

CLAY CROSS PARISH COUNCIL

Minutes of Clay Cross Parish Council meeting held in the Clay Cross Parish Council office on Tuesday 22 September 2009 at 7.00pm.

Present: Councillor G Morley Chair
Councillor M Holmes Vice Chair

Councillor Mrs K M Holmes
Councillor J M Holmes
Councillor P Riggott

Councillor K G Savidge
Councillor D SKinner

Also Present: Chris & Muriel Pratt

Public Participation

Chris & Muriel introduced themselves and thanked the Parish Council for inviting them to attend this meeting. As residents of Marsh Green Lane, Chris & Muriel were requesting the support of Clay Cross Parish Council regarding the Byway Open To All Traffic (B.O.A.T) Order from A632 via Marsh Green to Moor Road, Ashover. Chris & Muriel explained that objections against the B.O.A.T had been submitted and despite winning the last inquiry into the status of this route they are now facing a second inquiry as Derbyshire County Council and motorised vehicle users try to overturn the Planning Inspectors previous decision.

Police Matters

Parish Clerk circulated Parish update for August/September 2000 and crime figures crime figures from 30 June 2009 to 28 July 2009.

County Councillor/District Councillor Attendance

Councillor P Riggott reported that with regard to the town centre development, GMI Rovinian want to move 1,000,000 tones of soil. Originally the plan was to move this soil through Grassmoor but there is no licence to do this so GMI Rovinian are now speaking to Maximus to stock pile this soil but a licence and planning permission is required; the plan is for the soil to remain in Clay Cross. GMI Rovinian still want Tesco open and trading for 2010.

As part of the town centre planning conditions £60,000 has been set aside for a work of art and a sculptor, Peter Mavis has been set on to help progress this issue. As a member of the committee, Councillor P Riggott stated that he has requested the people of Clay Cross are consulted and the sculptor is made of something from Clay Cross that represents Clay Cross.

PART I – PUBLIC BUSINESS

773/09 Apologies for Absence

Parish Clerk reported that Apologies for Absence had been received from Councillor A Jackson, Councillor E Mansbridge and Councillor B Wright.

774/09 Declaration of Interest

Councillor J M Holmes made the following declaration regarding his dual role on Planning matters. During this Parish Council meeting on Planning matters, I shall not be expressing a conclusive view on the applications and I give a declaration that I will be formally reconsidering the matters when I am in receipt of all the information at the District Council Planning Committee.

775/09 Exclusion of Public

To determine which items, if any, from Part I of the Agenda should be taken with the public excluded. ***Resolved That: no items be taken in exclusion.***

776/08 Minutes of Last Meeting

To receive Minutes and, subject to any changes necessary, to approve the Minutes of the meeting as a correct record. ***Resolved That: the Minutes of the Parish Council meeting held 28 July 2009 be approved and signed by Councillor G Morley, Chair.***

Work In Progress

Further to minute no **726/09** regarding Citizens Advice Bureau, Clay Cross branch. Councillor D Skinner expressed his concern that to date he has not been asked to attend any committee meetings or been invited to the branch for meet the Manager. Parish Clerk reported that no replies had been received to Parish Council letters dated 3 June 2009 and 26 August 2009 which had been hand delivered to the Clay Cross branch. **It was agreed that the Parish Clerk writes again to the branch Manager requesting he writes to the Parish Council with the latest information regarding this branch and the position of Councillor D Skinner on this organisations management committee.**

777/09 Reports from Representatives on Outside Bodies

With regard to the B.O.A.T and information presented by Chris & Muriel Pratt, the Parish Council agree with the views and will give any help necessary to support this campaign.

778/09 Report from Parish Footpath Inspectors

There were no Reports from Parish Footpath Inspectors.

779/09 Planning Matters

Councillor J M Holmes restated the following declaration regarding his dual role on Planning matters. During this Parish Council meeting on Planning matters, I shall not be expressing a conclusive view on the applications and I give a declaration that I will be formally reconsidering the matters when I am in receipt of all the information at the District Council Planning Committee.

Planning Application 09/00597/FL Retention of remedial work to retaining wall and patio area involving replacement of retaining wall, steps and railings and surface to patio area, alteration to rear embankment and proposed erection of canopy between toilet blocks at The George & Dragon, 175 High Street, Clay Cross. **The Parish Council note this planning application.**

Planning Application 09/00732/FL Amendment to approved housing scheme (06/01334/OL) relating to plots 33-38 and plots 43-53 (Major Development) at Plots 33-38 and 42-53 Furnace Hill, Clay Cross for George Wimpey (West Yorkshire). **The Parish Council object to this planning application on the grounds that what appears to be an increase in height of the properties will have a detrimental effect on the nearby residents of John Street and will renege on the conditions of the original planning permission.**

Planning Application 09/00318/AD Retention of internally illuminated fascia sign and projecting sign at 183 High Street, Clay Cross for Mr Waheed Ahmad. **The Parish Council note this planning application.**

Conditional Approval of Planning Application 09/00426/FL Application for variation of Condition 5 of planning approval 08/00695/FL for Clay Cross Town Centre Redevelopment to allow the construction of a Tesco environmental format store with associated amendments to retails 1 and 2 (Major Development) at Clay Cross Town Centre Redevelopment, Bridge Street, Clay Cross for GMI Rovinian Ltd. **The Parish Council note this conditional approval of planning application.**

Conditional Approval of Planning Application 09/00431/FLH Proposed single storey extension adaptation for disabled bathroom and wetroom at side of 37 Rock Crescent, Holmgate for Mr P Lowe. **The Parish Council note this conditional approval of planning application.**

Conditional Approval of Planning Application 09/00061/FL Change of use of land (retrospectively) from residential to residential and storage of a helicopter (within domestic cartilage) at Hollis Farm, Holmgate Road, Clay Cross for Mrs Karl Hayes. **The Parish Council note this conditional approval of planning application.**

Conditional Approval Subject to Section 106 Agreement of Planning Application 08/01085/OL Outline application (means of access submitted) for mixed use redevelopment of the former Bewater Works site off Derby Road (A61) to include housing (max 980 units), employment (B1 B2 B8 max 29,500 sqm), new vehicular access off Market Street (A6175), Derby

Road (A61) and Furnace Hill Road, public open space together with associated infrastructure + landscaping at the former Biwater Works, Furnace Hill + Derby Road (Major Development/Environmental Statement/Within 50m of Listed Building) (Departure from the Development Plan) for Cavendish Estates Ltd. **The Parish Council note this conditional approval of planning application.**

Conditional Approval of Planning Application 09/00352/FL Revised Scheme to 09/00048/FL for retention of extension to existing car park, escape stairway, 3 freestanding pole mounted floodlights and renewal of existing tarmac and concrete hard standing to block paving together with new access stairs to front at 69 Holmgate Road, Clay Cross for Dr Mohammed Skiekh. **The Parish Council note this conditional approval of planning application.**

Conditional Approval of Planning Application 09/00574/FLH Proposed conversation to rear at 7 Vicarage Gardens, Clay Cross for Mr Alan Wilkinson. **The Parish Council note this conditional approval of planning application.**

Conditional Approval of Planning Application 09/00611/AD Retention of two illuminated projecting signs at 4A Eyre Street, Clay Cross for Mr Asif Hussain. **The Parish Council note this conditional approval of planning application.**

Conditional Approval of Planning Application 09/00557/FLH Erection of pitched roofed garage extension at Holdenby House, Linden Court, Clay Cross for Mr C Macmillan. **The Parish Council note this conditional approval of planning application.**

Conditional Approval of Planning Application 09/00558/FL Retention of single storey extension on site of previously approved 2 storey extension to rear of Care Home at 23 High Street, Clay Cross for Kingsfield Care Home. **The Parish Council note this conditional approval of planning application.**

Conditional Approval of Planning Application 09/00555/FL Change of use of first floor flat to hair and beauty salon at 173 High Street, Clay Cross for Mrs B Bromley. **The Parish Council note this conditional approval of planning application.**

Conditional Approval of Planning Application 09/00404/LFH Proposed loft conversion with dormer windows front and rear and additional velux type window to front at 18 Cooke Close, Old Tupton for Mr J Booth. **The Parish Council note this conditional approval of planning application.**

Conditional Approval of Planning Application 09/00359/AD Retention of hairdressing fascia sign (2.9m x 4.8m) (non illuminated) at 2 John Street, Clay Cross for Mrs G Fern. **The Parish Council note this conditional approval of planning application.**

Refusal of Planning Application 09/00359/AD Advertisement consent to installation of free standing metal sign (1.8m x 1.2m) (non-illuminated)

(within 50m of a listed building) at St Bartholomews Church, High Street, Clay Cross for Mr Paul Andrews. **The Parish Council note this refusal of planning application.**

Refusal of Planning Application 08/01199/FL Conversion of existing shop and two bedroom flat into 2 x 1 bedroom apartments and 2 x 2 bedroom apartments (Further Amended Title) (Amended Plan) at 173 High Street, Clay Cross for Mr Martin Birkinshaw. **The Parish Council note this refusal of planning application.**

Refusal of Planning Application 09/00403/FLH Two storey rear extension at 12 Bradwell Grove, Danesmoor for Mr Stuart Naylor. **The Parish Council note this refusal of planning application.**

Refusal of Planning Application 09/00762/FL Erection of 56m length of 2.4m high security mesh fencing with 2 no. 2.4m pedestrian gates and an electronic gate at Clay Cross Police Station, Pilsley Road, Danesmoor for Derbyshire Constabulary. **The Parish Council note this refusal of planning application.**

Refusal of Planning Application 09/00438/FL Retention of pagoda for use by smokers at The Woodthorpe Inn, Coupe Lane, Old Tupton for Miss Jade Hendon. **The Parish Council note this refusal of planning application.**

780/09 Street Scene Matters

To receive the Minutes of the Street Scene Working Group meeting held 3 September 2009 and to receive recommendations for resolution.
Resolved That:

- 1. the Minutes of the Street Scene Working Group meeting held 3 September 2009 be approved and signed by Councillor G Morley, Chair***
- 2. members of the Street Scene Working Group meet with representatives from North East Derbyshire District Council and GMI Rovinian to negotiate the request that the Parish Council take on the maintenance of the new town centre public toilet block and bus station shelters***
- 3. a cctv survey of the culvert alongside no. 2 Meadow Cottages, Clay Cross is carried out at a cost of £600 plus vat***

Work In Progress

Further to minute no **458/99** regarding Bevan Road play area. Parish Clerk reported that an email has been received from James Wilcox of Lovell Homes confirming that planning application for the proposed relocation of the play equipment to Bevan Road and the Section 106 Agreement reflecting the change have been submitted to District Council Planning (Charlotte Stainton).

Further to minute no **134/04** regarding the Multi Use Games Area on Parish Council owned land at North Street, Holmgate. Parish Clerk reported that this matter has still not been progressed despite numerous letters being sent to BRM Solicitors. ***Resolved That: the Parish Clerk write to BRM Solicitors giving them seven working days notice to move progress with this matter or the Parish Council will terminate instructions and move to Bilton Hammond Solicitors.***

Further to minute no **736/09** regarding Central Networks Substation on Parish Council owned land at Clay Lane, Clay Cross. Parish Clerk reported that Mark Bilton from Bilton Hammond Solicitors collected the Deeds for this land on 17 September 2009 and has advised that the leasehold agreement should not take too long.

781/09 Cemetery Matters

To receive the Minutes of the Cemetery Working Group meeting held 16 September 2009. ***Resolved That:***

- 1. the Minutes of the Cemetery Working Group meeting held 16 September 2009 be approved and signed by Councillor G Morley, Chair***
- 2. the recommendations of the Cemetery Working Group be resolved as approved (circulated)***
- 3. the Parish Clerk make enquiries with our insurers, Zurich Municipal to ascertain if the damage is covered if not, Parish Council to accept responsibility and Hoult's Memorials to carry out work to replace the damaged Martin headstone at a cost of £854.35 plus vat***

Work In Progress

Further to minute no **767/09** regarding PAT Testing. Parish Clerk reported that Overton Electrical Services carried out the testing of all electrical items on 4 August 2009 at a cost of £81.60 plus vat.

782/09 Social Centre Matters

To receive the Minutes of the Social Centre Working Group meeting held 11 September 2009 and to receive recommendations for resolution. ***Resolved That:***

- 1. the Minutes of the Social Centre Working Group meeting held 11 September 2009 be approved and signed by Councillor G Morley, Chair***
- 2. Holymoorside Band are booked to appear at the Social Centre on Friday 18 December 2009 at a cost of £200; tickets for this event to be sold at £4 and £3 Senior Citizens***

- 3. T Nutt & Sons supply and fit heavy contract fibre carpet in the new Social Centre link corridor at a cost of £378 plus vat**

Work In Progress

Parish Clerk reported that there was no Work In Progress.

783/09 Finance Matters

Councillor J M Holmes, Chair of the Finance Sub-Committee gave a resume of details discussed at meeting held 16 September 2009.

Resolved That:

- 1. the monthly statement for the month of July 2009 and August 2009 be accepted and signed by Councillor G Morley, Chair**
- 2. the expenditure and income against budget report for the month of July 2009 and August 2009 be accepted and signed by Councillor G Morley, Chair**
- 3. the following donations to local organisations for the fiscal year 2009/10 are approved and that the annual presentation evening is held Thursday 3 December 2009 at Clay Cross Social Centre. Irene Lindley to provide buffet at £4 per head:**

	£
Derbyshire Unemployed Workers Centre	500.00
NEDDC Chairs Appeal (Bluebell Wood Childrens Hospice)	300.00
Clay Cross Squadron Air Cadets	250.00
Clay Cross & District Handi-cap Club	200.00
Holmgate Friendly Club	200.00
Clay Cross Cricket Club	150.00
Clay Cross Works Cricket Club	100.00
Holmgate Tenant & Resident Group	100.00
The Coalboard NHW Action Group	100.00
Community of Christ	100.00
Clay Cross & Danesmoor Junior Football Club F.C	100.00
Holmgate Community Centre	100.00
Marx Court Social Club	100.00
Holmgate & Clay Cross Tai Chi Group	100.00
Clay Cross Darby & Joan Club	100.00
Danesmoor Darby & Joan Club	100.00
Holmgate Darby & Joan Club	100.00
Relate Chesterfield & North Derbyshire	50.00
Clay Cross Model Railway Society	50.00
St Barnabas Pre-School	50.00
Sharley Park Mens Bowls Club	50.00
The Woodthorpe Inn Skittles Team	50.00

4. **the Parish Council go ahead with the proposed town centre Christmas lighting scheme prepared by Blachere Illuminations, at a cost of £13,500 plus vat**

5. **the under mentioned payments be authorised:**

CXPC Staff Wages (Tax Weeks 22 - 24)	£3,909.00
Post Office Ltd (Inland Revenue NI & Tax for August)	£1,592.30
DCC Superannuation (Pension Contributions for August)	£1,431.61
Zurich Municipal (Parish insurance for year to 30.6.10)	£8,041.40
NEDDC (Social Centre Rates for September)	£1,006.00
NEDDC (Cemetery Rates for September)	£201.00
NEDDC (Public Conveniences Rates for September)	£162.00
G W Wright (grave digging and machinery maintenance)	£241.50
I Wright (Dance's for September)	£140.00
TV Licence Refunds (16 @ £25)	£400.00
Booker Cash & Carry (L/Club and refreshments for resale supplies)	£275.21
E.ON (final gas invoice for Cemetery chapel)	£128.78
Designs Direct (cleaning materials for Social Centre)	£164.65
Williams Fuels (coal for Cemetery cabin)	£71.50
Social Centre Damage Bond Refunds	£50.00
Spendloves Butchers (L/Club Supplies)	£84.62
Clay Cross DIY (Social Centre maintenance)	£27.45
Tiscali Billing (Broadband Fee)	£15.66
Co-op Bank (Charges)	£2.00
Total:	£11,414.00

6. **the following income is noted:**

NEDDC (2009/10 Precept Payment)	£102,500.00
Clay Cross Social Centre Hire	£201.56
Clay Cross Cemetery	£274.58
Market Rent 22.8.09, 29.8.09, 5.9.09, 12.9.09	£295.75
Bingo 26.8.09, 2.9.09	£171.60
Dance 27.8.09, 3.9.09	£141.75
Lunch Club 25.8.09, 1.9.09	£352.80
Parkhouse Football Club (Photocopies)	£30.00
Co-op Bank (Interest)	£00.21
Total:	£103,968.25

Work In Progress

Parish Clerk reported that there was no Work In Progress.

784/09 Parish Clerk's Report/Items for Decision and Information

1. **BCN Consultancy Building Control:** new property address at Barnside, Holmgate Road S45 9BA
2. **North East Derbyshire District Council:** House to House Collection Application for Make A Wish Foundation from 1 March 2010 – 28 February 2011

3. **Derbyshire County Primary Care Trust:** open invitation to attend Annual General Meeting to be held Wednesday 30 September 2009-10-20
4. **Relate Chesterfield & North Derbyshire:** Annual Report 2008/09

Resolved That: Clerk's Report/Items for Decision and Information are noted

785/09 Date of Next Meeting

Resolved That: the next Parish Council meeting is held Tuesday 27 October 2009 at 7pm in the Parish Council office.