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COMMUNITY

Minutes of a Meeting held on Thursday 22 January 2015 in the Council Chamber, Town Hall, Matlock at 6.00pm

PRESENT

Councillor Jennifer Bower - In the Chair

Councillors Jacque Bevan, Steve Bull, Sue Burfoot, Tom Donnelly, Garry Purdy, Mike Ratcliffe, Andrew Statham, Geoff Stevens, MBE, Jacque Stevens, Colin Swindell, Philippa Tilbrook, Judith Twigg, Jo Wild.

Sandra Lamb (Head of Corporate Services), Tim Braund (Head of Environmental Health), Mike Hase (Planning Policy Manager) Ashley Watts (Head of Community Development), Heidi McDougall (Head of Environmental Services), Keith Postlethwaite (Grounds Maintenance and Car Parks Manager) and Jackie Cullen (Committee Assistant).

APOLOGIES

Apologies for absence were received from Councillors Richard Bright and Lewis Rose, OBE. Councillors Steve Bull and Garry Purdy attended as substitute members.

240/14 – PUBLIC PARTICIPATION

In accordance with the procedure for public participation, Ms Janice Leybourne and Mr Simon Dormand, local residents, commented on Agenda Item 6 – Licensing of Houses in Multiple Occupation.

241/14 – MINUTES

It was moved by Councillor Geoff Stevens, MBE, seconded by Councillor Colin Swindell and

RESOLVED

(unanimously)

That the minutes of the meeting of the Community Committee held on 16 October 2014 be approved as a correct record.

The Minutes were signed by the Chairman.

242/14 – ITEM 6 – LICENSING OF HOUSES IN MULTIPLE OCCUPATION

The Committee considered a report that recommended the adoption of an updated set of standards for those houses in multiple occupation that were required to be licensed under the provisions of the Housing Act 2004.

The Act enabled local housing authorities to adopt standards that they expected properties to meet before they may be licensed and conditions that may be applied to a licence to ensure that standards were maintained or improved during the period that the property remained licensed.

Since the adoption of the original standards by Derbyshire Dales District Council in partnership with High Peak Borough Council, these had been reviewed and new standards had been developed to take account of the issues that had arisen within Derbyshire Dales and the greater experience of the sector that existed within High Peak.

Specialist consultation had been undertaken with Derbyshire Fire and Rescue Service, Building Control and Development Management, all of whom were satisfied that the proposed standards were fit for purpose and suitable for adoption. The proposed new Standards had also been subject to an equalities impact assessment and were considered to be beneficial to all protected groups affected by them.

The content of the proposed new standards was set out in the report.

The two current identified properties that required licensing under the Act would require improvements if the new standards were adopted, before their licences could be renewed. It was proposed that the 11 month period left before the first licence required renewal would be used to work with landlords to ensure that the properties were brought up to the new standard.

It was moved by Councillor Jacque Bevan, seconded by Councillor Jacque Stevens and

RESOLVED That the updated set of standards, attached as an appendix to the
(unanimously) report, be adopted.

243/14 – ITEM 7 – FIRST YEAR REVIEW OF CLEAN & GREEN SERVICES

The Committee considered a report that updated members on the approach taken to review the Clean and Green Service a year after the APSE review was implemented and, following consultation, suggested areas for future improvement.

Many of the recommendations had been implemented and the service transformed. Work was continuing to develop regarding some of the recommendations, such as dog fouling enforcement, with a view to implementing this before the end of March 2015.

The main principles of the recommendations of APSE review were listed in the report, together with a summary of positive changes that had been implemented.

Following consultation with staff and Members, a number of areas had been highlighted for future development, as listed in the report. Whilst these areas had been highlighted for improvement, it was not possible for them to be improved utilising existing resources without changes being made to existing service delivery within other parts of the Clean and Green Service or the structure. The Committee were asked to acknowledge this and

approve a future report being brought to an appropriate committee outlining options that were available to deliver these improvements.

It was moved by Councillor Judith Twigg, seconded by Councillor Garry Purdy and

RESOLVED
(unanimously)

1. That the first year review of the Clean and Green Service be noted.
2. That the outcome of the consultation be noted.
3. That a further report is made to an appropriate future Committee to consider how future improvements that are needed within the service might be funded.

244/14 – ITEM 8 – PLAY DEVELOPMENT FUND

The Committee considered a report regarding applications for grant assistance from Marston Montgomery Parish Council and Biggin Community Project.

The District Council had, for a number of years, set aside a sum within the capital programme to assist with the development of play sites in rural areas that were owned or managed by Parish or Town Councils and Parish Meetings.

Marston Montgomery Parish Council managed a small play area within the village and sought funding to assist in the purchase of an additional piece of toddler equipment, in the form of a play tower and slide. The cost of the item, including installation, was £4,500 and the Parish Council sought a grant of £2,250. The remaining funds had already been secured by the Parish Council.

Biggin Community Project had embarked on an ambitious scheme to refurbish the village's existing play area, at a cost of over £42,000. To date, the Group had raised £25,000 and sought a maximum grant of £3,000 from the Play Development Fund to supplement their existing project fund.

It was moved by Councillor Geoff Stevens, MBE, seconded by Councillor Judith Twigg and

RESOLVED
(unanimously)

1. That a grant of £2,250 to Marston Montgomery Parish Council be approved, subject to its scheme being undertaken within the next 12 months; and
2. That a maximum grant of £3,000 to Biggin Community Project be approved, subject to its scheme being undertaken within the next 12 months.

245/14 – ITEM 9 – CAR PARK MANAGEMENT: REPLACEMENT OF PAY AND DISPLAY TICKET MACHINES

The committee considered a report that provided an update on recent pay and display machine trials and recommended the most appropriate course of action in implementing the planned replacement programme.

A report was presented to the Environment Committee on 15 May 2014 which provided a suggested programme for the replacement of pay and display machines throughout the

district. Subsequently, two suppliers of suitable pay and display machines were identified and provided trial machines that were installed on Shawcroft car park in September 2014. In addition, each supplier provided web links to their back office systems, in order that 'live' machine reporting systems could be assessed. Results of the trials were outlined in the report.

Both machines had been assessed in respect of ease of use for those with disabilities and were generally DDA compliant, and the Council would make such modifications as may be reasonably required to allow for the subsequent introduction of charges for Blue Badge holders. New machines would also be pre-programmed to provide badge holders with an additional hour over and above the purchased time, as previously highlighted within the parking review, at such time as Blue Badge charging is introduced.

With regard to the ESPO framework, the Metric 'Elite' had clearly emerged as the cheapest option. A summary of the proposed machine specification and comparable costs was given in Appendix 1 to the report and a summary of comparable usage during the 12 week trial period was given at appendix 2 to the report.

There would be additional costs (applicable to either supplier) in setting up a GPRS communication network and in establishing high level security protocols associated with credit/debit card transactions.

A total of 13 machines were to be purchased each year, over a rolling programme of 4 years, and ground-works associated with DDA compliance were to be undertaken in conjunction with the installations of each batch of new machines. The Council aimed to complete the works within that timescale, provided that the remaining 3 phases of DDA assessments were undertaken within the next 12 months.

It was moved by Councillor Geoff Stevens, MBE, seconded by Councillor Garry Purdy and

RESOLVED
(unanimously)

1. That the Metric Group be awarded the contract for the replacement of pay and display machines, as detailed within the body of the report.
2. That all pay and display machines be renewed within 2 years; and
3. That a programme of modifications to pay stations identified in DDA assessments be carried out and phased over 2 years.

246/14 – ITEM 10 – WIRKSWORTH NEIGHBOURHOOD PLAN

The Committee considered a report that set out the responses received during the statutory publicity period on the Wirksworth Neighbourhood Plan. The report also set out Officers' recommendations in respect of the contents of the Wirksworth Neighbourhood Plan, and its general conformity to the District Council's strategic policies.

This report had been presented to this Committee as an urgent item, instead of being presented to Corporate Committee, because of the need for the Wirksworth Neighbourhood Plan to proceed to the examination stage, and if successful at that stage for it to proceed to referendum on 7th May 2015.

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

Since the Parish of Wirksworth was designated as a Neighbourhood Area in December 2012, the Wirksworth Neighbourhood Plan Steering Group (on behalf of Wirksworth Town Council) had been undertaking consultation amongst the local community to determine the issues facing Wirksworth, and preparing the Wirksworth Neighbourhood Plan.

22 representations had been received from 16 individuals and organisations, as set out in the report.

A detailed review of the policies and proposals contained within the Wirksworth Neighbourhood Plan had been undertaken; this was attached as Appendix 1 to the report. It was recommended that the District Council's formal response to the plan, as set out in the report, was endorsed.

The District Council's recommended responses to consideration of each of the basic conditions were set out in the report. The next step was for the Wirksworth Neighbourhood Plan to be subject to an Examination, when an independent examiner would consider whether the basic conditions had been met; and subject to this, the next step was to proceed to referendum which, in the interests of expediency, was being programmed to be held on 7th May 2015 at the same time as the general and local elections.

It was moved by Councillor Jacquie Stevens, seconded by Councillor Jacque Bevan and

RESOLVED

1. That the representations received during the statutory publicity period for the Wirksworth Neighbourhood Plan, as set out in Section 2 of the report be noted, and forwarded to the examiner appointed to undertake the Examination of the Wirksworth Neighbourhood Plan.
2. That the comments made in respect of the policies and proposals contained within the Wirksworth Neighbourhood Plan set out in Section 3 of the report be endorsed and that they be forwarded to the examiner appointed to undertake the Examination of the Wirksworth Neighbourhood Plan.
3. That a further report be presented to the Corporate Committee that sets out the outcomes of the Examination in Public of the Wirksworth Neighbourhood Plan.

Voting:

For	13
Against	0
Abstentions	1

247/14 – ITEM 11 – FEES AND CHARGES 2014-15

Councillor Colin Swindell left the meeting at 7.30pm prior to discussion of this item.

The Committee considered a report that provided details of existing and recommended fees and charges for services provided by the Leisure, Parks and Environmental Health Services.

Due to contractual amendments made by the Public Health Service, it was required that District Councils and other providers enable customers to access the Active Health Referral scheme for free. A fee of £1.00 per person per session was previously offered, however as from the 1 December 2014 this service would be free of charge to the end user.

It was moved by Councillor Geoff Stevens, MBE, seconded by Councillor Tom Donnelly and

RESOLVED That the fees and charges recommended in Appendices 1, 2 and 3 (unanimously) attached are approved and implemented with effect from 1 April 2015 until 31 March 2016.

248/14 – ITEM 12 – LAND AND PROPERTY MATTERS – PROPOSED TRANSFER OF LAND FOR COMMUNITY PLAY AREA, WIRKSWORTH

Councillor Andrew Statham left the meeting at 7.40pm during discussion of this item.

The Committee considered a report that recommended the freehold transfer of an area of District Council owned land at Wash Green, Wirksworth to Wirksworth Town Council for use as a Children’s Play Area to be funded by grant aid and managed by Wirksworth Town Council.

The Town Council had secured £5,000 grant funding from Dales Housing Ltd. towards the development costs of the Play Area. Once developed, The Town Council would assume ongoing maintenance liability for the play area and the wider site including the culvert. It was proposed that the site shown edged in heavy black on the plan at Appendix 1 to the report be transferred freehold to Wirksworth Town Council subject to the payment of a consideration of £1 if demanded, with each party being responsible for its own legal costs. The proposed terms for the transfer of land at Wash Green Wirksworth constituted an undervalue transaction as permitted under the General Disposal Consent 2003.

It was moved by Councillor Judith Twigg, seconded by Councillor Steve Bull and

RESOLVED

1. That the terms outlined in paragraph 3.1 of the report for transferring the freehold of a site at Wash Green, Wirksworth as shown on the plan at Appendix 1 to the report to Wirksworth Town Council for use as a Children’s Play Area are agreed.
2. That each party will be responsible for its own legal costs.
3. That members note that this transfer comprises an undervalue transaction as permitted by the General Disposal Consent 2003.

Voting:
For 11
Against 0
Abstentions 1

249/14 – ITEM 13 – DERBYSHIRE LAW CENTRE

The Committee considered a report that set out a request for funding by the Derbyshire Law Centre to support their operation within the Derbyshire Dales.

Derbyshire Law Centre Limited (DLC) was a registered charity operating as a company limited by guarantee. The aim of DLC was to increase access to justice for disadvantaged communities by the provision of free legal advice, information and representation to individuals and groups within a specified area. Currently, DLC was working alongside the Citizens Advice Bureau (CAB) and had an active client base within the Derbyshire Dales, working primarily on employment, housing and debt services.

Locally DLC was funded by Derbyshire County Council, Bolsover and North East Derbyshire District Councils. A request for funding had recently been made to the District Council and to Amber Valley Borough Council, both in the sum of £15,000. Amber Valley had agreed to offer grant funding, but the actual amount was not yet known. Other local authority funders include Derbyshire County Council, Bolsover, North East and High Peak. If successful in their application for funding, the Company hoped to use the District Council's contribution to lever in additional funding from the larger funders, for example the Big Lottery Fund

A grant of £10,000 was recommended to be awarded in 2015/16. This would be on the basis of a one off commitment.

It was moved by Councillor Geoff Stevens, MBE, seconded by Councillor Jacque Bevan and

RESOLVED That a one-off grant of £10,000 be awarded to the Derbyshire Law
(unanimously) Centre in 2015/16.

250/14 – ITEM 14 – JUDICIAL REVIEW PROCEEDINGS – LAND AT CHESTNUT FARM, UPPERTOWN, BONSALE, DERBYSHIRE: PLANNING APPLICATION CODE 14/00398/FUL

This item constituted an extra item to the Agenda, which the Chair had agreed to accept as an item of urgent business that needed to be discussed and action noted before the next scheduled meeting of the natural committee.

The Committee considered a report that informed members that Judicial Review proceedings had been initiated against the Council's decision to grant planning permission for residential development on land at Chestnut Farm, Uppertown, Bonsall. In responding to these proceedings, Officers have, under delegated authority and following the receipt of Counsel's opinion, evaluated the risks to Council and, on a 'without prejudice' basis, have agreed to a Consent Order which quashes the planning permission.

It was moved by Councillor Garry Purdy, seconded by Councillor Jo Wild and

RESOLVED That the action taken in respect of the Judicial Review proceedings be noted.

MEETING CLOSED 7.54PM

CHAIRMAN