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COUNCIL

Minutes of a Council Meeting held on Thursday 25 July 2019 in the Council Chamber, Town Hall, Matlock at 6.00 pm.

PRESENT

Councillor Richard FitzHerbert - In the Chair

Councillors Jacqueline Allison, Robert Archer, Jason Atkin, Richard Bright, Matthew Buckler, Sue Bull, Martin Burfoot, Sue Burfoot, Neil Buttle, David Chapman, Tom Donnelly, Graham Elliott, Steve Flitter, Helen Froggatt, Chris Furness, Clare Gamble, Alyson Hill, Susan Hobson, Stuart Lees, Tony Morley, Michele Morley, Peter O'Brien, Joyce Pawley, Garry Purdy, Mike Ratcliffe, Lewis Rose OBE, Andrew Shirley, Peter Slack, Andrew Statham, Alasdair Sutton, Colin Swindell and Mark Wakeman.

Sandra Lamb (Head of Corporate Services), Tim Braund (Head of Regulatory Services), Steve Capes (Head of Regeneration and Policy), Karen Henriksen (Head of Resources), Mark Nash (Financial Services Manager), Jim Fearn (Communications and Marketing Manager) and Jackie Cullen (Committee Assistant).

Mr Gavin Barker – Mazars LLP
6 members of the public.

The meeting was recorded and broadcast live on YouTube.

APOLOGIES

Apologies for absence were received from Councillors Paul Cruise, David Hughes, Elisa McDonagh, Claire Raw, Mark Salt and Steve Wain.

77/19 – PUBLIC PARTICIPATION

Mr Frederick Burgess (local resident) made a statement on the Housing Delivery Action Plan for public consultation in respect of Agenda Item 14: HOUSING DELIVERY TEST, with particular reference to the 5% buffer on housing figures and acknowledgement of the effect of the Peak Park on housing target calculations;

Mr David Frederickson (local resident) made a statement on the anaerobic digestion of council collected food waste in respect of Agenda Item 19: CLIMATE CHANGE TASK GROUP, commending AD in place of composting in line with the Council's new Climate

Change Emergency Policy. Mr Frederickson advised the Council that an executive summary of Youlgreave Community Land Trust's report was available to Councillors on request;

Mr Peter Dobbs (local resident) made a statement on the Annual Status Report on Air Quality issued by the District Council, in respect of Agenda Item 19: CLIMATE CHANGE TASK GROUP, with particular reference to Nitrogen Oxide (NOX) monitoring on Buxton Road, Ashbourne. Mr Dobbs asked whether the Council would be declaring an Air Quality Management Area in respect of Buxton Road in accordance with DEFRA legislation.

78/19 - MINUTES

It was moved by Councillor Richard FitzHerbert, seconded by Councillor Andrew Shirley and

RESOLVED That the Minutes of the Annual meeting of the Derbyshire Dales
(unanimously) District Council held on 30 May 2019 be approved as a correct record.

The minutes were signed by the Chairman.

79/19 – LEADER'S ANNOUNCEMENTS

The Leader of the Council advised Members that together with the Chief Executive and Councillor Susan Hobson, he had recently attended the Local Government Association conference; he had attended an East Midlands Council event in Nottingham featuring Abellio Trains, who were due to take on the East Midlands franchise in August this year; and a meeting with Cllr Barry Lewis, Leader of Derbyshire County Council, and Mr Mike Ashworth Strategic Director, regarding the provision of a permanent traveller site and would report to the Community & Environment Committee in October. Cllr Purdy summarised the Head of Regulatory Services' progress report on the Council's new climate change initiative.

There were no announcements so no decision. Minute nos will need to be amended

80/19 – MAIDEN SPEECHES

Cllrs Stuart Lees, Mark Wakeman and Matthew Buckler presented their Maiden Speeches to the Council.

81/19 – COMMITTEES

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

RESOLVED That the non-exempt minutes of the Committees listed in the Minute
(unanimously) Book for the period 30 May 2019 to 16 July 2019 be received.

82/19 – QUESTIONS (RULE OF PROCEDURE 15)

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

"In light of the fact that Monsal Head has been without toilet facilities for over a year now, in conflict with The Local Plan, specifically; EC8, "Maintaining and where possible enhancing existing tourist, visitor cultural and recreational facilities" and "Strengthening the tourism role of the Plan Area by supporting and supplementing the tourism offer of the Peak District National Park", also, KI 7, 2.47 "Ensuring that existing leisure recreational opportunities....will

benefit the quality of life of both residents and visitors alike." and 7.36, "a strong visitor economy is therefore important to the economic health of the Derbyshire Dales.", aiming to "improve the quality of the visitor experience offered in the Derbyshire Dales", can the Leader update the council on any progress on this matter? In the meantime one of our iconic tourist hotspots is suffering an important loss of amenity."

Councillor Purdy gave the following response:

Strictly speaking, the District Council's Local Plan applies only to the Derbyshire Dales local planning area, but nevertheless the issue of the public conveniences at Monsal Head is an important one for the Council, which is why so much time and effort has been put into trying to negotiate a deal that would enable them to pass into alternative ownership and remain open. We are aware that considerable time has been spent on this issue and that so far it has not been possible to agree a deal that is acceptable to both parties. The default position in these circumstances was agreed at the Council meeting held on 30 April 2018 that the property should be placed on the open market for freehold sale at public auction. However, the negotiations remain in a delicate position and I believe that it is in all parties' interests to pursue these negotiations as far as possible before resorting to the sale of the asset.

Cllr Gamble thanked the Leader for his response and asked the following supplementary question:

When the deal arises, does the Council have a legal obligation to provide toilet facilities in perpetuity, even if the building were knocked down and re-built?

Cllr Purdy advised that he would speak to the Council's surveyor and provide an answer in due course.

(B) Councillor Sue Burfoot asked the following question of Councillor Garry Purdy, Leader of the Council:

"There appear to be a number of new social housing properties in Matlock offered either wholly for rent or shared ownership, which are completed but not occupied, some left vacant for several months. Can the District Council make enquiries of Waterloo Housing as to why these properties are being left unoccupied and if one of the reasons is that shared ownership is a problem? Does the Leader of the Council agree that such properties should be returned to wholly rented in order to help alleviate the shortage of much needed social housing for local families?"

Councillor Purdy provided the following response:

Shared ownership is an important form of affordable housing that allows residents to get a foot on the housing ladder and build their equity share in their home. The number of people able to access shared ownership is far smaller than affordable rent. Recent housing association and market housing schemes in Matlock have brought new shared ownership homes to the market. In relation to the housing association led scheme on the former golf club site, 19 shared ownership properties were built, 11 of these have completed sales, 1 more is reserved and 7 are unsold. On the developer led Thornberries site all 6 of the shared ownership units have sold, though the handover of the homes to the housing association was delayed while the developer completed various planning conditions. The District Council's Housing Team is working with Waterloo and Nottingham Community HA to support advertising of the homes and promotion locally. Converting shared ownership properties to rent and exploring other options is a matter for the housing associations concerned. More

grant or their own capital would be needed to change the finances of the scheme and due regard must be given to owners who have already bought a home and are expecting their neighbouring property to be sold rather than rented. Officers from the Housing Team will continue to work with housing associations and support them going forward so that all the remaining empty homes can be occupied.

Cllr Sue Burfoot thanked Cllr Purdy for his response and asked the following supplementary question:

Would the Leader of the Council agree that part of the problem with shared ownership was that the property valuations were inflated? With regard to this, would Cllr Purdy speak to Waterloo Housing with a view to finding out why this was the case?

Cllr Purdy agreed to speak with Waterloo Housing.

(C) Councillor Martin Burfoot asked the following question of Councillor Garry Purdy, Leader of the Council:

“Is the leadership of the Council aware of and if so embarrassed by the obvious neglect of streetscape maintenance in Matlock town centre? Residents have been expressing concern about the poor standard of weeding and even litter clearance by the District Council, especially around items of street furniture, and wish to see an enhanced level of maintenance. The present overgrown state of parts of Bakewell Road, for instance, offers visitors their first impression of Matlock as they approach the town. Does Cllr Purdy agree that this state of affairs is completely unsatisfactory, is a deterrent to future visits and disappointing to residents? Will the situation be addressed as a matter of urgency?”

Councillor Purdy provided the following response:

The Leadership of the Council is aware of the initial delay in starting the weed spraying this year, but this work has now taken place (10 & 11 July). The spraying of the weeds is shortly followed by the removal weeds and debris, which we are currently in the process of doing. This approach is no different to previous years.

Our Clean and Green Team visit the town centre on Mondays and Fridays, as they have done for the last 5 years. The team are equipped with a mechanical road and channel sweeper, a mechanical footpath sweeper and a hand crew, who are responsible for sweeping, litter picking and general cleaning duties.

Members may not agree with the level of service previously approved by Members in 2014, and this is something I am currently discussing with officers, but to say there is obvious neglect is incorrect.

In the last month we have received a total of one complaint that relates to the points raised in Cllr Burfoot’s question. Although we would prefer to not receive any, given the high number of visitors to the area and high level of civic pride our residents and businesses have, I think we need to keep it in context. Our staff take great pride in their work, as Members will have seen from the recent Green Flag award, and I think we should be showing greater encouragement and support of the work they do.

Cllr Martin Burfoot thanked Cllr Purdy for his response, and asked the following supplementary question:

Does the team have a regular maintenance schedule, and could some attention be given to the outside of the bus station (overgrown ash trees) and the Broadwalk tunnel in Darley Dale?

Cllr Purdy advised that he would take the matter up with the **Head of Community and Environmental Services** and that he would walk around the Matlock area to assess the situation.

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

“What assessment and preparation has the DDDC undertaken to deal with the event of a no deal Brexit / disruptive exit from the EU?”

Councillor Purdy gave the following response:

In common with other issues relating to contingency planning, the Council’s preparations relating to the UK exit from the European Union are being coordinated through the Derbyshire Local Resilience Forum. This forum is chaired by the Deputy Chief Constable of Derbyshire Constabulary and facilitated by Derbyshire County Council’s Emergency Planning Team.

Under the terms of the Council’s Business Continuity Plan officers have been involved in the planning, training and exercising that has been coordinated through the LRF. In addition to its own preparations the Council has helped to promote Government guidance to business on preparing for EU exit through its website.

Cllr Gamble thanked Cllr Purdy for his response, and asked the following supplementary question:

With specific reference to this Council, has the Council identified any funding from EU sources that may result in a shortfall, and does the Council have the necessary staff to assess this information?

Cllr Purdy replied that the Council are advised that disclosure of specific plans around the subject of EU exit may undermine the effective conduct of public affairs and therefore no details of any such plans, should they exist, may be disclosed.

83/19 – EXTERNAL AUDITOR’S COMPLETION REPORT FOR YEAR ENDED 31 MARCH 2019

Mr Gavin Barker of Mazars LLP (external auditors) presented a report to Council that summarised the key findings arising from their work in relation to the Authority’s 2018/19 financial statements and the work to support the external auditor’s 2018/19 conclusion on the Authority’s arrangements to secure economy, efficiency and effectiveness in its use of resources (‘Value For Money conclusion’).

A copy of the report was attached at Appendix 1 to the report. As the statutory deadline was 31 July and the audit had only recently been concluded, the report was presented to full Council, rather than the Governance and Resources Committee as was customary.

The key issues in the audit completion report were listed in paragraph 1.2 of the report and the external auditor anticipated issuing an unqualified value for money conclusion, having not identified any matters that would require the issue of a public interest report.

It was moved by Councillor Sue Bull, seconded by Councillor David Chapman and

RESOLVED That the External Auditor’s “Audit Completion Report for the year
(unanimously) ended 31 March 2019” is noted.

84/19 – LETTER OF REPRESENTATION 2018/19

The Council considered the draft Letter of Representation as part of their responsibility for approving the financial statements, in accordance with the International Standard on Auditing (U.K. & Ireland) 580 (ISA 580).

The Head of Resources’ Letter of Representation had been prepared in consultation with members of the Council’s Corporate Leadership Team, and the draft contents had been discussed with the External Auditor in accordance with guidance given in ISA 580. The Letter of Representation was attached as Appendix 1 to the report, and it contained no matters of concern which needed to be brought to the attention of Members.

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

RESOLVED That the draft Letter of Representation be endorsed for signature.
(unanimously)

85/19 – STATEMENT OF ACCOUNTS 2018/19

The Council considered a report that provided interpretation of the Statement of Accounts for 2018/19; highlighted the key issues, and requested approval of the Statement of Accounts for 2018/19 (distributed with the report) that had been had been audited by the Council’s External Auditors, Mazars LLP. Some minor changes had been made to the Statement of Accounts in order to address issues identified during the audit; however the overall financial position remained the same as that reported to Council on 30 May 2019.

The Audit Opinion would be issued after the Council had approved the Statement of Accounts and Letter of Representation. As the statutory deadline for the approval of the 2018/19 financial statements was 31 July and the audit had only recently been concluded, the report was presented to full Council, rather than the Governance and Resources Committee, as was customary. The Accounts and Audit Regulations stated that the accounts must be prepared in accordance with “proper practices”, as defined under The Local Government Act 2003 and reproduced in the report.

The Council’s accounts had been prepared to comply with proper practices, as demonstrated by the satisfactory completion of the external audit of the accounts. Compliance could also be checked by reviewing the Statement of Accounts against the Audit Commission’s Aide Memoire, which was included as Appendix 1 to the report.

It was moved by Councillor Sue Bull, seconded by Councillor David Chapman and

RESOLVED That the Statement of Accounts for 2018/19 is approved
(Unanimous)

86/19 – CORPORATE PEER CHALLENGE

Council was requested to endorse a Corporate Peer Challenge to be undertaken in partnership with the Local Government Association. This would consider 5 core components and high level questions, as listed below and detailed in the report:

- Understanding of the local place and priority setting
- Leadership of Place
- Financial planning and viability
- Organisational leadership and governance
- Capacity to deliver

Preliminary discussions had taken place with the LGA and (subject to Council approval) a provisional programme had been agreed for the corporate peer challenge to take place for 3 days on 22nd – 24th October 2019 with the composition of the peer challenge team as set out in paragraph 3.2 of the report. It was hoped that feedback from the Peer team would help Members and the Corporate Leadership Team work together on agreeing a clear and focussed strategic approach to the future which maximised the Council's resources and capacity towards the delivery of the Council's priorities.

It was moved by Councillor Peter Slack, seconded by Councillor Chris Furness and

RESOLVED
(unanimously)

1. That Council agrees to participate in a Corporate Peer Challenge to be undertaken in partnership with the Local Government Association;
2. That authority be delegated to the Chief Executive to agree a programme of on-site activity with the Local Government Association Peer Challenge Manager.

87/19 – HOUSING DELIVERY TEST

The Council considered a report that set out the results of the Government's Housing Delivery Test for the Derbyshire Dales and provided a commentary upon the current position with regard to housing delivery in the district. It recommended the preparation of a non-statutory Housing Delivery Action Plan, for which authority was sought for public consultation prior to further consideration by Members.

The Housing Delivery Test (HDT) was an annual measurement of housing delivery for a local planning authority, as set out in the report. The HDT Measurement Rule Book published by the Government in July 2018 set out in detail the methodology used for calculating the HDT. The results of the HDT for Derbyshire Dales originally published in February 2019 indicated an HDT measurement of 93%, as explained in the report. However, the delivery figures published did not include 76 residential units delivered within the Peak District National Park over the same period, resulting in an amended HDT score of 104% (674 dwellings delivered against a requirement to deliver 646). There was, therefore, no requirement to prepare and submit to MHCLG a formal Housing Delivery Action Plan; nevertheless, the District Council's Place Shaping Hub had suggested that this should be undertaken, setting out how the District Council would seek to maintain an adequate level of housing.

The NPPF requirement for a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing development was set out in the report. In line with this, the District Council had been able to demonstrate to the Inspector who held the

Examination in Public of the Derbyshire Dales Local Plan in 2017 that the district did have a five year supply of land for housing. The key priorities indicated in the February 2019 NPPF for sites that were to be considered deliverable were set out in the report.

An appeal into the refusal of planning permission for a site adjacent to Les Ardennes in Hlland Ward, that brought into question the Council's five-year supply of land for housing, focussed on the extent to which the District Council was able to produce "clear evidence" of a five year supply of deliverable sites. For reasons set out in the report, the Inspector concluded there was only sufficient clear evidence to demonstrate that the district had a deliverable housing land supply equating to approximately 4.92 years. Although the appeal was subsequently dismissed, the Inspector's conclusions had set a new precedent about the extent of evidence required for residential development sites in Derbyshire Dales to contribute towards its five year supply of land for housing.

Following this year's housing completion and commitments data monitoring, an assessment of the District Council's current five year supply of land for housing had been undertaken, taking into account the Inspector's conclusions about the extent of clear evidence on the deliverability of potential residential development sites across Derbyshire Dales. (See Table 1 in the main body of the report.) This assessment suggested that the District Council currently had the equivalent of **5.75 years**' worth of supply – which included a 5% buffer to ensure choice and competition in the market, as required in the NPPF. The potential trajectory over the next five years of the realistic delivery rates for all appropriate sites was illustrated in Table 2.

Although it was difficult to accurately assess the District Council's future five year supply position, because there were so many variables which could not be accounted for, an estimate of the position of the five year supply as at April 2020 and April 2021 suggested that the District Council could continue to demonstrate a five year supply of deliverable land for housing in both future years (5.77 & 5.85 years respectfully), as qualified in the report.

In response to a query from one of the public speakers regarding the buffer on housing target calculations, the Head of Regeneration and Policy advised that if an authority passed the Housing Delivery Test the buffer could be 5%; if it failed the test, the buffer should be 20%.

The monitoring of housing completions for 2018/19 had been completed, and the current situation regarding housing delivery was set out in section 3 of the report. It was noted that 394 net completions over the period 1st April 2018 to 31st March 2019 was the highest achieved in Derbyshire Dales for at least the past 30 years.

Table 3 illustrated the potential future HDT measurement in the Derbyshire Dales, based on the delivery data estimates in Table 2 in the report.

Officer conclusions and proposed next steps were set out in Section 4 of the report. It was considered that a Derbyshire Dales Housing Delivery Action Plan should follow a similar approach to the draft Housing Delivery Action Plans published by the Planning Advisory Service, as shown in the report, together with the potential actions listed in paragraph 4.6 of the report. The final published version of the Housing Delivery Action Plan would be made publically available.

It was recommended that Members approve in principle the preparation of a Housing Delivery Action Plan, broadly in line with the format set out in Paragraphs 4.5 and 4.6 of the report; that the draft Action Plan be subject to public consultation; and that a further

report be presented to Council (which set out the details of public consultation) prior to adoption.

In accordance with Rule of Procedure 19 (d) Councillor Steve Flitter and Councillor Jason Atkin requested a recorded vote on this item.

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

RESOLVED

1. That a Housing Delivery Action Plan is prepared in the terms as set out in section 4 below;
2. That the Head of Regeneration and Policy be given delegated authority to consult on the Housing Delivery Action Plan
3. That the results of the public consultation be reported to further meeting of Council, prior to the adoption of the Housing Delivery Action Plan.

Voting:

For

Councillors Jason Atkin, Richard Bright, Matthew Buckler, Sue Bull, David Chapman, Tom Donnelly, Graham Elliott, Richard FitzHerbert, Helen Froggatt, Chris Furness, Alyson Hill, Susan Hobson, Stuart Lees, Tony Morley, Michele Morley, Garry Purdy, Lewis Rose OBE, Andrew Shirley, Andrew Statham, Alasdair Sutton and Mark Wakeman. (21)

Against

Councillors Robert Archer, Martin Burfoot, Sue Burfoot, Steve Flitter and Peter O'Brien. (5)

Abstentions

Councillors Jacqueline Allison, Neil Buttle, Clare Gamble, Joyce Pawley, Mike Ratcliffe, Peter Slack and Colin Swindell. (7)

The Chairman declared the motion CARRIED.

88/19 – DATA MATCHING EXERCISE FOR COUNCIL TAX AND NON-DOMESTIC RATES

The Council considered a report on the outcome of a data matching exercise, which sought approval for an approach relating to amounts due for historic cases that had been identified as part of the data matching exercise, for reasons explained in the report. Some properties had been identified on the LLPG that had never been included on the VOA's property databases or the Council's Council Tax or Non-Domestic Rates systems, all of which were being investigated.

Whilst there was no limitation on the time the Council could recover a council tax debt, regulations stated that the Council Tax Demand Notice (the bill) "is to be served as soon as practicable" and where this was not the case the Council should consider whether this had "occasioned some procedural or substantive prejudice" to the council tax payer. Further, the Council should also conduct a balancing exercise between the "public interest" (i.e. the duty to collect council tax) and the "injustice caused" to the tax payer by the delay. Case law suggested that the Council should consider the individual circumstances of each case, and an approach to backdated liabilities was proposed in the report.

As the Council had not raised these bills previously, and therefore had not accounted for the income, the write-off would make no difference to the previous years' accounts. Best practice was explained in the report, and as most of these write-offs would be for amounts over £1500, the Head of Resources sought delegated authority for such write-offs up to £5,000; this would

require an amendment to Financial Regulations and a recommendation to that effect was made.

It was recommended that consultation on the proposals should take place with major preceptors and with the Citizens' Advice Bureau or other debt advice agencies. Should there be any objections, these would be reported to a future meeting of Council.

An equality impact assessment (EIA) had been prepared and was attached at Appendix 1 to the report.

It was moved by Councillor Garry Purdy, seconded by Councillor Jason Atkin and

RESOLVED
(unanimously)

1. The Council is recommended to approve the approach detailed in 3.1 of the report when considering whether and how much of any backdated Council Tax or National Non-Domestic rates are recovered, subject to recommendation 2;
2. That, if the Council receives adverse comments from consultation with the Citizens Advice Bureau (CAB) and major preceptors, a further report on the options will be brought before the next Council meeting for consideration;
3. That Council is recommended to delegate authority to the Head of Resources by way of amendment to Financial Regulation B7 (a) to write off of any amounts of council tax or non-domestic rates not exceeding £5,000 per case that the above approach deems non-collectable.

89/19 – DRAFT SUPPLEMENTARY PLANNING DOCUMENT – DEVELOPER CONTRIBUTIONS

The Council considered a draft Developer Contributions Supplementary Planning Document (SPD) that would have statutory weight and would provide guidance on the type and nature of financial contributions to be sought from development for the provision of infrastructure. The report sought Members' approval for a period of public consultation on the draft SPD prior to its intended adoption.

Planning obligations must comply with the legal tests set out in Regulation 122(2) of the Community Infrastructure Levy (CIL) Regulations 2010 (as amended). Section 106 agreements may only constitute a reason for granting planning permission for a development where they met the following tests:

- (a) Necessary to make the development acceptable in planning terms;
- (b) Directly related to the development; and
- (c) Fairly and reasonably related in scale and kind to the development

The purpose of Supplementary Planning Documents (SPDs) was to complement planning policy, and provide greater detail about the operation of adopted policy than was normally possible in a Local Plan, as explained in the report. It also set out the basis of the calculation for financial contributions and obligations to be sought from development for the provision of infrastructure necessary to support development. A copy of the draft Developer Contributions Supplementary Planning Document was set out in Appendix 1 to the report.

Reflecting the Infrastructure Delivery Plan prepared during the preparation of the Local Plan, and more recent national policy guidance, the draft SPD prioritised the infrastructure necessary to support a sustainable and thriving Derbyshire Dales, as listed below and

described in more detail in the body of the report, with proposals set out in more detail in the draft SPD in Appendix 1 to the report.

- *Affordable Housing* – **high priority** infrastructure requirement, reflecting high house prices and low incomes across the district
- *Broadband* – **high priority** infrastructure requirement, reflecting comparatively poor provision in the district
- *Tackling Climate Change* – **high priority** infrastructure requirement, reflecting the declared Climate Emergency
- *Traffic and Transportation* – where necessitated to make new development acceptable
- *Health and Wellbeing* – where necessitated to make new development acceptable
- *Education* – where necessitated to make new development acceptable
- *Open Space, Sport and Recreation* – where necessitated to make new development acceptable

To enable the Draft Developer Contributions SPD to have statutory weight and accord with the District Council's Statement of Community Involvement (SCI), a minimum period of four weeks' public consultation was necessary, to be accompanied by a consultation statement as described in the report and reproduced in Appendix 2 to the report. There was no requirement for an Examination in Public.

Given the forthcoming summer period, so as not to disenfranchise anyone from participating, it was recommended that a six week period of public consultation be held from 5th August to 16th September 2019 along the lines set out in the report. All relevant documents would be made available on the District Council's website.

It was moved by Councillor Garry Purdy, seconded by Councillor Jason Atkin and

RESOLVED
(unanimously)

1. That a Members Workshop takes place prior to commencement of the public consultation;
2. That following the Workshop, the draft Developer Contributions Supplementary Planning Document (SPD), attached in Appendix 1 is subject to a period of six weeks' public consultation;
3. That, in the event that no objections are received during the public consultation, on the day after the consultation ends the Developer Contributions Supplementary Planning Document shall then be deemed adopted.
4. That, in the event of any substantive representations being received during the public consultation on the draft Developer Contributions Supplementary Planning Document, then the policy shall not be deemed adopted and a further report be presented for consideration of the representations received.

90/19 – MOTION TO CONTINUE

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

RESOLVED
(unanimously)

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

91/19 – REVIEW OF THE CIVIC CHAIRMAN PROTOCOL

At its meeting on 26 January 2017, Council agreed to revisions to the Protocol of the Use of the Civic Allowance. The review aimed to modernise the role of the Chairman of the District of the Derbyshire Dales (most commonly known as the Civic Chairman) and contribute to the overall savings target in terms of a reduction to the civic allowance. Council agreed to refresh the Protocol and to reduce the allowance by 10% over the following two financial years.

One outstanding decision of the Council from that Review (minute 354/16 refers) was “That the role of Civic Chairman be formally reviewed in 2019”

The topic was discussed informally at the recent Leaders Advisory Group, where participants agreed that the role could be modernised. This report addressed that issue whilst seeking to maintain the historical importance of the role.

The main points of the proposed revised protocol were:

- Expand upon the aims of the role by linking the ambassadorial role to the communities of the Derbyshire Dales and to focus the activities of the role within the Derbyshire Dales.
- Limit the use of the public purse for hospitality and to publish how the allowance has been spent
- Introduce a thematic approach to events organised by the Civic Chairman. This is not intended to restrict the Chairman in his/her choice of activity overall, but to offer an opportunity for at least one to have a corporate focus. For example the environmental theme links to the District Council’s commitment towards Climate Change and may provide an opportunity for the District Council to acknowledge, through the Civic Chairman, the achievements of groups and individuals in our communities.
- Provide a figurehead to the District Council’s commitment to Fair Trade
- To foster links with local schools to encourage participation in democracy by young people
- Recognise the commonly used name as better describing the role to an external audience by renaming it Civic Chairman, with Deputy Civic Chairman in support.

It was moved by Councillor Steve Flitter, seconded by Councillor Tony Morley and

RESOLVED
(unanimously)

1. That the revised Protocol set out in Appendix 1 to the report is approved;
2. That the role of Chairman of the District of the Derbyshire Dales is renamed Civic Chairman with immediate effect;
3. That the provision of a civic car is reviewed in September 2020.

92/19 – CHANGE TO MEMBERSHIP OF PLANNING COMMITTEE

Council were asked to confirm the appointment of a replacement Member of the Planning Committee.

At the Annual Council Meeting on 22 May Councillor Alasdair Sutton was appointed as a member of the Planning Committee, but was currently unable to fulfil that function. It was therefore proposed that Councillor Tom Donnelly be appointed in his place until the next Annual Meeting of the Council.

It was also proposed that Councillor Mark Salt be appointed as a substitute Member of the Planning Committee, in place of Councillor Donnelly who previously held that position.

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

RESOLVED
(unanimously)

1. That Councillor Tom Donnelly be appointed as a member of the Planning Committee in place of Councillor Alasdair Sutton.
2. That Councillor Mark Salt be appointed as a substitute member of the Planning Committee in place of Councillor Tom Donnelly.

93/19 – CLIMATE CHANGE TASK GROUP

Councillor Graham Elliott left the meeting at 8.56pm during discussion of this item.

Council considered a report asking for agreement of Terms of Reference for the formation and operation of a Climate Change Task Group, to further the decision taken by Council at its meeting on 30 May 2019 in declaring a Climate Emergency, (Minute No. 20/19 refers)

A Task Group was proposed to act as an advisory body to Council, to develop the District Council's thinking and actions required to deliver upon the resolution. Terms of Reference for that Group were attached to the report, and the aims were set out in the report, based on a remit which directed the Group to focus on the District Council becoming carbon neutral by 2030.

Political proportionality was not a statutory requirement, but was recommended in this case to ensure cross Council input and support, as set out in the report.

In response to the question asked by Mr Dobbs, public speaker, in respect of NOX monitoring, the Head of Regulatory Services advised that legislation required a detailed assessment, which would be undertaken prior to declaring an Air Quality Management Area, if applicable.

It was moved by Councillor Richard Bright, seconded by Councillor David Chapman and

RESOLVED
(unanimously)

1. That the Terms of Reference set out in the Appendix to the report are approved;
2. That the following nominations be accepted to serve on the Group until the next Annual Meeting of the Council, on the basis of political proportionality:

Conservative	Cllrs David Chapman, Richard Bright and Mark Salt
Liberal Democrat	Cllr David Hughes
Labour	Cllr Peter O'Brien
Green/Independent	tba

3. That attendance at formal meetings of the Task Group is classified as an Approved duty in terms of the Scheme of Members' Allowances.

94/19 – REFERRED ITEMS

The Council was asked to consider recommendations made by the Community and Environment Committee on 26 June 2019 and the Governance & Resources Committee, on 11 July 2019. The relevant minutes of the Community and Environment and Governance & Resources Committees were reproduced in full in the report, to assist Members' understanding of the issues involved, with the recommendation to be approved marked by an arrow (→).

43/19 – DERBYSHIRE DALES ECONOMIC PLAN UPDATE

It was moved by Councillor Helen Froggatt, seconded by Councillor Garry Purdy and

RESOLVED
(Unanimously)

→

1. Progress to date in delivering the Derbyshire Dales Economic Plan 2014-2019 is approved
2. Performance and spend of the Launchpad business start-up programme against contract is noted
3. Council be recommended to approve the revised expenditure programme as set out in section 5 of the report, and its financing from the Economic Development Reserve
4. A new Economic Plan is prepared for consideration at Council on 21 November 2019.

59/19 – CAPITAL PROGRAMME BID FOR MICROSOFT EXCHANGE SOFTWARE

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

RESOLVED
(unanimously)

→

1. That the business case for Microsoft Exchange software is approved.
2. That, subject to the approval of Recommendation 1, Council be requested to approve the inclusion of this project, estimated at £17,000, within the capital programme for 2019/20.

It was moved by Councillor Chris Furness, seconded by Councillor Helen Froggatt and

RESOLVED
(unanimously)

1. That the recommendation of the Community and Environment Committee on 26 June that, in relation to the Derbyshire Dales Economic Plan, the revised expenditure plan and its financing from the Economic Development Reserve, as reported to that Committee, be approved;
2. That a recommendation from the Governance and Resources Committee on 11 July' that the cost of Microsoft Exchange software, estimated at £17,000, be included within the capital programme for 2019/20, be approved

95/19 – SEALING OF DOCUMENTS

It was moved by Councillor Colin Swindell, seconded by Councillor Neil Buttle and

RESOLVED
(unanimously)

That the common seal of the Council be affixed to those documents, if any, required to complete transactions undertaken by Committees or by way of delegated authority to officers since the last meeting of the Council.

MEETING CLOSED 9.05PM

CHAIRMAN