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

Held at 7.30 at Wyaston Village Hall

 **Tuesday 3rd November 2015**

**Present Councillors** R Nuttall (Chair)

 D Larmer (Vice Chair) F Sills

 H Watson

 J Bates

 C Fisher

 Clerk, J Bailey

 County Councillor, S Bull

 PCSO, Gemma Darby

 Members of the Public, James Byrne, Vicky Scotcher, Linda Millward, Brian Dias

 **Apologies:** Ward Cllr T Morley

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

**Public Participation.** The Chair explained that this is the time when members of the public can state their reason for attendance and air their views on any item on the agenda, or, ask for an item to be placed on the agenda of the next meeting.The time allotted to public participation is 30 minutes and no one person may speak for more than 5 minutes. Once the meeting is underway that members of the public must not interrupt.

Vicky Scotcher wished to explain what was happening with regard to Item 13 on the Agenda, Possible Change of Use of Land to the Rear of The Old School House. She said that ‘ We have sought and agreed terms with the landowner to rent (not buy) the small parcel of land behind out house (rear of The Old School House) on an ongoing basis. The landowner has granted us permission to use the land for agricultural or domestic curtilage purposes. We have agreed, in writing, that we will not erect any type of "significant structures," or change the layout/landscape of the parcel of land. It may also be worth pointing out that it would not be in our best interests to make any type of significant change given that we are only renting the land! We are in the process of submitting a planning application for a Change of Land Use. Very specific details of the very limited use of the land will be provided. We have been in contact with the Derbyshire Dales Planning Authority who have acknowledged our intent and now assisting us with the application. An email had been received from Peter Breeze which read as follows,

‘We first became aware of the intentions of Mr & Mrs Scotcher when Vicky came to see us on the evening of 26th August. She advised that she had been trying to purchase the land behind our garden for approximately 5 years, but had now secured an initial lease for a year and that a fence was being erected across the field the following morning. This news came as a complete surprise. The following morning I did speak to Mr Scotcher and expressed my concern, but the fence was duly erected on the 27th August.

Later that same day, I contacted Derbyshire Dales Planning department for a view on what was happening and as I was expecting, was advised that the situation would only become of interest to them at such time as there was any obvious commencement of change of use from agricultural land to domestic purposes.

On the 5th October I was contacted by the Planning Department to say that they had actually been to view what was happening themselves which was certainly a surprise to us and as a result were intending to invite a planning application for change of use. For your information, since August, a washing line, some items of garden furniture and various items associated with pet rabbits have appeared.

In summary, frankly all the events have been a surprise, firstly the actions taken by the Scotchers and subsequently the action by the Planning Department. Whilst obviously we would have preferred none of this to happen and to retain our immediate proximity to the field, as I said to Mr Scotcher when we spoke back in August, we have no desire to fall out with anyone. This said, there is an impact on us and what is happening could set a precedent for others to acquire areas of the field and commence actions potentially deemed to be a change of use from agricultural land.’

**91/15. Minutes of the last meeting** were ratified and signed by the Chair. This was proposed by Cllr Larmer and seconded by Cllr Fisher.

**92/15**. **Neighbourhood Watch** PCSO Gemma Darby advised the meeting that there had been two aggravated burglaries in the area and that CID are investigating forensic leads. The police have also dropped leaflets on crime prevention tips and, with the help of the Ashbourne Telegraph are promoting shed alarms.

**93/15. Planning Application, Demolition of Yeaveley Arms and Erection of 4 Dwellings. (Also 77/15)** A bat survey has been conducted which showed that although bats did not actually emerge from the Yeaveley Arms they are present in the hedgerows nearby and forage in the area. There is no other information available on this application at the moment. Mr and Mrs Carroll sent the following message to the Clerk – ‘Myself and Sarah have been thinking about the Yeaveley Arms and had a bit of an idea. We feel it is a real shame to see it so run down and would love if something could be done with it to create a new community space. Our idea is having the main part of the pub as a house but the single stores at the side becoming a communal shop and cafe with spaces for parking, a children's play area and a shelter for the qegs children. Do you think this would be a possibility and the parish council might consider the idea. We would appreciate that there would need to be a covenant on the shop/cafe to ensure it benefits the village in the long term.’ This suggestion was discussed by the Parish Council who agreed that it was a good idea and that if someone could be persuaded to buy the pub and put the idea into operation then the PC would support it. However it was also pointed out that the Village Shop/Post Office had to close from lack of support. The Clerk will convey this result to Mr and Mrs Carroll.

**94/15. Planning Application, Honeysuckle Farm, Rodsley, Partial Change of Use to Boarding Kennels. (Also Item 78/15).** Andy Capes, the nearest resident, was approached by Mr and Mrs Calladine about having a noise monitor positioned near his property. He emailed the authority about this and received the following reply from the Case officer – ‘I can advise that the Local Planning Authority wrote to the applicant’s on the 20th August 2015 to advise that the level of information accompanying the above application was insufficient in being able to fully assess the extent to which nearby residents, including yourself, would be affected by the proposed development and requested that a noise survey be carried out given the nature of the proposed use. It would appear that the applicants have contacted you, presumably on the advice of their noise consultant, to set up a monitoring station within the grounds of your property as it is one of the closest residential properties to the site and you have raised concerns with regard to noise disturbance. The purpose of the monitoring station is to monitor background noise levels. This will then be assessed against the noise attributed with kennels of the size and nature proposed to assess whether any noise nuisance would result. The Local Planning Authority have not requested that the applicant contact you direct nor has it insisted that the survey be carried out within a 36 hour period. There is no requirement for you to allow the applicant to set up a monitor within the grounds of your property, however, it would help to assess the likely implications on the enjoyment of your property. Andy Capes comments with regard to this are – ‘I believe that they wanted a reading as close to our dogs as possible so that they could get as high a decibel reading as possible to insist to the council that this noise level to be currently in the area, all they would need is a spike single reading. And as sound obeys the inverse square law, double the distance and quarter the intensity, they would have wanted their data capture as close to our dog yard as possible. However I still don't see how a reading on our dog yard would correspond to 8 or 10 dogs in an echo-amplifier like their barn. Cllr Bates said that he had noticed on the planning portal site that the result of the noise survey said,

The kennels do not exist and so any assessment has been based on what may be considered as typical sound levels for a barking dog. Detailed information on dog barking sound levels is hard to come by and the data used and calculation methodology is considered to offer a worst case assessment. Assessments of dog barking sound levels are often assessed on a subjective basis by local authority environmental protection officers with reference to a statutory noise nuisance as defined in Part 3 of the 1990 Environmental Protection Act; in the absence of a specifically defined quantitative methodology and limiting criteria then the concerns over dog barking have been completed and discussed with reference to the credibility of impact assessment methodologies and criteria in:- • BS4142:1997; ‘Method for rating industrial noise in mixed residential and industrial areas’ • The World Health Organisation (WHO) ‘Guidelines for community noise-1999’ and/or BS8233:2014 ‘Guidance on sound insulation and noise reduction for buildings’ Of the above BS8233:2014 and the limits on internal and external sound levels at residential dwellings are considered to be the best indicator and assessment method under these circumstances. Accordingly this report concludes that for overnight boarding of up to 7 dogs in masonry built kennels and outside day time exercising at designated enclosed paddock areas will not lead to sound levels at the most sensitive residential receivers above those given in BS8233:2014. With the above assessment as evidence it is considered that the proposed boarding kennels and outside paddocks will not give rise to any significant change in the immediate area acoustic environment or justifiable complaints of dog barking as a source of noise nuisance at neighbouring residential dwellings. The results of these deliberations indicate, on balance, that dog barking sound levels need not be an issue in granting planning permission for the proposed boarding kennels and outside exercise paddocks.

**95/15. Planning Application, Honeysuckle Farm, Rodsley, Temporary Mobile Home for 3 more Years.** Cllr Bates pointed out that the agreement for this mobile home has already over run by one year. Therefore the meeting unanimously agreed that it would support an extension of 2 years to the agreement. The Clerk will inform the authority of this decision.

**96/15.** **Planning Application, The Old School, Yeaveley, Porch Extension. (Also Item 80/15).**This application has been granted on condition it is begun before the expiry of 3 years. **This item is Closed.**

**97/15. Planning Application, Corner Close Rodsley. (Also Item 81/15)**This application was granted with the following conditions. 1. It is begun before the expiry of three years. **2.** Notwithstanding the submitted details and prior to commencement samples of proposed materials are made available for inspection and written approval of authority. **3.** Notwithstanding the submitted details, drawn details at a scale of 1:10 of the roof structure to the store and oil tank and its method of attachment to the gable wall and existing boundary wall capping shall be submitted for written approval. **4.** Notwithstanding the submitted details, the proposed rooflights shall match the existing ones and be flush with the adjacent roofing material. Only a single additional rooflight is permitted at the eastern end to serve the upper floor en-suite. **5.** Prior to commencement, details of paint and stain colours to be submitted for approval. **6.** Any blocking of the window to the eastern gable (serving the new en-suite) to be internal and not alter any existing fabric of the window or its surround.

Cllr Sills said that she was appalled that the Parish Council’s comments seem to have been ignored and questioned whether local knowledge was now no longer going to be taken into consideration. There has not been a farm on the site for more than 25 years and cannot see why proposed roofing needed to look like a farm out building rather than the house it has been for the last 25 years. The Chair is going to write to Paul Wilson about this and other planning matters that have been granted in spite of disapproval by the Parish Council. **This Item is Closed.**

**98/15. Planning Application, The Priory, Yeaveley. (Also Item 82/15).** This application was granted with the following conditions. 1. It is begun before the expiry of 3 years and relates to revised documents **2.** Samples of materials and colours to be used submitted to and approved by the authority before commencing**.** 3. Ditto re doors and windows 4. No development to commence until detailed hard and soft landscaping has been approved – (here followed detailed description of planting boundaries and parking facilities. **This Item is Closed.**

**99/15. Planning Application, Outline, Mushroom Farm, Rodsley Lane, Yeaveley.** This application is for four dwellings on the site of the old mushroom farm. Footpath No 12 crosses this land and the meeting unanimously agreed that in principle there was no objection to this application but the owner could take the opportunity of reinstating the footpath, which is currently blocked off, while working on the development. The Clerk will inform the authority.

**100/15. Possible Change of Use of Land to the rear of The Old School House.** The Clerk received an email from Bryn Maw the enforcement officer which states– ‘ I have received information about a possible change of use of land at the rear of the above mentioned address. In the first instance, I have written to the owner inviting an application to regularise the situation. When an application is received, you will be notified in the usual way. **This item is temporarily closed until the application is received.**

**101/15. Website for Parish Council. (Also Item 83/15).** Our thanks go to Cllr Fisher who has successfully launched a website for us. This can be seen at [www.rodsleyandyeaveleypc.com](http://www.rodsleyandyeaveleypc.com). There is still more historical information to be added to the site but in future all the Parish Councils activities will be recorded. There only remains for Cllr Fisher to be reimbursed any cost incurred. The meeting unanimously agreed that this sum should be rounded up to £200.00. **This item is closed.**

**102/15. Local Flooding Issues. (Also Item 84/15).** There were no issues reported.

**103/15. Highways Issues. (Also Item 85/15).** Cllr Bull sent the following information- Repairs to the carriageway opposite Rodsleywood Farm have been completed on 17/09/15 under job number 2063298. Job number 2063300 to our All Roads Contractors. The works which remain are to tarmac the edge of the carriageway in the dip by the brook on Rodsley Lane Rodsley. These will take place in due course. Cllr Bull being present said that all works had now been completed. However Cllr Bates said that the area about 20m Rodsley side of the village sign for Rodsley on the Wyaston road on the offside of the road when travelling towards Wyaston was still in need of attention. The Clerk will inform Highways and copy Cllr Bull into the email.

**104/15. Further First Aid Training. (Also Item 87/15)** Apparently the evening was a huge success. In the absence of both the Clerk and The Chair Jerry Haynes welcomed and thanked Jilly Bland. The meeting agreed to send a cheque to her first responder team for £5. Also need to pay for the use of the room on both training occasions £10 on the 17th July and £20 On the 14th September – (out of funds given to PC for first aid training). Jilly left forms – ‘Essential Information for Emergency Teams’ – she suggested that a copy of these is kept in your fridge to help first responders if they have to come into your home. The Clerk will email copies to residents. **This Item is Closed.**

**105/15. Clarification of Issues Raised about The Airfield, Darley Moor.** The Clerk was approached by Cllr Andrew Shirley of Clifton and Bradley Ward by email – as follows –‘ I am currently trying to do some research into the use of Darley Moor Airfield for the flying of fixed wing aircraft. As you may be aware there is current quite a level of concern expressed by residents of Clifton and Thorpe who are suffering with constant overflights every weekend all weekend you the Tiger Moth and other vintage aircraft. I understand that historically Yeaveley Parish Council were quite involved, and in particular Mr Gordon Tandy from Hales Green. This related to an appeal against Certificate of Lawful use application in the 1990s regarding the use of the airfield for microlight so ( which has now become established). However as part of that appeal process there was also reference to the wider use of the airfield by other aircraft. I am unsure whether Mr Tandy is still around, or whether there is anything recorded in the minutes at that time, unfortunately DDDC have not retained the documentation on this issue - hence my email to you’. The Clerk has been through previous minutes and found a few references around 2003, the meeting agreed that these would be forwarded to Cllr Shirley. Cllr Bull told the meeting that Cllr Shirley had made contact with Mr Tandy. **This Item is Closed**

**106/15. Footpath and Bridleway Maintenance.** The County Council has operated a Town/Parish Council Minor Maintenance Agreement since the early 1950’s which provides funding to town/parish councils to undertake minor works to Public Footpaths and Bridleways in their area, based on the length of path within the town/parish. Out of the 204 town/parish Councils in Derbyshire, 156 are members of the current scheme which costs the County Council in the region of £42,000 per annum, depending on the value of the invoices received and the number of councils which choose to participate in any one year. The current scheme allows town/parish councils the opportunity to maintain some key routes but does not allow them to engage in a full range of work that has potential to bring greater benefit to the network and the community.  A review of the scheme has therefore been undertaken and it is proposed to terminate the existing arrangements and replace them with a revised scheme providing greater flexibility to work on the rights of way network.  The views of your Council on a revised scheme are now being sought.  I would be interested to know if your Council would enrol in this revised scheme to provide me with an indication of the level of interest. The key differences of the new scheme are as follows:

Funding up to £600 per annum for each town/parish would be made available, paid on a project basis rather than limited to the length of network within the town/parish.  Total budget for the scheme will increase from £42,000 to £67,000 per annum (subject to approval by Cabinet).

Ability to improve public paths with tarmacadam, concrete flagged or paved surfaces. This was excluded from the previous scheme.

Ability to erect signposts, stiles and gates on public footpaths, subject to the agreement and support of the local landowner and the County Council. This was not permitted under the previous scheme.

Ability to improve access and ease of use of rights of way for local community by encouraging greater partnership working with user groups such as walking, cycling and riding organisations. If this revised scheme is implemented, it is proposed that town/parish councils, which are currently signed up to a Minor Maintenance Agreement, are given priority to bid for funding in the first year.  Should additional funding be available, following the closing date for the submission of bids, then towns/parishes, not already members of the scheme, will be able to bid for the remaining funding or additional bids, from existing scheme members, will then be considered. The current scheme requires a notice period of six months, from either side, to terminate the Agreement.  If the County Council decides to proceed with the revised scheme, it is anticipated that the notice will be given to members of the current scheme to terminate the existing arrangements in the summer of 2016.

If your Council wishes to make any comments on the proposal, these should be made in writing to the Service Director for Transport and Environment, at Derbyshire County Council, County Hall, Matlock DE4 3AG, or via email to peterj.white@derbyshire.gov.uk, arriving no later than Friday 20 November 2015.

**107/15. Clerk’s Report. (Also Item 89/15).** Training session has been booked with DALC on 12th November (no charge) on Minutes and Procedures, also a training session on Auto Enrolment on the 26th November for which there is a fee. The meeting agreed that these should be attended.

Apologies to the meeting because I should have included the Precept for 2016 as an item on this agenda. I have prepared a chart of what I think the precept should be – this will have to be discussed at the next meeting, in January 2016, – however in the past the authority have wanted to know this information in December, so can this be looked at and agreed/disagreed in principle so that I can act if it is necessary? Suggest that £2,900, as requested last year, should suffice as there is a healthy balance in the deposit account. The meeting unanimously agreed.

 **108/15. Financial Matters. (Also Item 90/15)** Bank Statements were agreed and signed by Cllr Fisher Statement of Accounts were circulated and signed by Cllr Fisher. The Clerk’s Office Expenses £95 were agreed and will be paid online. Cllr Fisher to be reimbursed the sum of £200 for setting up the website – this was agreed and will be paid online Cheque number 000332 – value £50 payable to Mayfield and Ellastone First Responders was agreed and signed. Cheque number 000333 – value (£30) for hire of Village Hall for two first aid training sessions was agreed and signed Cheque number 000334 – value (approx. £92) payable to HMRC due in December was agreed and signed.

**The Date of the Next Meeting to be Tuesday 5th January**

**There being no further business the meeting closed at 9 pm.**