### MINUTE BOOK
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This information is available free of charge in electronic, audio, Braille and large print versions on request.

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COUNCIL

Minutes of a Council Meeting held on Thursday 23 July 2015 in the Council Chamber, County Hall, Matlock at 6.00 pm.

PRESENT

Councillor Andrew Shirley - In the Chair


Dorcas Bunton (Chief Executive), Steve Capes (Head of Regeneration and Policy), Ashley Watts (Head of Community Development) and Jackie Cullen (Committee Assistant).

OPENING ADDRESS

Councillor Vicky Massey arrived at 6.06pm, Councillor Neil Horton at 6.12pm and Councillor Angus Jenkins at 6.22pm, during the Opening Address.

Mr Stuart Young, Executive Director of East Midlands Councils, gave a presentation on national issues, including HS2 and East Midlands Mainline, and housing and planning. Mr Young delivered a PowerPoint presentation outlining the roles and responsibilities of East Midlands Councils, together with an explanation of their four pillar approach with regard to the main areas of responsibility.

Councillor Shirley thanked Mr Young for his presentation, who then took questions from the floor.

APOLOGIES

Apologies for absence were received from Councillors Jason Atkin, Richard Bright, Richard FitzHerbert, Joyce Pawley and Joanne Wild.
99/15 – MINUTES

It was moved by Councillor Tony Millward, BEM, seconded by Councillor Albert Catt and

RESOLVED (unanimously) That the minutes of the Council meeting held on 25 June 2015 be approved as a correct record.

The Minutes were signed by the Chairman.

100/15 – CHAIRMAN’S ANNOUNCEMENTS

The Chairman of the District of Derbyshire Dales distributed a list of his engagements between 29th June and 23 July 2015, and advised Members that the Ashbourne Food Bank had recently received a donation of £500 from the District Council. Councillor Catt advised that similar donations would be made to other market towns in the area within the coming months.

101/15 – COMMITTEES

It was moved by Councillor Garry Purdy, seconded by Councillor Jean Monks and

RESOLVED (unanimously) That the non-exempt minutes of the Committees listed in the Minute Book for the period 16 June 2015 to 9 July 2015 be received.

102/15 – QUESTIONS (RULE OF PROCEDURE 15)

Councillor Mike Ratcliffe asked the following question of Councillor Lewis Rose, OBE, Leader of the Council

"Will the Leader please provide this Council with information in respect of the current level of council tax arrears compared with 2013-14 and 2014-15, with the amounts separated in to domestic and business, and with the total amounts expressed as a percentage of the anticipated council tax income?"

Councillor Rose distributed a spreadsheet at the meeting, showing Council Tax collection and Non-Domestic Rates collection as at 30th June 2015 in figures and percentages.

Supplementary question from Councillor Ratcliffe:

Councillor Ratcliffe asked whether Councillor Rose could assure Members that the Hardship Fund was working adequately and whether a measured approach towards non-payment recovery would be used.

Councillor Rose assured Members that money had been put aside for the Hardship Fund and that if this was deemed insufficient, it would be looked at again. A new sub-committee had recently been established and would discuss the matter when it met.

Councillor Martin Burfoot asked the following question of Councillor Lewis Rose, OBE, Leader of the Council

"Will Cllr Rose endorse the message sent to Patrick McLoughlin MP by Matlock Town Council condemning the so-called ‘pausing’ of the electrification of the Midland Mainline, announced in 2013, and on behalf of this Council call on our MP and Transport Secretary to re-think this
short-sighted decision by the Government, which will be a serious blow to the economy of the East Midlands and provide yet more frustration for hard-pressed Dales commuters?"

Councillor Rose advised Members that the Council had fully supported the Motion passed unanimously by East Midlands Councils at their AGM on the 17th July at which he was present and a copy of this motion had been circulated to all Members. In view of this Councillor Rose did not consider it appropriate to comment on any other local authority’s comments on the issue, including the comments of Matlock Town Council who were free to make their own decisions on such important matters.

Copies of the motion and letter were attached to the report.

Supplementary question from Councillor Burfoot:

Was Councillor Rose aware that the costs of the electrification had risen from £275m to £1.3b, and that the Conservative Party were aware of this prior to the recent election, and had therefore acted dishonestly in making a U-turn?

Councillor Rose referred Councillor Burfoot to his previous response.

Councillor Peter Slack asked the following question of Councillor Lewis Rose, OBE, Leader of the Council

“Regarding the Government proposal to extend the controversial Right to Buy Housing Association Properties, it is 35 years since the right to buy was first introduced with 1.9 million homes being sold; with the need to provide 200,000 homes Nationwide each year to meet existing demand, can we really afford to lose another 2 million homes by 2050? With the Derbyshire Dales being a good place to live, many retired people from all around the country come to live in the Dales, pushing up demand and price, many low income families find it impossible to get on the housing ladder so we need to provide more affordable and social housing.

So would you agree with me that to extend the right to buy is not a good proposal and would be very damaging to the Derbyshire Dales Affordable and Social Housing Policy?”

Councillor Rose agreed with Councillor Slack that this was a key priority, and advised Members that the government had committed to publishing new Right to Buy legislation 'within 100 days of the new parliament'. Excluding recesses, this would be by early January 2016. Drafting of the legislation - which would extend the Right to Buy to housing association tenants - was known to be underway and the best forecast for publication was sometime in October/November.

In the light of this timetable, a range of organisations were campaigning for exemptions for certain properties from the Right to Buy. In short, a very strong rural lobby was seeking a range of exemptions which would include much of the country’s affordable housing in rural areas. Clearly there was still some way to go before any legislation received Royal Assent. There was no doubt that if the full right to buy was introduced without any protection for rural areas, it would have a negative impact on the availability of affordable housing in the Derbyshire Dales. However, together with many rural councils and housing organisations, Derbyshire Dales DC would ensure that its concerns about this policy were raised with the appropriate ministers.
Councillor Colin Swindell asked the following question of Councillor Lewis Rose, OBE, Leader of the Council

“Can the Council Leader give an update on the transfer of public toilets from the ownership of Derbyshire Dales District Council to Town and Parish Councils?”

Councillor Rose advised Members that following the review of Public Conveniences and extensive consultation undertaken, in September 2011 Council resolved amongst other things that four toilets would transfer to Parish Councils, these being:

- Ashford in the Water
- Winster
- Tideswell
- Youlgreave

Councillor Rose updated Members on the progress made to date, as follows:

**Youlgreave** - transferred to the Parish Council in January 2014.

**Tideswell** - all agreed and going through the conveyancing process now. Completion was imminent.

**Ashford in the Water** – initially agreed that toilets would transfer but following further discussions rather than an outright legal transfer, a service level agreement was agreed for the Parish Council to undertake the cleaning to enable them to remain open all year round. The toilets were decorated and brought up to standard prior to the service level agreement being agreed.

**Winster** – During the negotiations the District Council had established that although it had the title deed for the toilets there was adjacent land that remained unregistered. The Parish Council had been unwilling to agree to a transfer until all the land was registered. The title deed had been improved with the information that we had been able to provide to the land registry, but it did not include all the land adjacent to the toilets. As a result, the Parish Council had requested that the District Council secured indemnity insurance to safeguard the Parish Council in the future against any issues. The District Council was currently seeking prices for indemnity insurance and intended to continue discussions with the Parish Council to try and reach a satisfactory outcome.

Councillor Rose also advised that in addition to the above, discussions undertaken with Hathersage Parish Council had resulted in a land transfer to enable future development to take place. Work was continuing to transfer other toilets to other providers.

**Supplementary question from Councillor Swindell:**

Councillor Swindell thanked Councillor Rose for his response, and asked that he look into the Winster issue and arrange a meeting as soon as possible, to resolve the matter.

Councillor Rose advised Members that a meeting had been set up with Winster Parish Council for the 18th August.
Councillor Colin Swindell asked the following question of Councillor Lewis Rose, OBE, Leader of the Council

“Will the Council Leader look at putting in place ‘automatic email responses’ to confirm that electronic communications to officers or departments of the Council have been successfully received?”

Councillor Rose replied that his concerns with this proposal were that sending auto responses to all emails would put a strain on the email servers and the volume of emails in employees’ and Members’ “sent items” would cause their boxes to fill up, making it more difficult to respond. Furthermore, Members received a lot of junk emails that it was best to ignore. The latter would also increase staff or member time in managing their mailbox.

The District Council did provide auto-responses from certain email addresses, such as the email address for reporting missed bins.

Cllr Rose suggested that Cllr Swindell might like to contact the Head of Resources to explain what issue or issues he was hoping to address with regard to this. If it was in relation to enquiries from members of the public then maybe auto-responses to only certain email addresses should be provided. If it was in relation to Councillors’ emails to Officers then it may be just a training issue to advise councillors how to request a “receive or read receipt” when sending emails.

On the other hand, if Councillor Swindell’s problems arose from a lack of response from certain Officers, then it was suggested that he approach the relevant Head of Service. If the problem related to a lack of response from a Head of Service, Cllr Swindell should advise the Chief Executive.

Councillor Deborah Botham asked the following question of Councillor Lewis Rose, OBE, Leader of the Council

“Does the Leader agree that the Council should consider innovative measures to encourage new businesses to the High Streets of the Derbyshire Dales and if so would he be prepared to set up a Cross Party Group to explore options?”

Councillor Rose referred Councillor Botham to the District Council’s Economic Plan (adopted September 2014) and its Visitor Economy Plan (adopted April 2015). Both of these included actions to support small businesses, not just on high streets but throughout the Derbyshire Dales.

These included:

- Derbyshire Dales Business Advice, which in 3 1/2 years had helped create 290 jobs in more than 500 small businesses, many of which were new businesses
- The ‘Inspired by the Peak District’ brand campaign, which was offered to businesses to give them a competitive marketing edge
- The Community Development team was recruiting a Markets Improvement Officer to breathe new life into these important town centre traders (interviews took place on Tuesday this week)
- Supporting local partnerships and businesses to access funding, such as grants to enable them to innovate and expand
• Working with Business Peak District, which ran quarterly business and town forum support events with Derbyshire Retail Help
• Promoting ‘Small Business Saturday’ last December
• And of course the popular free parking concession which allowed residents to park for free in the Council’s car parks for 19 hours a day

The Council’s fellow local authorities were also working on market town issues. Indeed, the Derby and Derbyshire Joint Committee for Economic Prosperity had recently set about a market towns action plan.

So in light of the above, Councillor Rose did not feel there was a need for yet another group to focus on a single issue.

Councillor Rose further advised that there was a lot of existing locally-led work, such as Bakewell Town Team, Matlock Community Vision, Wirksworth NOW, the Transition groups and Ashbourne Partnership. The District Council supported these where appropriate, such as helping Matlock Community Vision with their architect/developer brief and with advice on sources of funding.

The place with no active civic group had tended to be Matlock Bath. Matlock Bath was also the centre with a high proportion of vacant shops, a litter problem and (to some degree) an image problem; that’s why it was identified in the Visitor Economy Plan (Council April 2015) as a focus for activity. Council was therefore in the process of establishing, on a trial basis, a cross-agency group (including ward members across party boundaries) for Matlock Bath. A meeting had been suggested, where Matlock Bath’s issues could be discussed collectively – with the aim of creating a shared vision and course of action.

In Matlock, work on the new Premier Inn had now started and should be open by March. M&S and McDonalds were due to come to Matlock later this year, so there were things already happening here ‘on the ground’. The District Council, as planning authority and/or land owner, had played a key role in making each of these developments happen.

Supplementary question from Councillor Botham:

“There has been an increase in the number of empty shops, and it is imperative that we have a selection of shops and businesses. Would the Leader confirm that economic growth of towns and support of small businesses is a priority?”

Councillor Rose agreed.

103/15 – BANK CLOSURES IN THE DERBYSHIRE DALES

Members considered a report that asked for endorsement of a letter sent by the Leader of the Council concerning planned bank branch closures in the Derbyshire Dales.

Following the closure of Wirksworth Post Office in 2014, Darley Dale Post Office, the HSBC and Co-op banks in Matlock earlier in 2015, NatWest had announced the closures in September 2015 of the RBS branch in Darley Dale, the NatWest branch in Hathersage, the NatWest branch in Tideswell and the NatWest branch in Wirksworth.

Whilst some people could access online banking, this was by no means accessible to all. For those who relied on branch banking, including cash-based small businesses and some older
people, the loss of vital financial services was a severe blow. Although footfall was in decline, for remaining users branch banking represented an important service.

As a result, the Leader of the Council wrote to NatWest Bank on 29 June 2015 expressing concern at their planned branch closures, and seeking a response on

- the timing of closures
- the very limited mobile service planned
- transitional measures to mitigate the impact of branch closures.

This was attached as Appendix 1 to the report. A response had been received from NatWest Bank, attached as Appendix 2 to the report.

Other routes open to securing alternative banking facilities were set out in the report, including the Derbyshire Community Bank and from Autumn 2015 a LEADER fund, which would operate throughout the Derbyshire Dales and much of the wider Peak District.

Councillor Irene Ratcliffe put forward an additional Recommendation, as set out below.

It was moved by Councillor Irene Ratcliffe and seconded by Councillor Mike Ratcliffe and

1. That the letter sent by the Leader of the Council to NatWest bank is endorsed.
2. That the reply from NatWest bank is noted.
3. That Derbyshire Dales District Council will continue to lobby and, where able, support its villages and towns that are fighting and campaigning against the closing of financial amenities such as banks and Post Offices, thereby facing financial exclusion for vulnerable residents.

Voting:
For 3
Against 30
Abstentions 1

The Chairman declared the motion LOST.

It was moved by Councillor Jennifer Bower, seconded by Councillor Jean Monks and

RESOLVED (unanimously) 1. That the letter sent by the Leader of the Council to NatWest bank is endorsed.
2. That the reply from NatWest bank is noted.
3. That Derbyshire Dales District Council will continue to keep a watching brief and would lobby for continuation of financial services in towns and villages.

104/15 – MEMBERS’ ALLOWANCES – RECRUITMENT OF INDEPENDENT REMUNERATION PANEL – UPDATING REPORT

Council considered a report that recommended the formal appointment of independent persons to form the Independent Remuneration Panel.
The District Council’s scheme of Members’ Allowances was due for review. In order to carry out this review, an Independent Remuneration Panel (IRP) was to be appointed to consider the scheme and make recommendations to the Council for consideration.

The basic terms of reference of the IRP, once commissioned, were set out in the report, together with current and recommended fee structure.

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

**RESOLVED** (unanimously)

1. That Mr Philip Woodward is formally appointed as a member of the Independent Remuneration Panel with a four year term of office ending in 2019.
2. That Mr Roger Tebb and Mrs Patricia Boyle are appointed as temporary members of the Panel for a period not exceeding six months.
3. That the allowance for Panel members be set at £100 per meeting plus £25 reading allowance.

**105/15 – APPOINTMENT OF MEMBER TO PLANNING COMMITTEE**

Council considered a report that requested the Conservative Group to recommend the appointment of a replacement member to the Planning Committee following the resignation of one member.

It was moved by Councillor Lewis Rose, OBE, seconded by Councillor Jacquie Stevens and

**RESOLVED** (unanimously)

That Councillor Joanne Wild be appointed as full member of the Planning Committee, and Councillor Richard Bright as Substitute Member.

**106/15 – TOUR OF BRITAIN**

The Council considered the late submission of a report advising that the Tour of Britain Cycling race was visiting Derbyshire Dales on Friday 11 September 2015. Plans were developing to maximise the impact of having an event of this scale and nature in Derbyshire Dales.

The report related to urgent information as defined in the Local Government (Access to Information) Regulations 1985 (as amended). The Chairman had agreed to include the report on the agenda an item of urgent business, so as to respond to an externally set deadline.

Details regarding the Tour of Britain were set out in the report. It would attract extensive TV coverage, with live coverage of stage 6 beginning as the race approached Bakewell, which presented a unique opportunity to ‘sell’ our district worldwide.

The potential economic benefits and positive effects on communities were set out in the report, together with suggestions for promoting the event locally. The Head of Community Development confirmed that letters to the 16 parishes affected by the proposed route would be sent the day after the meeting, if the Recommendation was agreed.

It was moved by Councillor Angus Jenkins, seconded by Councillor Garry Purdy and

**RESOLVED**

That Members approve the use of £5,000 from the General Reserve
to support community engagement activities linked to the Tour of Britain 2015.

107/15 – SEALING OF DOCUMENTS

It was moved by Councillor Angus Jenkins, seconded by Councillor Tom Donnelly 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 7.52PM

CHAIRMAN
PLANNING COMMITTEE

Minutes of a Meeting held on Tuesday 14 July 2015 in the Council Chamber, Town Hall, Matlock at 6.00pm

PRESENT

Councillor Garry Purdy - In the Chair

Councillors Jason Atkin, Deborah Botham, Sue Bull, Sue Burfoot, Albert Catt, Tom Donnelly, Richard FitzHerbert, Helen Froggatt, Neil Horton, Tony Millward, BEM, Tony Morley, Mike Ratcliffe, Lewis Rose, OBE and Andrew Statham.

Sandra Lamb (Head of Corporate Services), Jon Bradbury (Development Manager), Helen Frith (Senior Planning Officer), Gareth Griffiths (Senior Planning Officer) and Jackie Cullen (Committee Assistant).

Councillors Martin Burfoot and Ann Elliott attended as Ward Members.

29 members of the public.

APOLOGIES

Apologies for absence were received from Councillors Richard Bright and Peter Slack. Councillor Deborah Botham attended as Substitute Member.

56/15 – MINUTES

It was moved by Councillor Garry Purdy, seconded by Councillor Tony Millward, BEM, and

RESOLVED (unanimously) That the minutes of the meeting of the Planning Committee held on 24 June 2015 be approved as a correct record.

The Minutes were signed by the Chairman.

57/15 – APPLICATION NO. 15/00206/FUL – REPLACEMENT OF BAND HALL WITH 5 APARTMENTS AT THE HALL, JACKSON ROAD, MATLOCK

The Committee had visited the site prior to the meeting to assess the impact on the amenity of neighbouring residents and the character and appearance of the Conservation Area.
In accordance with the procedure for public participation, the following spoke against the application:-

Mr S Christensen-Black, neighbour
Mrs A Christensen-Black, neighbour
Peter Hooper, local resident
Lynne Thornley, neighbour
Abigail List, neighbour
Jackie Cass, neighbour
Mark Cass, neighbour
Mr Taylor, neighbour
Councillor Martin Burfoot, Ward Member for Matlock All Saints

Ron Wood, local resident and Dave Mowle, Agent, spoke in favour of the application

Correspondence received after publication of the agenda was circulated at the meeting.

The Senior Planning Officer drew Members’ attention to the proposed alterations to Conditions 9, 10, 12, 13 and 14 in light of the late correspondence, as circulated at the meeting. A further condition was proposed that samples of obscure glass to be used, together with sample window openings, be submitted for approval prior to commencement of the works.

It was moved by Councillor Albert Catt, seconded by Councillor Mike Ratcliffe and

RESOLVED 1. That planning permission be granted subject to the conditions set out in the report, as amended and set out in the late correspondence.

2. That an additional condition be included as follows:-

Condition 13. Prior to commencement of the development samples of the obscure glass for windows and sample window openings be submitted to and agreed in writing by the Local Planning Authority. Works shall be completed in accordance with the agreed details.

Voting:
For 13
Against 2
Abstentions 0

58/15 – APPLICATION NO. 15/00208/FUL – PROPOSED HORSE TRAINING AREA AND HARDSTANDING AT NORTH PARK FARM, WHITWORTH ROAD, DARLEY DALE

The Committee had visited the site prior to the meeting due to the level of public interest and the planning history of the site.

In accordance with the procedure for public participation, Mr Jonathan Wood spoke against the application, and Helen Lowe, Applicant, spoke in favour of the application.

It was moved by Councillor Tony Millward, seconded by Councillor Tom Donnelly and
RESOLVED That planning permission be granted subject to the conditions set out in the report.

59/15 – APPLICATION NO. 15/00245/FUL – RESIDENTIAL DEVELOPMENT OF UP TO 10 DWELLINGS (OUTLINE) AT LAND OFF NOTTINGHAM ROAD, TANSLEY

The Committee had visited the site prior to the meeting to assess the impact of the proposal upon the character and appearance of the open countryside, highway safety and ecological matters.

In accordance with the procedure for public participation, Vicky Raynes, Tansley Parish Council, spoke against the application, and Roger Yarwood, Agent, spoke in favour of the application.

The Development Manager acknowledged an error in the report under Item 3, Sustainability, and advised Members that there is no shop in Tansley.

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

RESOLVED That planning permission be refused for the reasons set out in the report.

Voting:
For 14
Against 1
Abstentions 0

60/15 – APPLICATION NO. 15/00276/OUT – ERECTION OF DWELLING (OUTLINE) LAND TO THE WEST OF FIELD HOUSE, STARTH LANE, TANSLEY

Councillor Lewis Rose OBE left the meeting at 7.40pm during discussion of this item.

The Committee had visited the site prior to the meeting to allow Members to assess the impact of the proposal on the landscape character.

Correspondence received after publication of the agenda was circulated at the meeting.

It was moved by Councillor Tony Morley, seconded by Councillor Tom Donnelly and
RESOLVED That planning permission be refused for the reasons set out in the report.

Voting:
For 13
Against 0
Abstentions 1

61/15 – APPLICATION NO. 15/00305/OUT – RESIDENTIAL DEVELOPMENT OF UP TO 20 DWELLINGS (OUTLINE) AT FORMER HARVEY DALE QUARRY, DALE ROAD, MATLOCK

In accordance with the procedure for public participation, Janet Hodson, Agent, spoke in favour of the application.

Correspondence received after publication of the agenda was distributed at the meeting; this comprised a letter from Derbyshire Wildlife Trust requesting a condition with regard to the submission of a Landscape and Ecological Management Plan, correspondence from the Local Highway Authority regarding additional conditions in respect of various issues, including access arrangements and bin storage, and a comment from Derbyshire County Council regarding additional conditions in respect of water drainage.

It was moved by Councillor Tony Millward, seconded by Councillor Sue Burfoot and

RESOLVED That planning permission be granted subject to the conditions set out in the report, with extra conditions in light of the late correspondence, covering landscape and ecological management, drainage and highway matters.

Voting:
For 13
Against 1
Abstentions 0

62/15 – APPLICATION NO. 15/00341/FUL – CONVERSION AND REDEVELOPMENT OF FORMER SCHOOL TO CREATE EXTRA CARE COMMUNITY FACILITY – REVISED DESIGN OF RESIDENTIAL BLOCKS A AND B COMPRISING 35 UNITS AND INCORPORATING CARE OFFICE AT ST ELPHIN’S SCHOOL, DALE ROAD SOUTH, DARLEY DALE

It was moved by Councillor Albert Catt, seconded by Councillor Jason Atkin, and

RESOLVED (unanimously) That planning permission be granted subject to the conditions set out in the report.
63/15 – APPEALS PROGRESS REPORT

It was moved by Councillor Garry Purdy, seconded by Councillor Tony Millward, BEM, and RESOLVED (unanimously) That the report be noted.

MEETING CLOSED 8.06PM

CHAIRMAN
LICENSING AND APPEALS COMMITTEE

Minutes of a Meeting held on Wednesday 15 July 2015 in the Council Chamber, Town Hall, Matlock at 6.00pm

PRESENT

Councillor Jean Monks - In the Chair

Councillors Jennifer Bower, Tom Donnelly, Steve Flitter, Helen Froggatt, Alyson Hill, Angus Jenkins, Tony Millward, BEM, Joyce Pawley and John Tibenham

Tim Braund (Head of Regulatory Services), Eileen Tierney (Licensing Manager) and Jackie Cullen (Committee Assistant).

APOLOGIES

Apologies for absence were received from Councillors Graham Elliott and Richard FitzHerbert

64/15 – MINUTES

It was moved by Councillor Tom Donnelly, seconded by Councillor Tony Millward, BEM, and

RESOLVED (unanimously) That the Minutes of the meeting of the Licensing and Appeals Committee meeting held on 25 March 2015 be approved as a correct record.

The Minutes were signed by the Chairman.

65/15 – LICENSING SERVICE PLANNING AND PERFORMANCE MANAGEMENT

The Committee considered a report on the Licensing Service Plan that informed Members of the measures in place to ensure that the Licensing Service operated both efficiently and effectively, and sought Members’ opinions on long-term service objectives.

The report was delivered around a short PowerPoint presentation to complement the licensing training sessions being delivered by Legal and Licensing Officers to Members in July and September, which focussed mainly on flame-proof decision-making.

The Licensing Service Plan for 2015-2016 set out how Licensing services would contribute towards meeting the Corporate Priorities for 2015/16; this was attached as Appendix 1 to
the report. The objectives and Key Activities of Licensing were outlined in the PowerPoint presentation, and listed in the report.

The process for deciding next year’s priorities for the service would begin in October and it was suggested that a report outlining the Service Plan for 2016-2017 be submitted to the November meeting of the Committee for discussion and comment.

The Head of Regulatory Services advised the Licensing & Appeals Committee should be involved in the review process, and the extent of its involvement would need to be decided. It was recommended therefore that a Members’ Panel be set up prior to publication of the scoping report.

It was moved by Councillor Jennifer Bower, seconded by Councillor Tony Millward, BEM, and

RESOLVED (unanimously)

1. That the Licensing Service Plan for 2016-17 be brought to the November meeting of the Licensing and Appeals Committee for comment.
2. That a Members’ Panel be established with a view to being involved in the review process.


The Committee considered a report that provided a summary of the work relating specifically to the Licensing Act 2003 and the Gambling Act 2005, undertaken by the Licensing Team during the last financial year, and the previous two financial-year periods, to allow comparisons to be made.

The Licensing Act 2003 established a single integrated scheme for licensing premises which were used for the sale or supply of alcohol, and/or to provide regulated entertainment and/or to provide late night refreshment. The types of premises in Derbyshire Dales that currently had a licence were listed in the report.

Since 7th February 2005, under the provisions of the Licensing Act 2003, the District Council (in its role as the Licensing Authority) had processed and granted in the region of 500 premises licences and club premises certificates; over 1,000 personal licences; and on average (each calendar year) some 500 temporary event notices (TENs).

Furthermore, a small number of new premises licences were granted each year, and existing licences varied for a variety of reasons, including new businesses or one-off events in the District.

A table detailing the number of applications made under the Licensing Act 2003, during 2014-2015, offering a comparison to figures for the 2 previous financial years, was set out in the report.

Applications for Minor Variations

In October 2009, the Minor Variations application process was introduced, which allowed proprietors/operators to make small changes to their premises licences, as long as the
proposed changes would not undermine the licensing objectives. Examples of permitted changes were listed in the report, together with the 12 minor variation applications that had been approved during 2014/15.

Summary of Changes to Alcohol and Entertainment Licensing since July 2014.

- Personal Licence Renewals abolished;
- Some Regulated Entertainment de-regulated;
- Licensing Authorities not going to be setting own licensing fees;
- Alcohol, Entertainment and Late Night Refreshment Licensing Policy revised.

All of the above changes had been reported in detail to the meetings of this Committee during 2014/15.

The Gambling Act 2005

The following numbers of premises were currently licensed under the 2005 Act:

- 1 Adult Gaming Centre (Matlock Bath)
- 4 Bookmakers (Betting Shops)
- 5 Family Entertainment Centres (Matlock Bath)
- 3 Occasional Use Notices (for Flagg Races and Pikehall Harness Racing)
- 8 Club Machine Permits (registered clubs)
- 170 (circa) Small Society Lotteries.

It was moved by Councillor Steve Flitter, seconded by Councillor Tom Donnelly and

RESOLVED (unanimously)

1) That the report be noted.

2) That the Licensing Team continues to contribute to the work of the Community Safety Partnership’s VAL (Violence Alcohol and Licensing) Group, in particular the on-going partnership working with the Police to maintain an active PubWatch Scheme across the Derbyshire Dales.

3) That the Licensing Team continues to work with other Responsible Authorities, where possible, when carrying out the following number of planned compliance/enforcement visits in the District by 31 March 2016:

   a) 20 licensing awareness visits to premises licensed for alcohol sales, gambling or scrap metal; and
   b) 2 taxi enforcement operations.

67/15 – INSTITUTE OF LICENSING (IoL) CONSULTATION ON DRAFT GUIDANCE ON PREMISES LICENCE CONDITIONS FOR THE LICENSING ACT 2003

The Committee considered a report that provided an outline of how The Institute of Licensing (IoL) was consulting its members and stakeholders about its draft Guidance on Premises Licence Conditions for the Licensing Act 2003.

In July 2012, the IoL announced its intention to develop good practice guidance in relation to licence conditions for premises licences under the Licensing Act 2003.
The Licensing Act 2003 (the 2003 Act) regulated the sale of alcohol, the provision of late
night refreshment and regulated entertainment in England and Wales, and was primarily
administered by local authorities, acting in their capacity as licensing authorities.

Between February and August 2005 all existing holders of alcohol, entertainment and late
night refreshment licences were required to make an application to convert these to a new
premises licence (or club premises certificate for a registered club), including carrying out
a risk assessment and volunteer measures to promote the 4 licensing objectives if a
licence was granted. The Licensing Authority was required to translate these volunteered
measures into conditions consistent with the applicant’s intention and attach them to the
licence.

The licensing objectives were:

- The prevention of Crime and Disorder
- The prevention of public nuisance;
- Public Safety; and
- The Protection of Children from Harm.

Understandably, many measures volunteered by applicants were ambiguous, open to
misinterpretation by licensing officers, and not necessarily enforceable, and at the time,
Licensing Authorities tended to copy the measures proposed verbatim and attach them to
licences.

The Statutory Guidance issued to Licensing Authorities by the Government under section
182 of the Licensing Act 2003 advised that there were three types of condition that may be
attached to a premises licence or club premises certificate: proposed, imposed and
mandatory. In 2012, the revised guidance strongly advised that it was not acceptable for
licensing authorities to simply replicate the wording from an applicant’s operating
schedule, and that a condition should be interpreted in accordance with the applicant’s
intention.

In July 2012 the IoL announced its intention to develop good practice guidance for
Licensing Authorities in relation to licence conditions for premises licences. This Guidance
was now available for consultation, and its aims were set out in the report.

The 36-page Consultation Document could be accessed via the IoL website link provided.

To gather views effectively, the IoL had provided a consultation survey for responses. The
Survey would close on 30 September 2015, and the IoL would publish its response to the
consultation in due course. A copy of the survey form was included at Appendix 1 to the
report.

It was recommended that a formal response was co-ordinated and submitted by the
Licensing Manager after consultation with Members, and Officers from all of the
Responsible Authorities and the District Council’s Legal Team.

It was moved by Councillor Angus Jenkins, seconded by Councillor Helen Froggatt

RESOLVED (unanimously) That the Licensing Manager co-ordinates a response to the IoL
Survey on Guidance on Premises Licence Conditions, taking into
account the views of Members, Responsible Authorities and the
68/15 – DEREGULATION ACT 2015 – CHANGES TO TAXI LICENSING PROCEDURES

Councillor Angus Jenkins left the meeting at 7.30pm during discussion of this item.

The Committee considered a report that informed Members of legislative changes which would come into effect in October 2015, and that would alter the minimum period allowed for renewal of a Taxi/Private Hire Vehicle Driver’s Licence (badge) to 3 years and a Private Hire Operator’s Licence to 5 years. The Licensing Authority needed to amend its administrative procedures and revise its fees to ensure it was operating in accordance with the provisions of the Deregulation Act 2015 which had introduced these changes.

Changes to Taxi Driver and Private Hire Operator Licence Periods

The Deregulation Act 2015 (The Act) contained a number of provisions across a number of sectors aimed at reducing the burdens resulting from legislation for businesses or other organisations or for individuals. Section 10 of the Deregulation Act 2015 (Taxis and private hire vehicles: duration of licences): amended two sections of the Local Government (Miscellaneous Provisions) Act 1976 that dealt with the granting of licences to drive taxis and private hire vehicles and licences to operate private hire vehicles, and would come into force on 1 October 2015. The changes were detailed in the report, but in summary:

- Subsection (2) established a standard licence period of three years for taxi and private hire vehicle driver licences*;
- Subsection (3) established a standard licence period of five years for private hire vehicle operator licences*;
- From 1st October 2015, taxi driver licences were to be issued for no less than three years as a standard;
- From 1st October 2015, private hire operator licences were to be granted for a minimum period of 5 years.

*The section specified that a licence may be granted for a shorter period, but only in the circumstances of an individual case, not because of a ‘blanket’ policy.

The changes to the licence periods would need to be reflected in the cost of the licence, and procedures would need to be updated to monitor the changes, as set out in the report.

Setting of Fees

Local Government Miscellaneous Provisions Act (1976) (LGMPA) prescribed either that the fee in respect of the grant of vehicle and operator licences should be set at £25 or that it may be set at “such other sum as the Council may from time to time determine” subject to conditions as set out in the report.

The current application fees and income relating to Driver Licences and Private Hire Operator Licences were set out in the report. On that basis, it was proposed that a 3-yearly licence fee of £160 be adopted in respect of licensed drivers, and a 5-yearly licence fee of £400 in respect of Private Hire Operator Licenses. These proposed fees took account of the current legislative changes and had been calculated to achieve full cost recovery based on current known costs and licence holder numbers. The fees would be
considered in more detail as part of the Licensing Service Review, alongside levels of staffing resource and more sophisticated cost-accounting systems.

It was recommended that the proposed fees were advertised to the Trade and public for comment and that the outcome of the consultation was referred to the September meeting of the Governance and Resources Committee for consideration and final approval.

The District Council had a duty of care to ensure public safety, as best it could, and protect children and vulnerable adults from harm. It was recommended that the District Council adopted a minimum standard of requiring an annual inspection of the Private Hire Operators’ bookings records and carried out at least 2 inspections of the licensed premises (operator’s base) during the 5-year period of the licence. This would allow officers to monitor and check compliance with the provisions of the Local Government (Miscellaneous Provisions) Act 1976 and the District Council’s Private Hire Operator Licence Conditions.

It was moved by Councillor Steve Flitter, seconded by Councillor Tony Millward, BEM, and

RESOLVED (unanimously)

1) That the Committee approves the proposed changes to the procedures for processing applications for Taxi/Private Hire Vehicle Driver Licences, and for Private Hire Operator Licences, to ensure the service is fully compliant with the provisions of the Deregulation Act 2015 by 1st October 2015.

2) That the proposed fees in respect of hackney carriage/private hire vehicle driver licences and private hire operators’ licences are advertised to the Trade and public for comment for a 28-day period.

3) That the proposed fees and the outcome of the consultation exercise be referred to the September meeting of the Governance and Resources Committee for consideration and approval, to enable implementation of the changes by 1st October 2015.

MEETING CLOSED 7.34PM

CHAIRMAN
GOVERNANCE AND RESOURCES COMMITTEE

Minutes of a Meeting held on Thursday 16 July 2015 in the Council Chamber, Town Hall, Matlock at 6.00 pm.

PRESENT

Councillor Jacquie Stevens - In the Chair


Dorcas Bunton (Chief Executive), Sandra Lamb (Head of Corporate Services), Karen Henriksen (Head of Resources), Rob Cogings (Head of Housing), Mike Hase (Planning Policy Manager), Mike Galsworthy (Estates and Facilities Manager), Jenny Williams (Interim Head of the Internal Audit Consortium), Deborah Unwin (Human Resources and Payroll Manager) and Christine Laver (Democratic Services Team Leader)

APOLOGIES

Apologies for absence were received from Councillors Chris Furness, Tony Millward and Mark Salt. Councillor Ann Elliott attended as a substitute Member.

69/15 – PUBLIC PARTICIPATION

Councillors Botham and Ratcliffe arrived at 6.05pm and Councillor Horton at 6.07pm during this item.

Mr Philip Sunderland presented a 2136 signature petition, as follows:

Petition for Public Toilets in Matlock Bath – “We petition Derbyshire Dales District Council to provide sufficient public toilets during the closure of the 12 permanent toilets in Memorial Park; currently only 2 Portaloos have been added.”

In presenting the petition Mr Sunderland, representing the Friends of Matlock Bath, stated their view that a permanent solution was needed as soon as possible but, in the meantime, the number of temporary toilets was insufficient to cope with the demand and there had been reports of people urinating in shop doorways and other inappropriate places. A
further problem seemed to be that the temporary toilets were locked in the early evening, when demand was often highest.

In response the Chairman thanked Mr Sunderland for his participation and advised that the temporary toilet blocks contained 3 cubicles and a baby changing unit in the ladies and 3 urinals and one cubicle in the gents. Although this was less than the previous provision it was all that could be accommodated on the site. However, the Council recognised that this may need to be increased during the Illuminations period. The Police had been informed of the problems experienced by traders and the temporary units were now open later than they had been originally.

70/15 – APPRENTICESHIPS PROGRAMME

The Head of Housing presented a report that set out the background to the District Council’s Apprenticeship Programme, that had been running since 2010. The programme had developed since its initial application within Leisure Services and currently nine apprentices were employed across a range of services. Six of the twenty apprentices who had benefitted from the experience and training provided by the scheme, since its inception, had moved on to permanent posts within the District Council.

A short video, with contributions from current apprentices, was shown.

The report showed the current four year programme of apprenticeships that would be funded by a combination of an initial grant from the Derbyshire County Council Community Housing Team, to support young adults in job training and employment, potential savings achieved within services and any additional external funding that was secured.

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

RESOLVED (unanimously) That the District Council’s Apprenticeship Programme, running until 2017/18, be noted with satisfaction.

71/15 – STRUCTURAL DAMAGE TO PUBLIC CONVENIENCES AT MEMORIAL GARDENS, MATLOCK BATH

A programme of condition surveys for all the Council’s key buildings had revealed significant structural defects in the public conveniences in Memorial Gardens, Matlock Bath. These affected the external walls and roof structure of the building and necessitated the immediate closure of the facility to ensure public safety. Temporary toilets had been installed, as described in the Public Participation item, above.

In April 2015 the Environment Committee considered a structural engineers report that estimated the cost of repairs to the building at £176,167.50. The extent of the defects was detailed in the report. The April report proposed that, due to the significant cost estimate for repairs, other options should be explored to ensure that the best possible, value for money solution was implemented.
The current report detailed the options put forward in April and additional options that had emerged in the meantime. The indicative cost, advantages, disadvantages and risk ratings of each option were tabulated in appendix 1 to the report.

The District Council has a legal duty to consult on any major change in provision of services to the public and authority was, therefore, sought to consult on some or all of the options put forward to date.

It was moved by Councillor Lewis Rose, OBE, seconded by Councillor Garry Purdy and

RESOLVED (unanimously)

1. That all the options in the report be taken forward for public consultation and that suggestions for alternative solutions be invited at the same time.

2. That the results of the consultation be the subject of a further report to a Committee or Council, as appropriate, during Autumn.

72/15 – CORPORATE CONSULTATION AND ENGAGEMENT PLAN

The Corporate Consultation and Engagement Plan was produced annually, in accordance with the District Council’s Consultation and Engagement Strategy 2014/19, which describes the principles and priorities underpinning consultation and engagement activity undertaken by the District Council.

The report summarised the main aspects of consultation and engagement activities undertaken during 2014/15 and the key consultation tasks to be undertaken during 2015/16. The full Plan for the current year was appended to the report.

It was noted that the format of the plan had been amended to ensure greater integration of consultation and equalities activities by identifying whether an Equality Impact Assessment was required for a particular task.

It was also noted that Member training on equalities and diversity, in July 2015, would also highlight the principles of consultation and engagement.

It was moved by Councillor Irene Ratcliffe, seconded by Councillor Colin Swindell and

RESOLVED (unanimously)

1. That the Corporate Consultation and Engagement Plan 2015/16 be approved

2. That consultation and engagement activities undertaken by the District Council be reported to this Committee in future.

The Chairman agreed to change the order of the Agenda at this point to consider an urgent item.

73/15 – PLANNING FOR THE LOCAL COUNCIL TAX REDUCTION SCHEME FOR 2016/17
This report was tabled as an item of urgent business, as defined by the Local Government (Access to Information) Regulations 1985 (as amended), to enable the establishment of a sub-committee to undertake a specific piece of work in response to external influences. The Chairman agreed to the reason for urgency.

Since April 2013 Councils had been responsible for setting up their own Local Council Tax Reduction Scheme. The District Council’s scheme for 2015/16 was approved by Council on 15 January 2015.

On 8 July 2015 the government announced changes to tax credits, disability benefits and housing benefits, including a reduction in the annual cap per household in respect of all benefits from £26,000 to £20,000, with any cap being applied to Housing Benefit. These changes would take effect in April 2016, with further changes planned for 2017.

Although full details of the changes had not been announced it was anticipated that they would have a knock-on effect on the cost of the Council’s Local Council Tax Reduction Scheme and, consequently, the scheme would need to be amended to avoid it becoming unaffordable.

It was proposed that a sub-committee of the Governance and Resources Committee should be set up to develop option and monitor progress towards the implementation of a revised Local scheme by 1 April 2016.

The Terms of Reference for the Sub-Committee were set out in the report, together with the proposed membership to achieve the required political balance.

It was noted that any changes to the scheme would have to be approved by 31 January in the financial year preceding that in which they take effect. A proposed timetable was detailed in the report and this included provision for the District Council’s legal obligation to consult stakeholders and carry out an equality impact assessment, if changes are proposed.

It was moved by Councillor Lewis Rose, seconded by Councillor Garry Purdy and

**RESOLVED** (unanimously)

1. That a Local Council Tax Reduction Scheme Sub-Committee of the Governance and Resources Committee be created to investigate and evaluate options within the terms of reference set out in paragraph 2.1 of the report.
2. That the Sub-Committee be comprised of 6 Members, based on the rules of political proportionality, with provision for substitute Members
3. That discussion be held with other Derbyshire local authorities with a view to reducing the differences on Local Council Tax Reduction Schemes across Derbyshire.
4. That Group Leaders provide nominations for Members and Substitute Members of the Sub-Committee to the Head of Corporate Services.
74/15 – INTERNAL AUDIT REPORTS CONCLUDED UNDER THE 2014/2015 OPERATIONAL AUDIT PLAN AND FOLLOW UP OF PREVIOUS RECOMMENDATIONS

The Interim Head of the Internal Audit Consortium presented a report that provided a summary of Internal Audit Reports issued between 31 January and 22 May 2015, with responses to the recommendations made, and also detailed outstanding audit recommendations from previous years.

Only one of the eight reports issued in 2015 had an unsatisfactory opinion. This related to Arc Leisure, Matlock and the main issues were detailed in the report. Jenny Williams confirmed that all 17 recommendations made had been accepted and the majority had already been implemented. There was no indication of fraud.

It was moved by Councillor Lewis Rose, seconded by Councillor Steve Flitter and

RESOLVED (unanimously) That the findings and conclusions of the internal audit reviews and follow up of the implementation of previous recommendations be noted.
That the appreciation of the Committee for the work of Internal Audit be noted.

75/15 – INTERNAL AUDIT ANNUAL REPORT 2014/15

This annual report summarised the work undertaken by Internal Audit during 2014/15, provided an opinion that internal control systems were working satisfactorily or well and noted that Data Protection had been raised as an issue in the Annual Governance Statement because some of the planned actions had not yet been implemented.

The report also noted that 91.4% of planned audits had been completed during the year with only 3 being deferred due to management requests or reviews taking place. Appendix 3 to the report provided details of progress against an improvement plan designed to ensure compliance with Public Sector Internal Audit Standards. Quality Control measures had been implemented to ensure compliance with PS/AS.

Finally, it was considered that the requirements of the Audit Charter, approved by the Corporate Committee in September 2014, had been met.

It was moved by Councillor Garry Purdy, seconded by Councillor Steve Flitter and

RESOLVED (unanimously) That the Internal Audit Annual Report for 2015/15 be noted.

76/15 – INFORMATION GOVERNANCE FRAMEWORK AND STRATEGY 2015/16

This report set out the reasons why it is necessary for the District Council to have an Information Governance Strategy and Framework to set out the requirements, standards and best practice to be applied to the handling of information.
The draft Framework and Strategy for 2015-2018 was appended to the report and this included:

- Key principles designed to set the direction of the Information Governance Strategy
- Ownership and governance arrangements
- The need to produce guidance and to raise awareness on data protection/information governance issues across all employees and members. Mandatory training is recommended and information will be made available on the intranet.
- A requirement to produce a comprehensive Information Asset Register
- A need for the Document Retention Policy to be brought to the attention of all employees and members
- The need for further work on storage and archiving
- Consideration of the introduction of an Information Classification System, a System of Protective Marking and Encryption of emails.

An Information Governance Board, established in 2014, met quarterly and was responsible for setting the direction for information governance and monitoring the Council’s performance in this area.

As reported previously in the agenda an Internal Audit Review had concluded that data protection arrangements were unsatisfactory and an action plan had been agreed. It was expected that all actions would be complete by 31 October 2015.

It was moved by Councillor Garry Purdy, seconded by Councillor Irene Ratcliffe and


**77/15 – REVENUES AND BENEFITS SERVICES AND INVOICE PROCESSING CONTRACT – PERFORMANCE REPORT**

The District Council transferred its Revenues and Benefits and Invoice Processing services to Avarto on 1 June 2013, with the contract period running until October 2020.

The report showed performance to date against the Key Performance Indicators that were included in the Service Level Agreement with Avarto. All targets had been met with the exception of the percentage of council tax collected within the year. This target had been missed by 0.1% in 2013/14 but the Council had not enforced the financial penalty as the shortfall was marginal and factors beyond the control of Avarto had contributed to this.

The contract was on track to realise the predicted saving of £84,000 per annum until 2020.

It was moved by Councillor Lewis Rose, seconded by Councillor Colin Swindell and

**RESOLVED** (unanimously) That the report be noted.
The Committee considered a report that set out the District Council's Equality Plan for 2015/16 and report performance against the plan for the previous year. The purpose of the plans is to set out how the District Council will meet its public sector equality duties. These comprise both a general equality duty and specific equality duties and the main requirements of each were set out in the report.

It was moved by Councillor Colin Swindell, seconded by Councillor Alyson Hill and

**RESOLVED** (unanimously)
1. That the updated equality information published in January 2015 be noted.
2. That progress towards the District Council’s equality objectives during 2014-2015 be noted.
3. That Priority Equality Impact Assessments for 2014/2015 be noted

The Chief Executive’s Annual Risk Management Report is a requirement of the District Council’s Risk Management Strategy and includes the current risk management arrangements and details of how Key Strategic Risks are being managed.

The report described the processes and working practices that had been embedded, following an extensive review and refresh exercise during 2013, to ensure risk management arrangements continued to be effective, timely and fit for purpose, providing the Council with the correct levels of insight and support in relation to its risk exposure.

It was moved by Councillor Albert Catt, seconded by Councillor Steve Flitter and

**RESOLVED** That the report be noted.

The District Council is part of the Joint ICT Service which is a shared service partnership between three district councils: Bolsover, Derbyshire Dales and North East Derbyshire. The Joint ICT Service started on 1 January 2010, with Bolsover joining on 1 January 2011. A Service Level Agreement governs the Joint ICT Service, and there is a Joint Management Team (officers) and Shared Service Committee (members) providing oversight.

It was noted that the Joint ICT Strategy had expired and the draft strategy, appended to the report had already been adopted by the other partners. The Draft Strategy sets out the
framework for delivery and management of the joint service and focusses on the transformation agenda or channel shift. The key points were detailed in the report.

The draft Derbyshire Dales ICT strategy was also appended to the report. This council-specific strategy focused on the service improvements, both in systems and hardware that the District Council will be seeking to make over the next two years. It highlighted services where IT-related improvements were sought, and areas where technology would need to be replaced due to expiry of licences or simply becoming obsolete. Other opportunities are were also detailed. Again, the key points were detailed in the report.

It was moved by Councillor Lewis Rose, seconded by Councillor Albert Catt and

RESOLVED (unanimously)

3. That Council be requested to approve the funding for the ICT Investment Plan from the Technology Renewals Reserve and the Invest to Save Reserve

81/15 – PROPOSAL TO CLOSE THE TOWN HALL BETWEEN CHRISTMAS AND NEW YEAR

The Committee considered a report that proposed the closure of the Town Hall, annually, for the three working days between the Christmas and New Year Bank Holidays.

The report detailed consultation that had taken place with staff and the report detailed the service delivery issues that had been considered in making the recommendation for closure.

It was moved by Councillor Jean Monks, seconded by Councillor Colin Swindell and

RESOLVED (unanimously)

That the Town Hall be closed between Christmas and New Year, annually.

82/15 – PROPOSAL TO END WEEKLY PAY AND FOR ALL STAFF TO BE PAID MONTHLY

The Committee considered a report that proposed ending weekly pay for all employees and moving those who are currently paid weekly to monthly pay. This change would affect 134 staff, in total, and 73 of those had already agreed to the change. The report detailed the ongoing consultation, advice and support available to staff affected by the change.

The Joint Consultative Group had considered the issue and had recommended that the move to monthly pay should go ahead.

A deadline of 6 December 2015 had been set for voluntary moves to monthly pay. If any staff had not agreed to the change by that date a collective agreement would be sought
with the trade unions, whereby they would be put on notice and offered re-employment on a new, monthly contract.

It was moved by Councillor Jean Monks, seconded by Councillor Colin Swindell and

**RESOLVED**

1. That the weekly payroll end, with effect from 6 December 2015 and all staff will be paid monthly from December 2015.

2. That any members of staff who do not choose to transfer to monthly pay before 6 December 2015 have the change imposed by means of a dismissal and re-engagement of contract with 3 months’ notice.

**Voting**

- In favour: 10
- Against: 3
- Abstention: 0

83/15 – REFERRED ITEMS

The Committee considered two items referred by the Joint Consultative Group on 23 June 2015. These related to the Employee Code of Conduct and Sickness Absence Outturn 2014/15.

It was moved by Councillor Steve Flitter, seconded by Councillor Colin Swindell and

**RESOLVED**

(unanimously)

1. That the revised Employee Code of Conduct be adopted

2. That the sickness absence outturn 2014/15 be noted.

84/15 – JOINT CONSULTATIVE GROUP MINUTES

It was moved by Councillor Garry Purdy, seconded by Councillor Jean Monks and

**RESOLVED**

(unanimously)

That the minutes of the Joint Consultative Group meeting held on 23 June 2015 be received.

M E E T I N G  C L O S E D  8.10PM

C H A I R M A N
LICENSING & APPEALS COMMITTEE

Minutes of a Meeting held on Monday 20 July 2015 in the Council Chamber, Town Hall, Matlock at 10.00am.

PRESENT
Councillor Jean Monks - In the Chair
Councillors Helen Froggatt and Joyce Pawley
Eileen Tierney (Licensing Manager), Brett Wilson (Barrister), Christine Laver (Democratic Services Team Leader)
Mr Anthony James Jennings – Applicant
Mrs Theresa Jennings – applicant’s wife

85/15 – ELECTION OF CHAIRMAN
It was moved by Councillor Joyce Pawley, seconded by Councillor Helen Froggatt and

RESOLVED
That Councillor Jean Monks be elected as Chairman of the panel.
(Unanimously)

86/15 – TAXI /PRIVATE HIRE VEHICLE DRIVER LICENSING

It was reported that, in accordance with the Council’s licensing procedures, Mr Jennings' application for a taxi/private hire vehicle driver Licence renewal had been referred to the Licensing & Appeals Sub-Committee for determination as he had failed to fully comply with the requirements of the District Council’s Licensing Policy

The Licensing Officer explained the circumstances of Mr Jenning’s referral to the Committee. On submitting his renewal application and in accordance with the required procedure, Mr Jennings reported a speeding conviction that had occurred two months earlier and which should have been reported to the Licensing Authority immediately. This brought the total number of points on Mr Jennings licence to 9, with two previous offences having occurred in 2013.

The Committee and the applicant were given an opportunity to question the Licensing Officer.

Mr Jennings, the applicant, presented his case.
The Committee and the Licensing Officer were given an opportunity to question the applicant.

The Committee confirmed they had enough information to determine the matter.

87/15 – EXCLUSION OF PUBLIC AND PRESS

It was moved by Jean Monks, seconded by Councillor Joyce Pawley and

RESOLVED (Unanimously) That in accordance with Section 100(a) of the Local Government Act 1972 the public and press be excluded because it is likely that the nature of the business to be transacted would result in exempt information being disclosed.

The Committee resumed in public session.

88/15 - DECISION

It was moved by Helen Foggatt, seconded by Jean Monks

and

RESOLVED (Unanimously) That, having considered all the evidence put before it, the Committee determined:

That Anthony James Jennings was a fit and proper person to hold a Hackney Carriage/Private Hire Driver's Licence in Derbyshire Dales.

Reason for Decision

Having listened to what Mr Jennings said about the three speeding offences which had been brought to the attention of the Sub-Committee and having read the character references provided by Mr Jennings, the Sub-Committee was satisfied that he was a fit and proper person to hold a taxi licence and it was, therefore, granted.

In doing so the Sub-Committee cautioned that Mr Jennings was aware that he was approaching the threshold at which the commission of further motoring offences by him may result in him being disqualified from driving. Even if a magistrates' court decided not to disqualify him, in that event, he should be aware that it did not follow that the District Council would also be so lenient when it came to consider a further application for renewal of his taxi licence.

The Full Decision Notice is attached.

MEETING CLOSED – 10.30am
LICENSING & APPEALS COMMITTEE DECISION
(Taxi)

Record of proceedings of Derbyshire Dales District Council’s Licensing & Appeals Sub-Committee held on 20 July 2015 at 10.00am.

Full name of Applicant: Anthony James Jennings
Address: Blythe House, Moor Lane, Kirk Ireton, Ashbourne DE6 3QJ

Reason for attendance at the Sub Committee: Licence Applicant who had acquired 9 points on his driving licence and failed to reveal the latest motoring offence. Determination by Committee on whether Mr James Anthony Connell is a fit and proper person.

CONSTITUTION OF COMMITTEE

Councillor Jean Monks (Chair)
Councillor Helen Froggatt
Councillor Joyce Pawley

NAMES OF OTHERS PRESENT

Anthony James Jennings – Applicant
Theresa Jennings – Applicant’s wife
Eileen Tierney – Licensing Manager
Brett Wilson – Barrister
Christine Laver – Democratic Services Team Leader

Applicants’ representative (state organisation if any) | Witness(es) | NONE
---|---|---
None | NONE | NONE

1. The meeting was conducted in public, with the agreement of all parties.

The Committee withdrew into private session to consider its decision but stated that any legal advice offered during that time would be shared with those present when the meeting resumed.
2. Chairpersons note of evidence (ie concise details of all oral and written details put before the Committee)

Report from the Licensing Officer
Oral Representations from Mr Jennings
Character references from Simon and Shirley Pickering and from Michael S Thornton, OBE.

3. Findings of Committee on questions of fact material to the decision (ie the relevant facts accepted from the evidence available)

The Committee accepted the explanation from Mr Jennings concerning the circumstances surrounding his failure to report the speeding conviction April 2015 in accordance with the requirements of the Licensing Policy. Mr Jennings acknowledged that he had not appreciated the need to do so and thought that the licence renewal application, made two months after the event, would be an appropriate time to report his conviction.

The Committee noted that Mr Jennings three convictions had all occurred on the same stretch of road, between Leek and Ashbourne and that the infringements were as follows:
18/5/13 46mph in 40mph area
4/9/13 57mph in 50mph area
7/4/15 36mph in 30mph area

On the first two occasions Mr Jennings was alone but he had a paying passenger with him on the most recent occasion.

The Committee were informed by the Licensing Officer that Mr Jennings had been licenced since 2008 and had not previously been in breach of his licence conditions or the subject of any complaints.

The Committee also accepted Mr Jennings apology for failing to comply with the terms of the Policy.

4. Full text of unanimous decisions

That, having considered all the evidence put before it, the Committee determined:

That Anthony James Jennings was a fit and proper person to hold a Hackney Carriage/Private Hire Driver's Licence in Derbyshire Dales.

5. Reasons for decision (ie an explanation of why, when applying facts to the statutory provisions, policy and guidance, where appropriate, a particular conclusion is reached. And why, if it is not clear from Box 3, certain evidence has been accepted or rejected)

Having listened to what Mr Jennings said about the three speeding offences which had been brought to the attention of the Sub-Committee and having read the
character references provided by Mr Jennings, the Sub-Committee was satisfied that he was a fit and proper person to hold a taxi licence and it was, therefore, granted.

The Committee took into account the guidelines set out in the District Council’s own Licensing Policy with regard to convictions.

The Committee were of the unanimous opinion that the Applicant should be given his licence and therefore determined that Mr Jennings was a fit and proper person to hold a Hackney Carriage/Private Hire Driver’s Licence.

In doing so the Sub-Committee cautioned that Mr Jennings was aware that he was approaching the threshold at which further motoring offences may result in him being disqualified from driving. Even if a magistrates’ court decided not to disqualify him, in that event, he should be aware that it did not follow that the District Council would also be so lenient when it came to consider a further application for a taxi licence.

6. All parties are reminded that if they are unhappy with these decisions they have a right of appeal to the Magistrates Court within 21 days of receipt of this notice. (See details attached).

Date 23/7/15 Chairperson’s Signature

[Signature]
APPEALS TO THE MAGISTRATES’ COURTS

Many of the enforcement actions and decisions made by Derbyshire Dales District Council carry the right of appeal to the Magistrates’ Court. This means that if you do not agree with the decision that the District Council has made you may contact the Magistrates’ Court and ask them to formally review it. For example, anyone served with a formal enforcement notice has the right to appeal against that notice within 21 days of its service.

How do I make an appeal?

The right to appeal is normally set out on the reverse of the notice or in a letter that accompanies it.

The Derbyshire Dales District Council area is served by two Magistrates’ Courts:

- North East Derbyshire and Dales Magistrates’ Court, Tapton Lane, Chesterfield S41 7TW, Tel: 01246 224040, and
- Southern Derbyshire Magistrates’ Court, St Mary’s Gate, Derby DE1 3JR, Tel: 01332 362000

Which Court should I contact?

Generally speaking the North East Derbyshire and Dales Magistrates’ Court serves the northern part of the District and Southern Derbyshire Magistrates’ Court serves the southern part of the District.

The Court that you would need to contact to make an appeal will depend on the address to which the notice or other enforcement decision relates. If you are unsure which Court would deal with your appeal, we recommend that you contact one of them to check.

Where can I get help?

If you think you need help we would recommend that you speak to a solicitor who would be able to assist you with the Court processes.

The District Council is not able to recommend any particular firm of solicitors but would suggest you check in Yellow Pages or a local services directory.
LICENSING & APPEALS SUB-COMMITTEE

Minutes of a Meeting held on Monday 20 July 2015 in the Council Chamber, Town Hall, Matlock at 11.00pm

PRESENT

Councillor Jean Monks - In the Chair

Councillors Helen Froggatt and Joyce Pawley

Eileen Tierney (Licensing Manager), Brett Wilson (Barrister) and Christine Laver (Democratic Services Team Leader).

Martin Rodgers, Chair of Organising Committee and Applicant, assisted by Carl Bennett Organising Committee Member

Mr Geoffrey Hough, objector.

89/15 – ELECTION OF A CHAIRMAN

It was moved by Councillor Joyce Pawley, seconded by Councillor Helen Froggatt and

RESOLVED

That Councillor Jean Monks be elected as Chairman of the Sub-Committee

(Unanimously)

90/15 – LICENSING ACT 2003: APPLICATION FOR PREMISES LICENCE FOR ANNUAL DOVEFEST ONE-DAY MUSIC FESTIVAL ON DOVERIDGE PLAYING FIELDS, SAND LANE, DOVERIDGE DE6 5JQ

The Sub-Committee considered an application for a premises licence.

The Chairman invited the participants to introduce themselves, asked whether any party wished the Committee to consider the application in private and confirmed that the Committee was quorate.

The Licensing Officer gave an outline of the application.

Those who wished to make representations and had given notice within the required time of their intention to do so, were invited to state their case. The Committee heard oral evidence against the application from:
Mr Geoffrey Hough. Mr Hough provided the Committee with colour versions of the photographs included in the agenda.

Martin Rodgers, the applicant, spoke in support of the application.

The Committee had an opportunity to question all parties. All parties were invited to seek clarification of points that had not been sufficiently explained.

The Committee members confirmed that they had sufficient information to make a decision and withdrew into private session to discuss their findings.

91/15 – EXCLUSION OF PUBLIC AND PRESS
It was moved by Jean Monks, seconded by Councillor Joyce Pawley and

RESOLVED (Unanimously) That in accordance with Section 100(a) of the Local Government Act 1972 the public and press be excluded because it is likely that the nature of the business to be transacted would result in exempt information being disclosed.

92/15 – DECISION
The Sub-Committee resumed in public session.

It was moved by Councillor Joyce Pawley, seconded by Helen Froggatt and

RESOLVED (Unanimously) That Derbyshire Dales District Council Licensing & Appeals Sub-Committee, having considered the representations made by the applicant and the objectors, has decided to grant a Premises Licence for the Dovefest at Doveridge Playing Fields, which takes place on one day each year, subject to the mandatory conditions and the following additional conditions:

1. Music shall stop being played or performed by 23.00hrs.
2. The structure in which any speakers or other devices for broadcasting music are housed shall be orientated so that it (and such speakers and devices) face directly away from Dove House Care Home.
3. The applicant shall nominate an individual who shall monitor noise levels on the site in accordance with national guidelines and shall record the measured noise levels in a permanent form and retain such records for a period of 12 months and make the records available for inspection.
4. In advance and during the event for which the licence is required the applicant shall display a notice in the village of Doveridge and in the parish magazine, giving advance notice of the event and displaying a telephone number which shall be available during the event should any person have a complaint about noise or disturbance caused by the event and, in advance of the event, the applicant shall distribute leaflets to households in the immediate vicinity of Doveridge Playing Fields, containing the same information.
<table>
<thead>
<tr>
<th>PROPOSED LICENSABLE ACTIVITIES AND TIMES OF OPERATION</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Sale of alcohol for consumption on and off the premises:</td>
<td>Between the hours of 12 noon and 2330 hours on one Saturday per year – usually the last Saturday in August.</td>
</tr>
<tr>
<td>Provision of Live Music (Bands) and Recorded Music playing in between the bands</td>
<td>Between the hours of 12 noon and 2300 hours on one Saturday per year – usually the last Saturday in August</td>
</tr>
<tr>
<td>Premises Open to the Public:</td>
<td>The playing fields are open to the public at all times. The Dovefest Event will run from midday until 2330 hours on one Saturday per year – usually the last Saturday in August.</td>
</tr>
</tbody>
</table>

Footnote:
Noise has been, by far, the most contentious issue in this application; we encourage objectors and the applicant to work together so that the event is successful but without too much disturbance to residents. We have not imposed conditions with regards to “baffling” but we urge the applicant to speak to the District Council’s Environmental Health Department to consider what further actions on baffling or noise reduction may be possible. After all, any person who feels affected by noise emanating from the event could contact the Council’s Environmental Health Team who could attend the event and exercise their statutory powers to curtail excessive noise.

Full Decision Notice is attached below.

Meeting Closed 12.15pm
LICENSING & APPEALS COMMITTEE DECISION
(Licensing Act 2003)

Record of proceedings of Derbyshire Dales District Council’s Licensing & Appeals Sub-Committee held on Monday 20 July 2015

Full name of Applicant: Martin Rodgers

Premises Address: Dovefest One-Day Music Festival on Doveridge Playing Fields, Sand Lane, Doveridge DE6 5JQ ("the Premises")

Reason for attendance at the Sub Committee: To determine an application for a Premises Licence

CONSTITUTION OF COMMITTEE

Councillor Jean Monks (Chair)
Councillor Helen Froggatt
Councillor Joyce Pawley

APPLICANT

Martin Rodgers, Chair of Organising Committee assisted by Carl Bennett, Organising Committee Member

NAMES OF OTHERS PRESENT (WRITE “NONE” WHERE APPROPRIATE)

Brett Wilson – Barrister
Eileen Tierney – Licensing Manager
Christine Laver – Democratic Services Team Leader

APPLICANT’S WITNESSES

None

OBJECTORS

Mr Geoffrey Hough
1. The meeting was conducted in public, with the agreement of all parties.

The Sub-committee withdrew into private session to consider its decision and were advised by the legal advisor that it should only take into account evidence and consider relevant submissions that furthered the four licensing objectives. It should not consider irrelevant matters or impose conditions which are outside its jurisdiction. Specifically the Sub-committee was advised that the issue of parking on the public highway was a matter which should be addressed by the police and the highway authority and that the Sub-committee did not have power to stop lawful parking on the public highway.

2. Chairpersons note of evidence (ie concise details of all oral and written details put before the Committee)

Report of the Licensing Officer, including details of representations received
Personal representations Mr Geoffrey Hough
Written objections from Mrs and Mrs P Hough, Mr & Mrs Redfern and Dove House Care Home
Personal evidence given by the applicant

3. Findings of the Sub-Committee on questions of fact material to the decision (ie the relevant facts accepted from the evidence available)

The Sub-Committee found that parking issues were outside the remit of the Committee and should be addressed to the Police.

That the applicant intended to position the marquee and the speakers differently than in previous years to direct the sound away from noise sensitive properties.

That the applicant planned to clear the field by 2330hrs.
That marshalls would be provided – three professional, plus volunteers
That parking in an adjacent field would be provided for the first time this year.
That the applicants had not been made aware of a complaint made to Environmental Health in 2012.
That potable water would be provided at the event.
That the applicant agreed to vary the original application to allow live and recorded music to be played between 12 noon and 2300hrs.
That sound levels would be monitored throughout the event
That the applicant had based their plans on the Code of Practice for Noise Control at Concerts.

4. Full text of unanimous decision

That Derbyshire Dales District Council Licensing & Appeals Sub-Committee, having considered the representations made by the applicant and the objectors has decided to grant a Premises Licence for the Doverfest at Doveridge Playing Fields, which takes place
on one day each year, subject to the mandatory conditions and the following additional conditions:

1. Music shall stop being played or performed by 2300hrs.
2. The structure in which any speakers or other devices for broadcasting music are housed shall be orientated so that it (and such speakers and devices) face directly away from Dove House Care Home.
3. The applicant shall nominate an individual who shall monitor noise levels on the site in accordance with national guidelines and shall record the measured noise levels in a permanent form and retain such records for a period of 12 months and make the records available for inspection.
4. In advance and during the event for which the licence is required the applicant shall display a notice in the village of Doveridge and in the parish magazine, giving advance notice of the event and displaying a telephone number which shall be available during the event should any person have a complaint about noise or disturbance caused by the event and, in advance of the event, the applicant shall distribute leaflets to households in the immediate vicinity of Doveridge Playing Fields, containing the same information.

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Footnote:
Noise has been, by far, the most contentious issue in this application; we encourage objectors and the applicant to work together so that the event is successful but without too much disturbance to residents. We have not imposed conditions with regards to “baffling” but we urge the applicant to speak to the District Council’s Environmental Health Department to consider what further actions on baffling or noise reduction may be possible. After all, any person who feels affected by noise emanating from the event could contact the Council’s Environmental Health Department who could attend the event and exercise their statutory powers to curtail excessive noise.
Conditions to be attached to the licence

MANDATORY CONDITIONS AND MEASURES VOLUNTEERED IN OPERATING SCHEDULE
DOVEFEST ANNUAL ONE-DAY MUSIC EVENT, DOVERIDGE PLAYING FIELDS, DE6 5JQ

MANDATORY CONDITION: SUPPLY OF ALCOHOL

(1) No supply of alcohol may be made under the premises licence:
   a. at a time when there is no designated premises supervisor in respect of the premises licence, or
   b. at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

(2) Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

MANDATORY CONDITION: IRRESPONSIBLE PROMOTIONS

1. The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

2. An irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises:-
   (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to:
      (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
      (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
   (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
   (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
   (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
   (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

MANDATORY CONDITION: FREE TAP WATER

The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

MANDATORY CONDITION: PROOF OF AGE SCHEME

(a) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(b) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either:
   (i) a holographic mark, or
   (ii) an ultraviolet feature.

MANDATORY CONDITION: REQUIREMENT TO MAKE SMALL ALCOHOL MEASURES AVAILABLE

The responsible person shall ensure that:

(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures:
   (i) beer or cider: ½ pint;
   (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
   (iii) still wine in a glass: 125 ml;

(b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

MANDATORY CONDITION: SALE OF ALCOHOL - DUTY + VAT

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

2. For the purposes of the condition set out in paragraph 1—
   (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979(a);
   (b) "permitted price" is the price found by applying the formula—
      \[ P = D + (D \times V) \]
      where—
      (i) \( P \) is the permitted price,
      (ii) \( D \) is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
      (iii) \( V \) is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
   (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence—
      (i) the holder of the premises licence,
      (ii) the designated premises supervisor (if any) in respect of such a licence, or
      (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
   (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
   (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994(a).

CONDITIONS CONSISTENT WITH OPERATING SCHEDULE:

These are the steps that the applicant intends to take to promote the four licensing objectives (the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm), which will be translated into conditions should the licence be granted:

The Applicant for this premises licence has volunteered one over-arching measure to be translated into a licence condition:

(a) The Event Management Plan shall be submitted to the Licensing Authority no later than 3 months before the event each year, for approval and circulation to the other Responsible Authorities.
Reasons for the decision:

The Sub-Committee did not consider that the application was detrimental to the licensing objectives.

Date 23/7/15  Chairman’s signature: [Signature]
APPEALS TO THE MAGISTRATES’ COURTS

Many of the enforcement actions and decisions made by Derbyshire Dales District Council carry the right of appeal to the Magistrates’ Court. This means that if you do not agree with the decision that the District Council has made you may contact the Magistrates’ Court and ask them to formally review it. For example, anyone served with a formal enforcement notice has the right to appeal against that notice within 21 days of its service.

How do I make an appeal?

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Which Court should I contact?

Generally speaking the North East Derbyshire and Dales Magistrates’ Court serves the northern part of the District and Southern Derbyshire Magistrates’ Court serves the southern part of the District.

The Court that you would need to contact to make an appeal will depend on the address to which the notice or other enforcement decision relates. If you are unsure which Court would deal with your appeal, we recommend that you contact one of them to check.

Where can I get help?

If you think you need help we would recommend that you speak to a solicitor who would be able to assist you with the Court processes.

The District Council is not able to recommend any particular firm of solicitors but would suggest you check in Yellow Pages or a local services directory.
PLANNING COMMITTEE

Minutes of a Meeting held on Tuesday 22 July 2015 at 6.00pm at Ashbourne Elim Pentecostal Church, Ashbourne.

PRESENT

Councillor Garry Purdy - In the Chair

Councillors Jason Atkin, Sue Bull, Martin Burfoot, Albert Catt, Tom Donnelly, Graham Elliott, Helen Froggatt, Neil Horton, Angus Jenkins, Tony Millward, BEM, Tony Morley, Mike Ratcliffe, Lewis Rose, OBE, Peter Slack, Andrew Statham and Jo Wild

Jon Bradbury (Development Manager), Chris Whitmore (Area Planning Officer), Brett Wilson (Barrister), Sarah Gee (Solicitor) and Christine Laver (Democratic Services Team Leader).

65 members of the public.

APOLOGIES

Apologies for absence were received from Councillors Richard Bright, Sue Burfoot and Richard FitzHerbert. Councillors Martin Burfoot, Angus Jenkins and Jo Wild attended as Substitute Members.

93/15 – MINUTES

It was moved by Councillor Garry Purdy, seconded by Councillor Tony Millward and

RESOLVED (unanimously) That the minutes of the Planning Committee held on 14 July 2015 be approved as a correct record.

The Minutes were signed by the Chairman.

94/15 – MEMBERS’ INTERESTS

With regard to application no 15/00089/FUL Councillor Angus Jenkins declared an interest in that one of the objectors was his cousin. This did not constitute a disclosable pecuniary interest and Councillor Jenkins was present during discussion and voting on this item.

95/15 – APPLICATION NO. 15/00270/FUL – TWO STOREY BUILDING TO PROVIDE RETAIL UNITS, SPA, SALON AND OFFICE SPACE, INCLUDING ALTERATION TO EXISTING BUILDING AT LAND OFF HORSE AND JOCKEY YARD, ST JOHN STREET, ASHBOURNE
Details of an email, received after publication of the agenda, from Matthew Montague, the applicant’s representative, were circulated at the meeting. This detailed proposed actions in response to a recommendation for refusal of the application based on the comments of the Conservation Advisory Forum and a holding objection from Derbyshire County Council on archaeological grounds.

The applicant believed that the Conservation Forum’s objections could be overcome through design changes and confirmed that an archaeological field evaluation had been commissioned, as requested by DCC’s Archaeologist.

In view of the above actions, the applicant requested that consideration of the application be deferred until the necessary amendments to the proposal had been submitted.

It was moved by Councillor Garry Purdy, seconded by Councillor Sue Bull and

RESOLVED (Unanimously) That consideration of the application be deferred to enable the applicant to address the comments of the Conservation Advisory Forum and to undertake an archaeological field evaluation as requested by Derbyshire County Council.

96/15 - APPLICATION NO. 15/00279/FUL – CHANGE OF USE OF LAND TO 3MW SOLAR FARM WITH ASSOCIATED INFRASTRUCTURE AT LADY HOLE FARM, LADYHOLE LANE, YELDERSLEY

The Committee visited the site prior to the meeting to consider the impact of the proposed development within the immediate and wider landscape.

A correction to the information given in the report was circulated at the meeting. The Area Planning Officer confirmed that Grade II listed Firs Farm Barns were approximately 0.8km to the south east of the site and not west of the site as stated in the report.

In accordance with the procedure for public participation Ms Charlotte Mayall, representing the applicant, Soil and Sun Ltd, spoke in favour of the application.

It was moved by Councillor Mike Ratcliffe, seconded by Councillor Peter Slack and

RESOLVED (Unanimously) That planning permission be granted, subject to the conditions detailed in the report.

97/15 – APPLICATION NO. 15/00089/FUL – CHANGE OF USE OF LAND TO SOLAR FARM WITH ASSOCIATED INFRASTRUCTURE, LAND AT DAYFIELDS FARM, ATLOW

The Committee visited the site prior to the meeting to consider the impact of the proposed development within the immediate and wider landscape.

The Development Manager noted that an amended plan had been received, showing deer fencing in place of the palisade fencing shown on the original application.

Details of the consultation response from Atlow Parish and a representation against were circulated at the meeting.

In accordance with the procedure for public participation, the following people made representations relating to this application.
Speaking against the application
Suzanna Monteith, representing Atlow Parish Meeting
Timothy Court, Jane Bonsall, John Gregory, David Monteith, Kathleen Smith, Nick Harcus and Frances Monteith, all local residents.

Speaking in favour of the application
Pam Archer, owner of the site
Roy Amner, representing TGC Renewables, the applicant.

It was moved by Councillor Peter Slack and seconded by Councillor Neil Horton

That planning permission be granted, with an additional condition to require a photographic survey of the road edges on the single track access route prior to commencement of work on the site.

Voting

<table>
<thead>
<tr>
<th>In favour</th>
<th>Against</th>
<th>Abstentions</th>
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</thead>
<tbody>
<tr>
<td>6</td>
<td>11</td>
<td>0</td>
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</tbody>
</table>

The Chairman declared the motion LOST.

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

RESOLVED

That planning permission be refused.

Reason for Refusal
The harm to the landscape character and appearance outweighs the benefit of the renewable energy to be generated and, as such, is in conflict with policies CS5, SF4 and NBE8 of the Local Plan and guidance in the National Planning Policy Framework taken as a whole.

Voting

<table>
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<tr>
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<td>6</td>
<td>0</td>
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</table>

The Chairman declared the motion CARRIED.

98/15 – APPLICATION NO. 15/00319/OUT – RESIDENTIAL DEVELOPMENT OF UP TO 115 DWELLINGS WITH ASSOCIATED PUBLIC OPEN SPACE (OUTLINE) AT LEYS FARM, WYASTON ROAD, ASHBOURNE

The Committee visited the site, prior to the meeting, in order to fully appreciate the impact of the proposed development on the landscape and the road network.

In accordance with the procedure for public participation the following people made representations in relation to this application.

Speaking against the application
Councillor Lucy Green, representing Ashbourne Town Council
Bettina Lange, Planning and Transport Advisor, CPRE
Hannah Lakin, Richard Lakin, Peter Fox, Denise Brown, Mrs Orme (also representing John Dudfield), Steve Challoner, Colin Loud, Chris Kidger Poole and Patrick Kerr, all local residents.
It was moved by Councillor Tony Millward and seconded by Councillor Tom Donnelly

That planning permission be refused.

**Reason for Refusal**

The site comprises of green fields outside the existing settlement framework of Ashbourne. The proposed development of the site, with up to 115 dwellings, is considered to constitute an unsustainable form of development as it will individually, and cumulatively with other planned residential development around the town, be likely to lead to a significant increase in traffic congestion. In addition the site is considered to be relatively remote from existing community infrastructure and services and does not incorporate the provision of additional facilities, such that future residents will be reliant on the private car to access facilities in leading their daily lives, thereby exacerbating its impact on the local road network. As such the adverse impacts of the proposed residential development are considered to significantly and demonstrably outweigh its benefits, when assessed against the policies of the NPPF taken as a whole.

Councillors Mike Ratcliffe and Tony Millward requested a recorded vote in accordance with the District Council's Rule of Procedure 19(d)

**Voting**

<table>
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<th>Councillors Sue Bull, Martin Burfoot, Tom Donnelly and Tony Millward (4)</th>
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<tr>
<td>Abstentions</td>
<td>Councillor Peter Slack (1)</td>
</tr>
</tbody>
</table>

The Chairman declared the motion LOST.

It was moved by Councillor Lewis Rose, seconded by Councillor Jo Wild and

**RESOLVED**

That planning permission be granted, subject to the conditions detailed in the report.

**Voting**

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The Chairman declared the motion CARRIED.
MEETING CLOSED – 8.45 PM

Chairman
PLANNING COMMITTEE

Minutes of a Meeting held on Tuesday 11 August 2015 at 6.00pm at Ashbourne Elim Pentecostal Church, Ashbourne.

PRESENT

Councillor Garry Purdy - In the Chair
Sandra Lamb (Head of Corporate Services), Jon Bradbury (Development Manager), Chris Whitmore (Area Planning Officer) and Jackie Cullen (Committee Assistant).

18 members of the public.

APOLOGIES

Apologies for absence were received from Councillors Sue Burfoot, Richard FitzHerbert Mike Ratcliffe and Andrew Statham. Councillor Deborah Botham attended as Substitute Member.

108/15 – MINUTES

It was moved by Councillor Garry Purdy, seconded by Councillor Tony Millward and

RESOLVED (unanimously) That the minutes of the Planning Committee held on 22 July 2015 be approved as a correct record.

The Minutes were signed by the Chairman.

109/15 – INTERESTS

Councillor Lewis Rose, OBE, declared a pecuniary interest in Agenda Item 4.2 – Application No. 14/00834/TEMP, on the grounds that his son was involved in a competing commercial activity. Councillor Rose was not present during discussion of and voting on this item.
110/15 - APPLICATION NO. 15/00325/FUL – REPLACEMENT DWELLING AND GARAGE/WORKSHOP AT ROSE COTTAGE, SNAPES LANE, SNESTON

The Committee visited the site prior to the meeting to enable them to appreciate the context of the site and assess the impact of the development on the character and appearance of this part of the countryside.

Correspondence received after publication of the agenda was distributed at the meeting.

In accordance with the procedure for public participation, Mr Jeff James, Agent, spoke in favour of the application.

It was moved by Councillor Lewis Rose, OBE, seconded by Councillor Albert Catt and

**RESOLVED** That planning permission be granted subject to the conditions as set out in the report.

111/15 – APPLICATION NO. 14/00834/TEMP – CHANGE OF USE AND ALTERATIONS TO CATTLE SHED TO FORM WEDDING VENUE FOR A TEMPORARY PERIOD OF THREE YEARS AT THE BURROWS GARDENS, BURROWS LANE, BRAILSFORD

The Committee visited the site prior to the meeting to enable members of the Planning Committee to fully appreciate the issues involved.

In accordance with the procedure for public participation, Pat Laughlin, representative for the Parish Council, Neil Morgan, local resident and Mrs Connie Hudson, neighbour, spoke against the application.

Mr Jonathan Jenkin, Agent, spoke in favour of the application.

It was moved by Councillor Albert Catt, seconded by Councillor Joanne Wild and

**RESOLVED (unanimously)** That planning permission be refused for the reasons set out in the report.

112/15 – APPLICATION NO. 15/00043/OUT – RESIDENTIAL DEVELOPMENT (OUTLINE) AT MAIN ROAD, BRAILSFORD

The Committee visited the site prior to the meeting to enable members of the Planning Committee to fully appreciate the issues involved.

In accordance with the procedure for public participation, Pat Laughlin, representative for the Parish Council, and Mr A Jones, neighbour, spoke against the application.

Mr Jonathan Jenkin, Agent, spoke in favour of the application.

It was moved by Councillor Peter Slack, seconded by Councillor Tony Millward, and
RESOLVED

1. That authority be delegated to the Development Manager to grant outline planning permission subject to the completion of a Section 106 Planning Obligation Agreement to secure the appropriate off-site affordable housing contribution, a financial contribution towards off-site open space provision and any other matters that cannot be dealt with by conditions, and subject to conditions covering the following matters:-

   (1) Duration of consent
   (2) Submission of Reserved Matters
   (3) Amended Plans
   (4) Highway safety and related conditions
   (5) Tree and hedgerow retention and protection
   (6) Compensatory hedge planting
   (7) Investigation of flood risk
   (8) Works not to be carried out during bird nesting season unless ecological assessment done beforehand
   (9) Design details to incorporate sustainable drainage system

   And an additional condition:-

   (10) Requiring the submission and approval of details regarding temporary fencing to be erected during the construction period, following which the screening should revert to soft landscaping, incorporating a buffer screen between the development and the neighbouring property

2. That a footnote be added to ensure the developer is aware that the development is to be carried out more in character with the village, and not necessarily that shown in the illustrative masterplan.

Voting:
For 12
Against 2
Abstentions 0

The Chairman declared the motion carried.

113/15 – APPLICATION NO. 15/00397/FUL – EXTENSION TO HATCHERY BUILDING AT MOYPARK HATCHERY, COCKSHEAD LANE, SNELSTON

Correspondence received after publication of the Agenda was distributed at the meeting; this comprised comments received from the Local Highway Authority which would generate additional conditions to the Officer Recommendation, and a letter from the Applicant’s Agent.

In accordance with the procedure for public participation, Michael Bamford, Agent, spoke in favour of the application.

It was moved by Councillor Tony Millward, BEM, seconded by Councillor Joanne Wild, and
RESOLVED  (unanimously) That planning permission be granted subject to the conditions set out in the report, and additional condition(s) attached pursuant to receipt of the Local Highway Authority comments.

114/15 – APPEALS PROGRESS REPORT

It was moved by Councillor Garry Purdy, seconded by Councillor Tony Millward, BEM, and

RESOLVED  (unanimously) That the report be noted.

MEETING CLOSED 7.01PM

CHAIRMAN
PLANNING COMMITTEE

Minutes of a Meeting held on Tuesday 8 September 2015 in the Council Chamber, Town Hall, Matlock at 6.00pm

PRESENT

Councillor Tony Millward, BEM - In the Chair

Councillors Jason Atkin, Sue Bull, Sue Burfoot, Albert Catt, Tom Donnelly, Graham Elliott, Richard FitzHerbert, Helen Foggatt, Tony Morley, Mike Ratcliffe, Lewis Rose, OBE, Peter Slack, Andrew Statham and Jacquie Stevens.

Jon Bradbury (Development Manager), Helen Frith (Senior Planning Officer), Gareth Griffiths (Senior Planning Officer), Brett Wilson (Barrister), Sarah Gee (Solicitor), and Jackie Cullen (Committee Assistant).

81 members of the public.

APOLOGIES

Apologies for absence were received from Councillors Garry Purdy and Joanne Wild. Councillor Jacquie Stevens attended as Substitute Member.

115/15 – MINUTES

It was moved by Tony Millward, BEM, seconded by Councillor Tom Donnelly and

RESOLVED (unanimously) That the minutes of the meeting of the Planning Committee held on 11 August 2015 be approved as a correct record.

The Minutes were signed by the Chairman.

116/15 – INTERESTS

Councillor Richard FitzHerbert declared an interest in Application No. 15/00480/OUT, as he was a personal friend of the applicant. Councillor FitzHerbert was not present during discussion and voting of this application.

Councillor Sue Burfoot declared a non-financial prejudicial interest in Application No. 15/00310/FUL. Councillor Burfoot was not present during discussion and voting of this application.
117/15 – APPLICATION NO. 15/00480/OUT – RESIDENTIAL DEVELOPMENT (OUTLINE) FOR UP TO 13 DWELLINGS AT LAND OFF PARK LANE, TWO DALES

The Committee had visited the site prior to the meeting to assess the impact of the development upon the landscape character of the area and to gain a further appreciation of highway constraints.

In accordance with the procedure for public participation, the following spoke against the application:-

Mr John Evans, on behalf of Darley Dale Town Council
Mr Jonathan Taaffe, local resident
Mr Patrick D’Arcy, local resident and Local Action Group Member
Mr David Burton, local resident
Mr Ed Runham, local resident
Jane Fearnley, local resident
Mike Hancocks, local resident
Councillor Mark Salt, Ward Member

Mr Jonathan Jenkin, Agent, spoke in favour of the application.

Correspondence received after publication of the agenda was circulated at the meeting.

It was moved by Councillor Mike Ratcliffe, seconded by Councillor Jason Atkin and

RESOLVED That planning permission be refused for the reason set out below:-

Reason

The proposed development with result in the loss of an attractive green field site which helps to both frame the settlement and also appears prominently in views out of the settlement to the wooded hillside of Hallmoor Wood beyond. The residential development of this field would be an intrusion into the countryside that will have an adverse impact upon the character and appearance of the landscape and the setting of the settlement. The adverse impacts of the development are considered to significantly and demonstrably outweigh the benefits, and the proposal is considered contrary to Policies SF5 and NBE8 of the Adopted Derbyshire Dales Local Plan and guidance contained within the National Planning Policy Framework.

Voting:

For
6

Against
0

Abstentions

8

The Chairman declared the motion carried.
118/15 – APPLICATION NO. 15/00417/FUL – DEMOLITION OF EXISTING GARAGE AND ERECTION OF TWO-STOREY SIDE EXTENSION AT JACKSON CROFT, 7 GREEN CLOSE, MATLOCK

The Committee had visited the site prior to the meeting to assess the impact of the extension on the character and appearance of the dwelling house within the Conservation Area.

In accordance with the procedure for public participation, Mrs Gregory, Applicant, spoke in favour of the application.

It was moved by Councillor Jacquie Stevens, seconded by Councillor Albert Catt and

RESOLVED That planning permission be granted for the reason set out below:

Reason

The proposed extension would appear to be an improvement on the previous application; it does not detract from the character and appearance of the house, and would not have an adverse impact on the wider Conservation Area.

Voting:
For 13
Against 2
Abstentions 0

The Chairman declared the motion carried.

The Chairman agreed to amend the order of business at this point to enable item 4.7 to be heard next.

119/15 – APPLICATION NO. 15/00450/FUL – RESURFACING WORKS AND RE-POSITIONING OF TICKET MACHINES AT SHAWCROFT CAR PARK, PARK ROAD, ASHBOURNE

Councillor Lewis Rose, OBE, left the meeting at 7.40pm prior to discussion of this item.

In accordance with the procedure for public participation, Mr Mike Mills, Agent for Waitrose, spoke against the application.

Correspondence received after publication of the Agenda was distributed at the meeting.

It was moved by Councillor Tony Millward, BEM, seconded by Councillor Tom Donnelly, and

RESOLVED (unanimously) That authority to grant planning permission be delegated to the Development Manager on resolution of the objection of Waitrose regarding the layout, and subject to the conditions as set out in the report.
120/15 – APPLICATION NO. 14/00778/OUT – RESIDENTIAL DEVELOPMENT OF UP TO 9 DWELLINGS AND ASSOCIATED ACCESS (OUTLINE) AT LAND OFF PUMP CLOSE, STARKHOLMES

The Committee had visited the site prior to the meeting to allow Members to assess the impact of the proposal on the character and appearance of the area and the amenity of neighbouring residents.

In accordance with the procedure for public participation, Mr Mike Mills, Agent for Waitrose, spoke against the application, the following spoke against the application:

Simon Edwards, local resident
Martin Cruttenden, owner of Pump Close & Access
Richard Shacklady, local resident
Gwen Hyde, local resident
Adrian Windley, local resident (statement read by Mr Shacklady)

Mr Richard Pigott, Agent, spoke in favour of the application.

It was moved by Councillor Jacquie Stevens, seconded by Councillor Sue Burfoot and

RESOLVED That planning permission be refused for the following reason:

Reason

That the development would have an adverse impact on the environment, as well as on the character and appearance of the historic and iconic Riber Hillside.

Voting:

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The Chairman declared the motion LOST.

It was then moved by Councillor Albert Catt, seconded by Councillor Peter Slack and

RESOLVED That authority be delegated to the Development Manager to grant planning permission, subject to the completion of a Section 106 Planning Obligation Agreement to secure an appropriate affordable housing provision and subject to the conditions as set out in the report.

Voting:

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The Chairman declared the motion carried.

**121/15 – APPLICATION NO. 15/00467/FUL – INSTALLATION OF 38 NO. GROUND MOUNTED SOLAR PANELS AT MEADOW FLECK FARM, ASHBOURNE ROAD, CARSINGTON**

The Committee had visited the site prior to the meeting to assess the impact of the proposal within the landscape.

In accordance with the procedure for public participation, Samantha Walsh, Resident, and Josephine Haywood, Applicant, spoke in favour of the application.

It was moved by Councillor Peter Slack, seconded by Councillor Richard FitzHerbert and

**RESOLVED** (unanimously) That planning permission be granted subject to the conditions set out in the report.

**122/15 – APPLICATION NO. 12/00332/OUT – ERECTION OF AGRICULTURAL WORKERS’ DWELLING (OUTLINE) AT HOME FARM, WHITELEA LANE, TANSLEY**

It was moved by Councillor Mike Ratcliffe, seconded by Councillor Richard FitzHerbert, and

**RESOLVED** (unanimously) That planning permission be refused for the reason set out in the report.

**123/15 – APPLICATION NO. 15/00310/FUL – CAR WASH FACILITY AT 43 BAKEWELL ROAD, MATLOCK**

Councillor Sue Burfoot left the meeting at 8.43pm prior to discussion of this item.

It was moved by Councillor Jacquie Stevens, seconded by Councillor Tom Donnelly, and

**RESOLVED** (unanimously) That subject to addressing the holding objection of the Environment Agency, delegated authority be given to the Development Manager to grant planning permission subject to the conditions as set out in the report and any additional footnotes required by the Environment Agency.

**123/15 – APPEALS PROGRESS REPORT**

It was moved by Councillor Tom Donnelly, seconded by Councillor Richard FitzHerbert, and

**RESOLVED** (unanimously) That the report be noted.
MEETING CLOSED 8.50PM

CHAIRMAN
COMMUNITY AND ENVIRONMENT COMMITTEE

Minutes of a Meeting held on Thursday 10 September 2015 in the Council Chamber, Town Hall, Matlock at 6.00 pm.

PRESENT

Councillor Joanne Wild - In the Chair

Paul Wilson (Corporate Director), Tim Braund (Head of Regulatory Services), Eileen Tierney (Licensing Manager), Heidi McDougall (Head of Environmental Services), Amanda Goodwill (Principal Officer, Environmental Health), Rob Cogings (Head of Housing), Steve Capes (Head of Regeneration and Policy) and Jackie Cullen (Committee Assistant).

APOLOGIES

Apologies for absence were received from Councillor Susan Hobson. There were no substitute Members.

124/15 - MINUTES

It was moved by Colin Swindell, seconded by Councillor Albert Catt and

RESOLVED (unanimously) That the minutes of the meeting of the Community & Environment Committee held on 9 July 2015 be approved as a correct record.

The Minutes were signed by the Chairman.

125/15 – PROPOSALS FOR CHRISTMAS REFUSE AND RECYCLING COLLECTIONS

Members considered an additional report brought to the Committee that outlined possible options to collect refuse and recycling throughout the Christmas and New Year period. It proposed an option to minimise the level of disruption to residents during the Christmas and New Year period whilst the Town Hall was closed.
In July 2015 the Governance and Resources Committee agreed that the Town Hall would close between the Christmas and New Year period. The impact of the closure limited access to the availability of the waste and recycling service; in order to reduce the level of disruption and number of complaints received over the Christmas period the collections had been reviewed and a number of options considered by the Corporate Leadership Team. The four options were detailed in the report, and tabled in Appendix 1 to the report.

Option 4 was the recommended option, delivering minimal disruption to residents and providing an additional collection of refuse to cater for residents who may be missed and during a period when residents usually have more waste.

Changes to the Waste and Recycling collections throughout the Christmas and New Year period would be publicised using a variety of different methods, as detailed in the report.

In addition to communicating the changes, residents would be encouraged to report any missed bins or container requests via the Website. Residents who did not have internet access would be able to leave a message on the Council’s answer phone and options were currently being explored to enable officers to access these messages on a daily basis and report them to Serco. The postcode search facility on the website would also be updated and available for residents to access to check all collections scheduled over Christmas and New Year. Bad weather procedures were outlined in the report.

It was moved by Councillor Colin Swindell, seconded by Councillor Mike Ratcliffe and

RESOLVED (unanimously)

1. That the Committee agree that option 4 be implemented in December 2015. This option includes suspending garden waste collections for two weeks and collecting refuse instead.

2. That Committee approve that in future years all Christmas collections, where necessary, move forward to enable collections to be undertaken after the bank holiday similar to other Bank Holiday weeks throughout the year. Where necessary suspend garden waste for a limited time to enable an additional collection of refuse.

3. That Committee approve that the Head of Environmental Services be delegated to agree with the contractor the working days over the Christmas and New Year period in order to ensure that collections take place.

4. That the changes agreed be publicised as outlined in section 3.

126/15 – BAKEWELL VISITOR CENTRE

The Committee considered a report that proposed further steps to be taken in respect of staff and services at Bakewell Visitor Centre, in accordance with the Tourism Services Review approved by Members in July 2014.

Since 2007, the District Council had rationalised expenditure on tourism services through the closure of TICs at Matlock Bath (2008), Matlock (2012) and Ashbourne (2013). In each case,
a Visitor Information Point (VIP) had been established in partnerships, to provide similar services at much lower cost. The sole remaining TIC to which the District Council currently maintained costly support was the Peak District National Park Authority Visitor Centre at Bakewell; full details of the background and operations of the centre were contained within the Tourism Services Review report approved by the Environment Committee on 17 July 2014. The resolutions agreed in that meeting were set out in the report.

The Council meeting in July 2014 confirmed the savings due from ceasing contributions to Bakewell TIC from April 2016 of £23,000 per annum would be incorporated in the Medium Term Financial Plan. An update on negotiations with the PDNPA was considered by Council in April 2015. PDNPA finally met officers on 28 July 2015, at which meeting it became clear that they still had no information to discuss options but were open to doing so in future (further meeting dates had been arranged to that end). At that time, PDNPA stated their position. They:

- wished the property lease to continue as it is, and not to be ceased or varied
- wanted to stop the joint Management Agreement
- did not want the existing TIC Assistants to be transferred to PDNPA
- did not intend to have any agreement with the District Council for the provision of tourist information at the present time.

Under the terms of the Management Agreement, six months’ notice was required to terminate the agreement. In accordance with Members’ resolutions on 17 July 2014, it was recommended that such notice now be given to the PDNPA. At the same time, the TIC Assistants would formally be informed that their posts were at risk. An informal meeting was held with the staff on 7 August 2015, and a meeting with the Trade Unions was held on 8 September. Further meetings would be held in due course.

However, it would also be necessary to take steps to secure alternative VIP provision in Bakewell. Tourist information services elsewhere in the Derbyshire Dales were now delivered entirely by the private/voluntary sector. There was no cogent reason why a similar model could not be adopted in respect of Bakewell.

The Committee asked that the professionalism and patience of the Head of Regeneration and Policy with regard to these negotiations be noted.

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

RESOLVED (unanimously)

1. The Peak District National Park Authority be formally notified that the District Council will terminate the joint management agreement for Bakewell Visitor Centre on 1 April 2016.
2. The District Council continues to work with the Peak District National Park Authority regarding visitor information provision in Bakewell.
3. Steps be taken to secure alternative VIP provision in Bakewell should negotiations with the National Park Authority be unsuccessful.
4. The TIC Assistants employed by the District Council be formally notified their posts are at risk.
127/15 – HOUSING REVIEW

The Committee considered a report regarding The Community Housing Team service review, which considered a number of key issues concerning the provision of the service, performance and future challenges.

Appendix 1 to the report set out the statutory and non-statutory housing services, and Appendix 2 set out the recommendations arising from the review.

As with all service reviews, the Housing review would need to consider three questions: does the service need to be provided at all; does the service need to be provided by the District Council, and what level of service is needed? The findings were detailed in the report, and in summary it was felt that the Council’s desire to enable affordable homes added considerable weight to the need to provide the service; 3 options were explored regarding provision by the Council, as detailed in the report, with the result that taken as a whole, the housing team preferred to remain as an in-house service; and with regard to level of service, the implications of not providing a high level of service would be dramatic, based on the Council’s highly regarded housing service, as evidenced in the report.

The role and function of the Community Housing Team was set out in the report, together with an overview of the Council’s housing and homelessness strategies. A table showing homelessness figures from 2011/12 to 2014/15 was presented in the report, together with a comparison across the District Council’s rural benchmark group.

The Council was expected, but not obliged, to provide a housing advice service. However, it was recognised that an effective advice service could prevent homelessness and reduce costs, reduce prison and hospital admissions. The Council worked in partnership with a number of local agencies whom it supported to provide a holistic housing advice service, as listed in the report. A table showing homeless preventions due to this work was set out in the report.

Work undertaken in partnership with other Derbyshire authorities, specifically the delivery of Home-Options and Move on, was detailed in the report. Its purpose was to promote and improve move-on from supported accommodation into independent living. The Home-Options Co-ordinator worked strategically across the four local authority areas (Amber Valley, Derbyshire Dales, Erewash, and High Peak) and with housing providers to ensure the service was provided effectively, and the Co-ordinator lead roles were listed in the report.

Enabling the development of new homes was primarily the focus of the Rural Housing Enabler, as set out in the report. The service performed well in comparison to other Derbyshire districts, as tabled in para.3.50 of the report, and a similar comparison with the Council’s benchmark group was tabled in para.3.51 of the report.

The need for the continuing financial support provided by the District Council and the availability of appropriate sites on which to build was evident. There were other sources of funding which could potentially be explored and whilst there was some risk involved, the potential gains could fund a substantial part of a future housing programme.

Tables showing High, Medium and Low prioritisation of 2nd Homes funding and Homelessness grants were set out in the report.

The Housing Service had made substantial progress in moving away from paper based
systems, and further scope to progress was set out in the report, including opportunities within the 2 Local Enterprise Partnerships, Sheffield City Region and D2N2.

The Committee asked that thanks to the Head of Housing be noted, for his work on this comprehensive report.

It was moved by Councillor Jennifer Bower, seconded by Councillor Mike Ratcliffe and

RESOLVED (unanimously) 1. In order to generate capital finance, assess the feasibility of ending the discounted property scheme to generate new investment in affordable housing.

2. That on completion of the feasibility study the report be brought back to this Committee for consideration at a future meeting.

3. Note the service recommendations contained in Appendix 2.

128/15 – HEALTH AND WELL-BEING STRATEGY

The Committee considered a report that introduced a draft Health and Wellbeing Strategy for Derbyshire Dales District Council and sought Members’ approval to consult on its contents.

In April 2012 the transfer of the Public Health function transferred from the previous Primary Care Trusts back to local government; and at that time Derbyshire County Council formed their statutory Health and Wellbeing Board. One of the Board’s first tasks was to produce and adopt a Health and Wellbeing Strategy for the Derbyshire county area, and the final document was formally published in October 2012.

A Health and Wellbeing Hub was subsequently formed, and has produced a draft Health and Wellbeing Strategy, attached as Appendix 1 to the report. Consultation with key partners, broader stakeholders and the general public on the draft Strategy would be sought, following which a summary of comments received and a final Strategy would be submitted to Council for approval and adoption.

It was moved by Councillor Mike Ratcliffe, seconded by Councillor Vicky Massey and

RESOLVED (unanimously) 1. That the draft Health and Wellbeing Strategy be approved for the purpose of consultation;

2. That a further report be submitted to Council once the consultation has been completed for adoption of the final Strategy.

129/15 – REVIEW OF ENVIRONMENTAL HEALTH

The Committee considered a report that identified both the scope of the Environmental Health service review and the suggested methodology.

The Environmental Health Service delivered a significant proportion of the regulatory duties placed upon the local authority via statute, whilst also providing some discretionary/enabler functions. The service had dealings with approximately 3,700 commercial businesses within
the district and on average responded to some 1,875 requests for service throughout the year. The service was also a key consultee in terms of Planning and Licensing activities, a key player in the national Better Business approach to regulation and a key contributor to Health & Wellbeing based initiatives and the wider Public Health agenda.

The officer team for the review of Environmental Health was outlined in the report, and the Principal Officer advised Members that the Head of Corporate Services had subsequently joined the review team, as recommended by the Corporate Leadership Team. Political input would be provided by the nominated Member Champion for Regulatory Services, Councillor Andrew Statham.

The review would consider 3 key questions: Does the service need to be provided at all? Does the service need to be provided by the District Council? And what level of service should be provided? The approach was detailed in the report, and would take place alongside other significant projects and reviews, as listed in the report, thus any associated learning/outputs would be considered accordingly.

As this was a scoping report, The Principal Officer would report back to the Committee with a range of options, for discussion at a future meeting.

It was moved by Councillor Tony Morley, seconded by Councillor Sue Bull and

RESOLVED (unanimously) That the scope and methodology of the Environmental Health Review are approved.

130/15 – REVIEW OF LICENSING

The Committee considered a report that informed the Committee of the scope of the District Council’s Licensing Service Review and outlined the suggested methodology. It also sought approval to establish a Member Panel to take part in the service review, as recommended by the Licensing and Appeals Committee at the July 2015 meeting.

Licensing was a statutory service and was part of the District Council’s regulatory responsibility. Each year the service had dealings with around 900 licence applications, in addition to the requests for services and complaints from residents and businesses. The service was an active partner in the High Peak and Derbyshire Dales Violence & Alcohol Licensing Theme Group (VAL) of the Community Safety Partnership; a regular attendee and contributor to the Derbyshire-wide Licensing Group and the East Midlands Regional Meetings of the Institute of Licensing (IoL). It supported the national Better Business approach to regulation, Health & Wellbeing-based initiatives and the wider Public Health agenda.

The main areas of licensing administered included alcohol, entertainment & late night refreshment, taxis, gambling, animal welfare, and cosmetic piercing etc. More recently, scrap metal licences and street trading consents had been added to functions undertaken. The Licensing Team’s remit was set out in the report.

The effectiveness of the way in which the Licensing Service was currently provided and the existing policies and procedures used to provide it, would be considered; the objectives were listed in the report.
Licensing Authorities were legally required to deliver a licensing service which only recovered “reasonable costs” and this took precedence over a Council’s corporate charging policy and any requirement to maximise income. Any proposals to revise fee structures as part of the review process should take recent case law into consideration, as set out in the report.

In addition to the Licensing team, it was proposed that an Officer from another licensing authority in Derbyshire or Nottinghamshire and/or from one of the licensing service’s regular partners, (for example police, fire, trading standards) should be asked to be part of the review team, on an ad-hoc basis. It was also intended to ask licensing customers, (business and public), for their input into shaping the future of the service.

The review will consider 3 key questions: Does the service need to be provided? Does the service need to be provided by the District Council? What level of service should be provided? The approach was detailed in the report, to include:

- Service Standards and Customer Care
- Casework Management and Utilisation of Resources
- Effective Consultation and Engagement

The licensing review not only needed to adopt a strategic focus in terms of what the service should look like and how it could be sustained in the future, but also to take a critical look at the processes and procedures in detail, as a result of new licensing software and the move towards a ‘paperless office’ with the increased use of the website and the on-line application portal.

An investigation would be made into a shared or joint licensing service, or partnership working; examples of existing single licensing services in England were listed in the report.

Progress reports would be considered at the Licensing & Appeals committee meetings, and Officers expected to be able to produce final recommendations by the end of March 2016.

It was moved by Councillor Jennifer Bower, seconded by Councillor Mike Ratcliffe and

RESOLVED (unanimously)
1) That the scope and suggested methodology of the Licensing Service Review are approved.

2) That progress reports be discussed at the Licensing and Appeals Committee meetings prior to the final report being brought back to the Community and Environment Committee.

MEETING CLOSED 7.14PM

CHAIRMAN