities on climate change as well as the impact climate change could have on the way people live and the way services are delivered.

Once the “Derbyshire Climate Change Strategy” was approved by the DPF, action plans would be developed to implement the objectives within the Strategy and to set more detailed targets over specific timescales to meet obligations both locally and nationally on this agenda. A report would be made to a future meeting of the Committee to enable formal adoption of the final version to be considered, and once adopted by the District Council and the DPF the “Derbyshire Climate Change Strategy” would be seen as the overarching strategic document against which the Derbyshire Dales Climate Change Action Plan would be further developed, reviewed and amended as necessary in the future.

Section 1.3 of the report detailed the District Council’s approach to climate change so far and contained officer comments as a suggested response to Derbyshire County Council to the consultation on the Derbyshire Climate Change Strategy.

It was moved by Councillor Andrew McCloy, seconded by Councillor David Fearn and

**RESOLVED**  
(Unanimously)

That the officer comments included in Section 1.3 of the report be forwarded to Derbyshire County Council as the District Council’s formal response to the consultation on the “Derbyshire Climate Change Strategy”.

Reason for Key Decision

Climate change is likely to be significant in terms of its effect on

communities living or working in any ward in the District.

Councillor Mike Ratcliffe left the meeting at 7.25pm on conclusion of this item.

### **652/07 – PROPOSED TRANSFER OF LAND FOR AFFORDABLE HOUSING – LAND AT BIRCHES TERRACE, ASHBOURNE**

The Committee considered a report, which recommended the transfer at nil consideration of a site in Ashbourne to Derwent Living (a Registered Social Landlord) to enable the development of twelve number affordable apartments for rent. The site, shown at Appendix 1 to the report, was in the freehold ownership of the District Council.

In an update to the report the Estates Manager advised that both Ward Members had no objections to the proposal.

It was moved by Councillor Tony Millward, seconded by Councillor Geoff Stevens and

**RESOLVED**  
(Unanimously)

1. That the consent of the Secretary of State is sought to transfer the freehold of the site at Birches Terrace, Ashbourne, shown edged in heavy black on the plan in Appendix 1 to the report, at nil consideration to the registered social landlord, Derwent Living, to enable the development of twelve number affordable apartments for rent.
2. That subject to the above consent being obtained a clause is included in the transfer agreement which allows the land to revert back to the District Council's ownership should the development not have commenced within three years of the transfer date.
3. That it be noted that the disposal constitutes an under-value transaction.

#### Reason for Key Decision

The report recommends the disposal of land with a value in excess of £100,000.

### **653/07 – CONSULTATION ON DRAFT POLICY ON ROADSIDE MEMORIALS AND TRIBUTES**

Derbyshire County Council had produced a draft policy on Roadside Memorials and Tributes, which outlined what was intended to be a sensitive but controlled approach to the management of roadside memorials and tributes on Derbyshire's roads and were now seeking the views and comments of all interested parties. A copy of the draft policy was attached as Appendix 1 to the report.

A copy of the public consultation document was attached at Appendix 2 to the report.

It was moved by Councillor Andrew McCloy, seconded by Councillor Geoff Stevens and

**RESOLVED** That authority be delegated to the Head of Democratic Services to

Partnership & Regeneration Committee – 1<sup>st</sup> May, 2008

(Unanimously) provide a positive and appropriate response to Derbyshire County Council.

### **654/07 – MATLOCK BATH PAVILION – LEASE OF PAV NIGHTCLUB**

The Committee considered a report, which identified the options available to the Council in resolving the Pav Nightclub lease and resolved on a course of action to protect the financial interests of the Council.

**MEETING CLOSED 7.43 PM**

**CHAIRMAN**

**NOT FOR PUBLICATION** - The minutes which follow disclose exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

### **654/07 – MATLOCK BATH PAVILION – LEASE OF PAV NIGHTCLUB**

The Committee considered a report, which identified the options available to the Council in resolving the on-going rent arrears in respect of the Pav Nightclub lease. Following a meeting between Mr Ball, the Director of Planning and Development Services and the Estates Manager in October 2007, at which Mr Ball outlined his ongoing difficulties in running the business, legal advice was sought and confirmed the following options available to the Council:

- Allow lease to continue
- Forfeiture
- Surrender
- Variation of the Lease

In April 2008 the Director of Planning & Development Services, Estates Manager and the Council's external solicitor met with Mr Ball, his legal advisor and the Pav Manager at which the available options were further discussed. It was explained that whilst the commencement of forfeiture proceedings to determine the lease was the main legal remedy open to the Council and one which the Council reserved the right to pursue, it was suggested that discussions should take place to determine whether terms could be agreed for a surrender of the release. Mr Ball agreed to contact the Council with an offer to surrender the lease.

The offer was received and included at Appendix 1 to the report. Following further discussions with the Council's external solicitors it was recommended that the offer was not accepted but be used as the basis for future negotiations to seek to achieve a surrender of the lease on a more satisfactory basis. It was also considered that ideally Mr Ball should contact his joint tenant, Mr Brough, to ensure he was party to the surrender.

To enable the above it was also recommended that the Director of Planning & Development Services be delegated authority to agree the payment and terms of a surrender of the Pav lease with the joint tenants. In the event of agreement being reached on a surrender, it was recommended that the Council's solicitors were instructed to serve the relevant notice. It was also recommended that should agreement on a surrender of the Pav lease not prove to be possible by 13<sup>th</sup> June 2008, the Council's solicitors be instructed to commence the necessary procedures and forfeiture proceedings to determine the lease.

An additional representation received from Mr Ball following publication of the Agenda was circulated for the Committee's attention.

It was moved by Councillor Lewis Rose, seconded by Councillor Simon Spencer and

**RESOLVED**  
(Unanimously)

1. That the offer received from one of the joint tenants for surrender of the Pav lease, as shown in Appendix 1 to the report, is not accepted but is used as the basis for future negotiations to seek to achieve a surrender of the lease on a more satisfactory basis.
2. That the Director of Planning & Development Services be

delegated authority to agree the payment in terms of a surrender of the Pav lease with the joint tenants, following discussion with the Chief Executive, Head of Finance and the Council's valuer and consultation with the Chair and Vice Chair of the Committee

3. That in the event of 2 above being agreed, the Council's solicitors are instructed to serve the relevant notice.
4. That should agreement of a suitable payment and terms for the surrender of the Pav lease not prove to be possible by 13 June 2008 the Council's solicitors are instructed to commence necessary procedures and forfeiture proceedings to determine the lease and to pursue the recovery of arrears from the original tenant under the lease.

**MEETING CLOSED 7.43 PM**

**CHAIRMAN**