**Minutes of Rodsley and Yeaveley Parish Council Meeting**

Held at 7.30 at Wyaston Village Hall

**Tuesday 5th January 2016**

**Present Councillors** R Nuttall (Chair)

D Larmer (Vice Chair) F Sills

H Watson

J Bates

C Fisher

Clerk, J Bailey

Ward Councillor, T Morley

Members of the Public, E Scotcher, L Millward, B Dias, S Cockeram

**Apologies:** County Cllr, S Bull

**Declaration of Members’ Interests.** There were none.

**Public Participation** Eugene Scotcher said that he had comments in regard to Item 11, Change of Use of Land behind The Westings. Namely that one of the concerns that had been raised was that it would open the floodgates to similar applications – he had been told by the enforcement officer that it was unlikely that other applications would be considered. As tenants Mr Scotcher said that they would be obliged to return the land to agricultural if they sold the property. They had also been told that they may have to erect a hedge if the application is allowed.

**1/16 Minutes of the Last Meeting** were ratified and signed by the Chair. This was proposed by Cllr Sills and seconded by Cllr Bates.

**2/16 Neighbourhood Watch.** There was nothing to report.

**3/16. Consultation on Planning Applications.** The Chair wrote to Paul Wilson, Corporate Director of Planning and Housing Services Department at Derbyshire Dales, on 14th November to complain about the lack of communication from the Planning Department on issues in our Parish. A less than satisfactory reply was received on 23rd November from Tim Braund, Head of Regulatory Services. Cllr Larmer said that Paul Wilson should have been the person to reply about the points raised in the letter. The meeting generally felt that there was no point in Parish Council making comments about applications when most of the time they were ignored and no explanation given as to the reason for this. Cllr Morley said that he would arrange a meeting with the planning authority to raise these issues on our behalf. He also suggested in future to copy any correspondence in to Dorcas Bunton.

**4/16 Planning Application, Demolition of Yeaveley Arms and Erection of 4 Dwellings.** **(Also Item 93/15).** We were first notified about this application in May 2015. Cllr Morley expressed an interest in knowing the Parish Council’s opinion. The Clerk gave him a photocopy of the submission sent to the Authority which states very clearly that the village object to change of use of the public house and further object to the outlined dwellings on several counts. Cllr Morley said that he would also look into why there was a delay in reaching a decision about this.

**5/16 Planning Application, Honeysuckle Farm, Rodsley, Partial Change of Use to Boarding Kennels. (Also Item 94/15).** A site visit was held on 1st December 2015 which was attended by the Clerk and Cllr Bates. The case officer, Chris Whitmore, explained that the kennels would be soundproofed and limited to 7 dogs, which would be exercised in pairs. Cllr Bates was invited to put forward Parish Council’s objections and he stated very clearly the main concern which was about what would happen if the chicken farm failed. The case officer said that any further extension of the mobile home could not be allowed for kennels only. To date there has been no decision made but Cllr Morley said there was some confusion at the meeting in the evening about the nature of dogs that would be accommodated.

**6/16 Planning Application, Honeysuckle Farm, Rodsley, Temporary Mobile Home for 3 more Years. (Also Item 95/15).** This was granted on condition that the mobile home should be removed and the land reinstated to its original condition by 8th September 2017. This means that the Authority took into consideration the fact that the time agreed originally had already over run by a year. **This item is closed.**

**7/16 Planning Application, Outline, Mushroom Farm, Rodsley Lane, Yeaveley. (Also Item 99/15).** A site visit was held on 1st December 2015 which was attended by the Clerk, Cllr Bates and Cllr Fisher. Main objections voiced by the planners was the lack of detail provided by the applicant and that it interfered with footpath 12. Questions were raised about a development of this size on the edge of the settlement (Yeaveley) and about the need for more affordable housing for locals. The Clerk was asked if a survey about this had been conducted. She replied “no” but pointed out that a property on Gravelly Bank Mews was trying to get an S106 order changed indicating that there was no need for more affordable housing in Yeaveley. She also added that Parish Council had no objections to the development as long as Footpath 12 was considered and reinstated/rerouted. The application has now been refused because - it would relate poorly to existing development and result in significant harm to the character and appearance of this part of the settlement. See Policies SF5 and NBE8 of the Adopted Local Plan (2005). Insufficient data has been provided about the existence of great crested newts (NBE5). The application makes no provision to affordable housing. **This item is closed.**

**8/16 Planning Application, The Westings, Change of Use of Land to the Rear of The Old School House from Agricultural to Domestic. (Also Item 100/15).** The information about this proposal had been circulated to the councillors and as they were unanimous in their objections the Clerk was able to send this information to the Authority accompanied by a summary of the reasons for this, The council has had strong representation from neighbours objecting to this application. The Council supports these representations and also **objects to the application.** If successful, this change of use would be permanently attached to this piece of land, irrespective of the length of any lease. Each of the houses in this area currently backs onto agricultural land. If successful, this application will change the outlook of these houses and in one case completely isolates one house from the agricultural land it previously overlooked Any garden buildings (sheds etc.) erected by the applicants (or by subsequent renters of the land in question) will be directly at the end or adjacent to the neighbours' gardens, further damaging their outlooks.  If this application is successful, then it sets a complex precedent with potential for the same, or a further applicants, to rent and change the use of land which reaches across the rears of a row of properties along Rodsley Lane The terms of the lease along with any agreement howsoever formed or covenanted are only ever between the lessor and lessee and can only be enforced by the lessor, hence a term such as not to “develop” the land in question could not be acted upon by a neighbour if “breached” and therefore can provide no comfort to them in respect of the further potential loss of amenity should the application succeed. While the council has sympathy with the applicant’s claim that their current garden is small, it also reflects that the size of the garden was significantly reduced by the substantial house extension recently added to the rear of the house. **In summary the Parish Council feel that allowing this to pass would set a precedent and therefore object unanimously to this application.** No decision has yet been made by the Authority.

**9/16 Discharge of S106 Planning Obligation Dated 2nd October 1990, to Remove Occupancy Restriction – 6, Gravelly Bank Mews, Yeaveley.** A courtesy email for information only – not for consultation was sent to Jacky. The owners want to have the restriction lifted in order to sell the property which they have been unable to sell because a qualifying buyer cannot be found. However the delegated decision to refuse this application was made on the grounds that the occupancy restriction still serves a useful purpose in providing small starter homes for local residents in accordance with national planning policy guidance. The Authority would have considered a ‘change’ to the policy. **This item is closed.**

**10/16.** **Transparency Fund for Smaller Authorities, Application Form.** The Clerk has filled out the form. The Parish Council can’t claim for items already in use prior to website being set up. Therefore the new printer/scanner that was required, the cost of the website and labour to do this amount to £180.13. The meeting unanimously agreed that this should be submitted. The Clerk will action this.

**11/16 BT Fibre Roll Out.** The Chair asked that we should, on behalf of the residents of the Parish, thank Sandy Matthews for his hard work in digital broadband in the past **–** which would appear nowto have borne fruit **-** and also Guy Field for taking over**.** In reply to an email sent by the Clerk to Robert Rowan, Digital Derbyshire Programme Manager, the following reply was received – ‘ In relation to your query, I can advise that BT and their subcontractors are currently surveying and laying the necessary infrastructure (ducts) within the area. At present, the timescales for fibre availability to the area is anticipated to be between September – December 2016. Should these timescales be brought forward, we will let you know.’ However Guy Field sent the following information as well - This means everyone in the village will have access to a new FIBRE telephone line into their property. It appears that we will be served directly from Ashbourne & no longer from the exchange (Cubley) which is at Alkmonton. At present it seems that the Cubley exchange will not get fibre   Personally, I think this is a very large undertaking by BT throughout the village but it will make us pretty “future proof”.    If it does happen we should be looking at substantial improvements in speeds (on paper).

Once this change to fibre has taken place it will be up to individual householders to decide whether they wish to pay the one-off connection fee (which we understand will be around £150 per connection) or to continue with the service they have. **This Item is Closed**

**12/16 Local Flooding Issues. (Also Item 102/15).** Cllr Larmer said that the culvert running underneath the end of the drive leading to Leasowes properties was blocked creating a backlog of water which then runs down the highway eroding the tarmac. CllrsSills and Bates also said that the culvert under the road near Rose Cottage on Park Lane was also blocked and similarly the culvert near the ‘Rodsley’sign under the road leading to Wyaston out of Rodsley was blocked causing the road to be flooded. The Clerk will report these 3 items to Highways.

**13/16 Highways Issues. (Also Item 103/15).**Thanks to photos taken by Cllr Bates, sent to the Clerk and forwarded to Highways they now know the area on the outskirts of Rodsley on the road leading to Wyaston needing attention. They are going to have the’ grip’ dug out and the job number for this is 2068847. This is the 3rd item listed in Local Flooding Issues.

**14/16 Footpath and Bridle Way Maintenance, including Yeaveley 12. (Also Item 106/15).** The Clerk contacted Peter J White, Rights of Way Officer, to join the new scheme and received acknowledgement. The Parish Council have tried to get Yeaveley 12 opened in the past and contacted footpath people to this effect. They say they cannot find the owner of the land where the footpath starts on Rodsley Lane. Cllr Bates has also been in contact with Lynn Taylor who said “Thank you for your enquiry reporting that the public footpath is blocked by an overgrown hedge and barbed wire by the finger post at the outskirts of Yeaveley on the Rodsley Road. I am sorry for the delay in responding back to your original enquiry, the Officer for this area has recently left the County Council and I’ve just taken over this area. I have inspected the footpath and can advise that the County Council is aware that this footpath has been severely obstructed for many years and that the finger post is pointing into the hedge on Rodsley Lane. The line of Yeaveley Footpath 12 is obstructed by a building and a number of garden fences, I’m afraid that it will require a legal diversion to an alternative route to be undertaken when landownership has been identified and when we have the resources available to process a diversion order.  **This item is temporarily closed.**

**15/16 The Precept for 2016/2017.** The Clerk received the forms and since they do not have to be returned until 31st January has requested that the sum of £2,900 (arrived at under Clerk’s Report at the last meeting) be officially confirmed. This was agreed unanimously. The Clerk will forward this to the Authority**. This item is closed.**

**16/16 Auditing Procedures for Smaller Authorities.** One important change is that from 2017 authorities with a turnover of below £25,000 will still be required to complete and publish an Annual Return, but will no longer be required to submit it for audit. Because the Parish Council precept is below £25,000 it was unanimously agreed that we should ‘opt out’ of the Sector Led Body Auto Procurement. The Clerk will action this. The Parish Council will then have to appoint an auditor before 31st December 2016. Cllr Larmer suggested that the credentials of our existing auditor be checked as to their suitability for this. The Clerk will action this.

**17/16 Auto Enrolment Training.** The Clerk attended the course at Bakewell and was provided with the means to download the data used for enrolment and given a pamphlet to guide her as to the parts needed to be filled in by a small authority such as ours. She will do this when the appropriate signal to do so is given.

**18/16 Clerk’s Report.** I attended a course run by DALC about the correct way to record minutes etc. Happy to report that I am doing it right.

**19/16 Financial Matters.** 15th Dec – online payment to DALC of £50 for Auto Enrolment Training 28th Dec – cheque no 000334 value £92.20 was paid to HMRCBank Statements were signed by Cllr WatsonStatement of Accounts as shown below were circulated and signed by Cllr Wats

**Summary of Accounts 2015 - 2016 December 31st**

Receipt Precept £ 2,900.00

Vat Repayment £ 32.07

Interest to end December £ 1.08

Total £ 2,933.15

Payments DALC Subscription £ 213.44

Petty Cash £ 67.77

Zurich Insurance £ 243.80

Book Case £ 29.99

Defib Case £ 209.88

Office Expenses £ 95.00

Clerk's Salary £ 1,106.01

HMRC £ 276.20

Training £ 90.00

DDDC Election Expenses £ 167.09

Room Hire Yeaveley Church £ 10.00

Norton Laptop security £ 29.99

Setting up Website £ 200.00

HP printer £ 60.99

First Aid Training £ 130.00

Total £ 2,930.16

Excess of Receipts over payments £2.99

Funds in Hand 1st April £4,655.23

**Total £4658.22**

Funds in Account 00117946 £ 759,27

Funds in Account 00054278 £3,863.91

Petty Cash £ 35.04

**Total £4,658.22**

**Signed. ………………………………………………………………….Date…………………………………….**

**Date of the Next Meeting Tuesday 1st March – there being no further business the meeting closed at 8.45.**

**Signed…………………………………………………………………………..Date……………………………………..**