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COMMUNITY AND ENVIRONMENT COMMITTEE

Minutes of a Meeting held on Thursday 10 January 2019 in the Council Chamber, Town Hall, Matlock at 6.00 pm.

PRESENT

Councillor Susan Hobson - In the Chair

Councillors Richard Bright, Sue Bull, Martin Burfoot, Albert Catt, Tom Donnelly, Ann Elliott, Chris Furness, Vicky Massey Bloodworth, Tony Morley, Dermot Murphy, Joyce Pawley, Mike Ratcliffe and Colin Swindell.

Paul Wilson (Chief Executive), Mike Hayes (Policy Manager), Ashley Watts (Head of Community & Environmental Services), Dave Turvey (Active Communities Officer) and Jackie Cullen (Committee Assistant).

3 members of the public.

APOLOGIES

Apologies for absence were received from Councillors Jason Atkin, Lewis Rose OBE, Andrew Statham and Joanne Wild. Councillor Tom Donnelly attended as Substitute Member.

282/18 – MINUTES

It was moved by Councillor Albert Catt, seconded by Councillor Vicky Massey Bloodworth and

RESOLVED

(unanimously)

That the minutes of the meetings of the Community & Environment Committee held on 15 November 2018 and 10 December 2018 be approved as a correct record.

The Minutes were signed by the Chairman.

283/18 – PUBLIC PARTICIPATION

In accordance with the procedure for public participation, Mr Jeffrey Phillips, Chair of Ashbourne Communities CIC, commented on Ashbourne market, under Agenda Item 6: REVIEW OF STALL MARKETS.

284/18 – REVIEW OF STALL MARKETS

The Committee considered a report that provided an update on the review of stall markets, requesting consideration of the closure of the Ashbourne Thursday market; the grant of a licence to occupy Shrovetide Walk, and arrangements to transfer the Ashbourne Saturday market to a community interest company.

A report reviewing stall markets was presented to the Community & Environment Committee in November 2017 with the following recommendations:

- That Ashbourne (Thursday) Market becomes a self-erect seasonal market, opening in April and closing at the end of September annually
- That Ashbourne (Thursday) Market close should it not achieve an average occupancy level of 70% or more by the end of June 2018
- That Wirksworth Market is transferred to Wirksworth Town Council.
- That Ashbourne (Saturday) Market is relocated to Shrovetide Walk in April 2018
- That alternative options for the use of Matlock Indoor Market be considered

It was reported that Wirksworth Market had been transferred to Wirksworth Town Council in April 2018 and was now performing well in its new location at the Memorial Hall.

Ashbourne (Thursday) market had become self-erect on Shrovetide Walk on 1 April 2018 and stall erectors were to be given redundancy to achieve savings, as set out in the report. Occupancy throughout 2018 remained low with an average occupancy of 15% between 1 April and 30 November 2018, and the District Council had proposed the closure of the market in September; however the market had been allowed to continue until Christmas 2018, at the request of the traders, as they had built up a good customer base over the past few months.

Ashbourne Communities CIC had approached the District Council for a licence to occupy Shrovetide Walk to allow the Thursday market to continue. Its aims and intentions were outlined by the speaker earlier in the meeting.

The occupation of stalls at Ashbourne (Saturday) Market currently fluctuated between 0% and 52%. Following a meeting in June 2018 between the District Council and traders to discuss moving the market to Shrovetide Walk from July 2018, it was reported that Ashbourne Communities CIC would like the market to remain on the Market Place where they would continue to operate a weekly market and look to increase the current occupancy level of traders and the footfall of customers. As part of this proposal, Ashbourne Communities CIC had asked for a one-off payment of £10,000, to assist with the operation of the market, as set out in the report.

It was moved by Councillor Dermot Murphy, seconded by Councillor Albert Catt and

RESOLVED

That this item be deferred until the next meeting of the Community and Environment Committee for the following reasons:

1. To enable Officers and Members to acquire greater clarity in respect of Ashbourne Communities CIC's completed business plan;

2. To enable Officers to provide details on the Legal Agreement covering the funding commitment by the District Council;
3. To enable Officers to obtain further information from Ashbourne Communities CIC in respect of their background, skill set, objectives, intentions and goals for Ashbourne Stall Markets.

Voting:

For	12
Against	1
Abstentions	1

The Chairman declared the motion CARRIED.

285/18 – MATLOCK BATH ILLUMINATIONS REVIEW

Councillor Vicky Massey Bloodworth left the meeting at 7:01pm during discussion of this item.

The Committee considered a report on the outturn of the 2018 event that took place between Saturday 8 September and Sunday 28 October. The report sought agreement to the general format of the 2019 event.

An assessment of the event was set out in Section 1 of the report, with the details of income and expenditure tabled in paragraphs 1.7 and 1.8 of the report. A post-event consultation exercise had resulted in over 1,000 responses, attached as Appendix 1 to the report. The information from the survey, as well as a pre-arranged meeting that was held on 26 November 2018 with interested parties, would form part of the discussions for the working group.

The plans for the 2019 event were set out in the report, together with the proposed pricing structure for 2019, to be discussed and agreed by the working group, as tabled in paragraph 2.1 of the report. It was also recommended that the Illuminations Event Officer be given delegated authority to make operational decisions in relation to the staging of the 2019 event.

It was moved by Councillor Albert Catt, seconded by Councillor Ann Elliott and

RESOLVED
(unanimously)

1. That the achievements of the event in 2018 following the review are noted.
2. That approval is given for the fees and charges to be agreed by the working group.
3. That sponsorship is sought, by the Illuminations Working Group, to further invest in the event.
4. That the Event Organiser is given delegated authority to make operational decisions in relation to the staging of the 2019 event in consultation with the Working Group and Head of Community & Environmental Services.
5. That approval is given to invite Mr G.E.M.Stevens MBE to compere the 2019 event.
6. That approval is given to invite Mrs Stevens as Mr Stevens' support.
7. That £15,000 is reinvested into the event to update current lights and improve overall customer experience.

286/18 – DERBYSHIRE DALES STATEMENT OF COMMUNITY INVOLVEMENT 2018

The Committee considered a report that outlined the outcomes of the public consultation exercise undertaken in respect of the Derbyshire Dales Statement of Community Involvement (SCI). It also recommended revisions to the content of the SCI and sought approval for its adoption with immediate effect.

Section 18 of the Planning and Compulsory Purchase Act 2004 (as amended by the Planning Act 2008, the Localism Act 2011 and the Neighbourhood Planning Act 2017) required that local planning authorities prepared a Statement of Community Involvement (SCI), the purpose and aims of which were set out in the report.

A review of the current Statement of Community Involvement (SCI), which was brought into effect on 16th March 2016, had been undertaken to ensure the District Council's practices reflected statutory requirements and best practice. To this end, a Draft Revised SCI was presented to Community and Environment Committee on 13th September 2018, following which public consultation was undertaken for six weeks from 14th September to 26th October 2018, as set out in the report. The results of the consultation were set out in Section 2 of the report, together with the main areas of concern. A summary of comments received and recommended modifications to the SCI in response were set out in Appendix 1, with the revised SCI attached as Appendix 2.

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

RESOLVED That the revised Statement of Community Involvement (SCI) 2018 as
(unanimously) set out in Appendix 2 to the report is adopted and brought into use with immediate effect.

287/18 – DRAFT CONVERSION OF FARM BUILDINGS SUPPLEMENTARY PLANNING DOCUMENT

Councillor Richard Bright left the meeting at 7.29pm prior to discussion of this item.

The Committee considered a report on the results of the public consultation on the draft Conversion of Farm Buildings Supplementary Planning Document (SPD). It recommended modifications to the contents of the SPD and sought approval for its adoption.

In November 2005 the District Council formally adopted the Conversion of Farm Buildings Design Guidance Supplementary Planning Document that sought to provide complementary guidance and advice for farm building owners who were seeking to find alternative uses for their farm buildings. However, following the adoption of the Derbyshire Dales Local Plan in December 2017 it could no longer be used as a "material consideration" in the determination of planning applications and it had therefore been necessary to update its contents to reflect changes to the Local Plan policies, legislation and the approach to the conversion and re-use of farm buildings. Once adopted it could be used in the determination of planning applications as a "material consideration".

Consultation on the revised Conversion of Farm Buildings Supplementary Planning Document was approved by the Community and Environment Committee on the 13th September, minute 134/18, and had run from the 14th September to the 26th October 2018.

The results of the Consultation were set out in Section 2 of the report, outlining the main issues that had arisen which required modification of the Draft SPD. Details of the representations received were set out in the Consultation Statement attached in Appendix 2 to the report, which had been prepared to satisfy the requirements of Regulation 12 (Part 5) of the Town and Country Planning (Local Planning) (England) Regulations 2012. The Consultation Statement was required to be published alongside the final version of the Supplementary Planning Document.

The Supplementary Planning Document could be used in the determination of planning applications and as advice for the public from the point of adoption. However, there was a period of three months where any person with sufficient interest in the decision to adopt may apply to the High Court for permission for a judicial review. The Adoption Statement was attached as Appendix 3 to the report.

It was moved by Councillor Mike Ratcliffe, seconded by Councillor Martin Burfoot and

- RESOLVED**
(unanimously)
1. That the Conversion of Farm Buildings Supplementary Planning Document (SPD), attached in Appendix 1 to the report be approved and formally adopted.
 2. That the Consultation Statement attached in Appendix 2 to the report and Adoption Statement in Appendix 3 to the report be published in accordance with the statutory requirements.

288/18 – DRAFT SHOP FRONTS AND COMMERCIAL PROPERTIES SUPPLEMENTARY PLANNING DOCUMENT

The Committee considered a report on a Draft Shop Fronts and Commercial Properties Supplementary Planning Document (SPD) for Members' consideration, being an updated version of the previously adopted SPD (2012) in light of the Adoption of the Local Plan in December 2017. Approval was sought for a formal period of public consultation on the document prior to its formal adoption as a SPD.

In 2005 the District Council formally adopted the Shop Fronts and Commercial Properties Design Guidance Supplementary Planning Document, updated and modified in November 2012. However, following the adoption of the Derbyshire Dales Local Plan in December 2017, it could no longer be used as a "material consideration" in the determination of planning applications. It had therefore been necessary to refresh its contents to reflect any changes to the Local Plan policies. There were no significant changes in approach or content; the changes that had been made were points of clarification or an explanation of technical terminology. Once adopted, the Supplementary Planning Document could be used in the determination of planning applications as a "material consideration".

A copy of the refreshed draft Shop Fronts and Commercial Properties Supplementary Planning Document was set out in Appendix 1 to the report, and a copy of the draft consultation statement was attached as Appendix 2 to the report.

It was recommended that a six week period of public consultation be held from 18th January 2019 to 1st March 2019. As the draft Shop Fronts and Commercial Properties Supplementary Planning Document was effectively a refresh of the existing document, it was anticipated that there would be only limited public interest and as such it was considered for expediency

purposes that delegated authority be given to the Head of Regeneration and Policy to adopt the SPD in the event that there were no substantive objections received during the public consultation period.

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

RESOLVED
(unanimously)

1. That the draft Shop Fronts and Commercial Properties Supplementary Planning Document (SPD), attached in Appendix 1 to the report be approved and subject to a period of six weeks' public consultation.
2. That in the event that the public consultation results in no objections to the draft Shop Fronts and Commercial Properties Supplementary Planning Document then delegated authority is given to the Head of Regeneration and Policy to take forward its formal adoption.
3. That in the event of any substantive representations being received during the public consultation on the draft Shop Fronts and Commercial Properties Supplementary Planning Document, then a further report be presented to this Committee for consideration of the representations received.

MEETING CLOSED 7.47PM

CHAIRMAN