

## CLAY CROSS PARISH COUNCIL

Minutes of Clay Cross Parish Council meeting held in the Clay Cross Parish Council office on Tuesday 28 April 2009 at 7.00pm.

**Present:** Councillor G Morley ..... Chair  
Councillor M Holmes ..... Vice Chair

Councillor Mrs K M Holmes                      Councillor K G Savidge  
Councillor J M Holmes                            Councillor D Skinner  
Councillor P Riggott                                Councillor B Wright

*Before the business of the meeting began, Councillor G Morley, Chair requested that all present stand for a minute's silence in tribute to ex-Councillor Brian Harris who died suddenly on 14 March 2009. After the minute silence, Councillor P Riggott stated the Brian had had a long association with the Parish Council even when he was no longer an elected member. Brian had an active role in local politics and people still went to him with their problems, their complaints and general information on what was happening in the Parish. Brian was a respected member of the community and will be sadly missed.*

### **Public Participation**

Councillor G Morley, Chair welcomed Darren Norwood, Community Sports Development Manager from Tupton Hall School to the meeting. Darren gave details of the Holiday Activity Programme. At the moment children from Wingerworth, Heath, Temple Normanton, Grassmoor, North Wingfield and Pilsley participate but with additional funding, Clay Cross can be added to the scheme. It was confirmed that free transport to Tupton Hall School for the children who are part of the scheme is provided. Advertising of places and the scheme is done through the School's and Mr Leyland, Headteacher of Sharley Park Community Primary School will ensure that all pupils receive a copy of the activity booklet.

### **Police Consultation**

Parish Clerk circulated crime figures and Safer Neighbourhood Report for the month of March. All Councillors agreed that the information received is still not enough and ideally, would like an Officer to attend at least every other meeting or a better explanation of the crime figures/type of crime recorded.

Councillor P Riggott passed around details of the Derbyshire Constabulary 'Professional Judgement' scheme being phased in. This scheme allows Officer's to use their professional judgement to achieve a restorative disposal in relation to a local crime which could include: words of advice, apology written or verbal, reparation work, compensation.

## **County Councillor/District Councillor Attendance**

Councillor P Riggott reported that so far he has allocated £38,000 from his County Council Community Priority Fund namely £3,000 to Sharley Park Community Primary School for new uniforms, £2,000 to the Youth Centre for a Young Ladies Group, £7,000 to Holmgate Community Centre to help with their ongoing improvement work and £2,000 to Holmgate Primary School for their after School activities.

Councillor P Riggott thanked the staff at Sharley Park Community Primary School for the work done over the Easter holiday to ensure that the School transition went smoothly for the children and parents on the first day of School. It was stated that concerns have been raised that the parking at the School could be an issue; meetings have been held with the Police and County Council to try and address this issue. Councillor B Wright stated this is already an issue with the staff at Worcester Bosch who clock off work at 3pm and find it difficult to navigate parked cars at School closing time. Councillor P Riggott stated that he had received reports that the Stagecoach 51 service is missing out part of its run due to congestion problems in the morning and afternoon. Using the car park at the Miners Welfare is an option being pursued.

With regard to the District Council, Councillor P Riggott confirmed that Mike Goodwin has officially been appointed Chief Executive after carrying out this role in a Deputy capacity following the secondment of Lee Adams.

## **PART I – PUBLIC BUSINESS**

### **698/09 Apologies for Absence**

Parish Clerk reported that Apologies for Absence had been received from Councillor Mrs A Bradley and Councillor E Mansbridge.

### **699/09 Declaration of Interest**

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

### **700/09 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.**

### **701/08 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 24 February 2009 be approved as a correct record and signed by Councillor G Morley, Chair.***

### **Work In Progress**

Councillor P Riggott reported that following information reported under Police Consultation at February's meeting, the Government have capped Derbyshire Constabulary's budget following their request for a 8.68% 2009/10 precept rise.

### **702/09 Reports from Representatives on Outside Bodies**

There were no Reports from Representatives on Outside Bodies.

### **703/09 Report from Parish Footpath Inspectors**

Councillor D Skinner reported that Derbyshire County Council are to fund £5,000 for capital works on the South Chesterfield Way but this money cannot be used for publicity/leaflets, this money will have to come from somewhere else. Councillor D Skinner reminded all present that he has been involved on the updating of this long distance path as a substantial part runs in the Parish. A donation from the Parish Council toward the paths project was requested, it was confirmed that all other Parish Council's involved will also be approached. **It was agreed, in principal, to make a donation to the cost of supplying publicity and short walk booklets; an exact figure to be discussed at next meeting.**

### **704/09 Planning Matters**

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

Planning Application 09/00136/FL Construction of two storey side extension and rear conservatory at 8 Lime Tree Grove, Danesmoor for Mrs Emma Woods. **The Parish Council note this planning application.**

Planning Application 09/00150/FL Installation of three rooflights in rear elevation and one first floor window in western elevation at Field House, Mill Lane, Old Tupton for Mrs V Gaunt. **The Parish Council note this planning application.**

Planning Application 09/00102/FL Erection of one metre high fence above existing one metre stone wall to front (Affection Setting of Listing Building) at Woodthorpe Hall, Ashover Road, Old Tupton for Mrs C Fawcett. **The Parish Council note this planning application.**

Planning Application 09/00186/FL Change of use of retail shop to tattoo parlour at 26 High Street, Clay Cross for Mr Robert Clements. **The Parish Council note this planning application.**

Planning Application 09/00199/FL Construction of a 2 bedroom bungalow at Garage Site, Denham Street, Clay Cross for Mr Asa Booth. **The Parish Council note this planning application.**

Planning Application 09/00173/FL Erection of new dwelling with integral garage and new highway access (Revised Scheme to NED/07/00738/FL) at 7 Harewood Crescent, Old Tupton for Miss Samantha Archer. **The Parish Council note this planning application.**

Planning Application 09/00289/FL Erection of a detached two storey dwelling (Revised Scheme to NED/08/00899/FL) at 60 Brassington Street, Clay Cross for Mr Shaun Allerton. **The Parish Council note this planning application.**

Planning Application 09/00162/FL Change of use of existing restaurant premises and construction of two storey extension to side and rear to form 11 no. bedroom care home for elderly people at 8 Thanet Street, Clay Cross for Mr R Karamyar. **The Parish Council request that this application goes to a full planning committee meeting and is not dealt with by delegated decision. It was further requested that this application be treated as a major development and not classed as change of use.**

Application Code No CD4/0209/211 Proposed Erection of a new 2.4 metre high Weldmesh security fence between existing netball courts and adjacent School recreational land at Sharley Park Community Primary School, Pilsley Road, Danesmoor for Derbyshire County Council. **The Parish Council note this planning application.**

Approval of Planning Application 08/01201/DISCON Application to discharge condition 4 of 08/00695/FL relating to phasing and time codes for all elements of the Clay Cross Town Centre Redevelopment Scheme (Additional Information) at Clay Cross Town Centre Redevelopment, Bridge Street, Clay Cross for Walton & Co Planning Lawyers. **The Parish Council note this approval of planning application.**

Conditional Approval of Planning Application 09/00042/FL Variation of condition 27 of Planning Permission 06/01334/OL for mixed use development at the former Biwater site to allow occupation of four dwellings on the former playing fields site before Furnace Hill Road is constructed to adoption standards at Biwater Industries (Clay Cross) Ltd, Market Street, Clay Cross for Mr Thomas Sylvester. **The Parish Council note this conditional approval of planning application.**

Conditional Approval of Planning Application 08/00843/FL Rebuild front boundary walls with fence above at 48 Guildford Lane, Danesmoor for Mr Terence Robinson. **The Parish Council note this conditional approval of planning application.**

Refusal of Planning Application 09/00048/FL Extend the existing car park, install an escape stairway, install 3 freestanding pole mounted floodlights, construct a pushchair ramp to front, renew existing tarmac and concrete hard standing to block paving at 69 Holmgate Road, Clay Cross for Nationwide Healthcare. **The Parish Council note this refusal of planning application.**

Refusal of Planning Application 09/00049/AD Advertisement consent to retain three hoarding signs and one sign fitted to wall at 69 Holmgate Road, Clay Cross for Nationwide Healthcare. **The Parish Council note this refusal of planning application.**

East Midlands Regional Assembly – East Midland Regional Plan: Partial Review. **The Parish Council note this partial review.**

Derbyshire & Derby Development Plans Joint Advisory Committee: Minerals and Waste Core Strategy Development Plan Documents – Notification of Invitation under Regulations 25 of the Town and Country Planning (Local Development) (England) (Amendment) Regulations 2008. **The Parish Council note this development plan documents.**

### **705/09 Street Scene Matters**

To approve the Minutes of the Street Scene Working Group meeting held 9 April 2009 and to receive recommendations for resolution. **Resolved That:**

- 1. the Minutes of the Street Scene Working Group meeting held 9 April 2009 (circulated) be approved for signature***
- 2. Len Carter supply/install palisade metal fencing at allotment site at Tranmere Avenue at a cost of £966 plus vat***

### **Work In Progress**

Further to minute no **677/09** regarding two flower beds, one at side of 2 Springvale Road and one at junction of Cemetery Road/Springvale Road. **Resolved That: the Draft Head of Terms for both beds received from the District Council are accepted and signed by the Parish Clerk and Councillor G Morley, Chair.**

Further to minute no **677/09** regarding former Royal Oak public house, Clay Lane. Parish Clerk reported details of email received from the property owner, Green Tree Investment Properties confirming that as there is no transfer of business to consider there would be no “goodwill value” applied to the leasehold of the property. The only costs would be the legal costs involved in drawing out the lease agreement and the

quarterly rent payment. The terms of the lease would be "full repair and insure" which means that the tenant is responsible for providing adequate insurance of the property and carrying out any repairs as necessary. It was further reported that in terms of rent payable on the property, Green Tree Investments Properties are fully prepared to enter into negotiations but as an opening offer they would be looking at an annual rent of £20,000. **Resolved That: the Parish Clerk email Green Tree Investments stating that their comments with regard to the leasehold of the property and rent payable have been noted. The Parish Clerk will pass on their details to anyone interested in taking this property on.**

#### **706/09 Cemetery Matters**

Parish Clerk reported that there were no Cemetery Matters.

#### **707/09 Social Centre Matters**

To approve the Minutes of the Social Centre Working Group meeting held 8 April 2009 and to receive recommendations for resolution. **Resolved That: the Minutes of the Social Centre Working Group meeting held 8 April 2009 (circulated) be approved for signature.**

#### **Work In Progress**

Further to minute no **693/09** regarding the Senior Citizens Parties. Councillor J M Holmes, Chair of the Social Centre Working Group reported that the total raffle money raised over the two nights was £312 of which £78 was donated to Friends of Clay Cross Hospital, Clay Cross Darby & Joan Club, Danesmoor Darby & Joan Club and Holmgate Darby & Joan Club. At this point, the Parish Clerk reported that a card and letter of thanks have been received from Danesmoor Darby & Joan Club and Friends of Clay Cross Hospital.

#### **708/09 Finance Matters**

Councillor J M Holmes, Chair of the Finance Sub-Committee, gave a resume of details discussed at meeting held 22 April 2009. **Resolved That:**

- 1. the monthly statement for the months of February 2009 and March 2009 (circulated) be accepted and signed by Councillor G Morley, Chair**
- 2. the expenditure and income against budget report for the months of February 2009 and March 2009 (circulated) be accepted and signed by Councillor G Morley, Chair**
- 3. £1,000 is contributed to the Holiday Activity Programme at Tupton Hall School**
- 4. the under mentioned payments be authorised:**

<i>CXPC Staff Wages (Tax Weeks 1 - 3)</i>	<b>£4,212.62</b>
<i>Post Office Ltd (Inland Revenue NI &amp; Tax for March)</i>	<b>£1,476.31</b>
<i>DCC Superannuation (Pension Contributions for March)</i>	<b>£1,485.20</b>
<i>NEDDC (Social Centre Rates for April)</i>	<b>£1,009.75</b>
<i>NEDDC (Cemetery Rates for April)</i>	<b>£203.75</b>
<i>NEDDC (Public Conveniences Rates for April)</i>	<b>£166.75</b>
<i>Designs Direct (Cleaning Materials)</i>	<b>£285.79</b>
<i>I Wright (Dance's for April)</i>	<b>£175.00</b>
<i>Post Office Ltd (Stamps)</i>	<b>£138.00</b>
<i>50Plus (Social Centre, Bingo, Dance and Market adverts)</i>	<b>£117.00</b>
<i>G W Wright (Grave Digging x 2)</i>	<b>£161.00</b>
<i>Rentokil Initial Ltd (Watersafe Contract)</i>	<b>£206.38</b>
<i>PM Automotive Services Ltd (MOT for Parish Van)</i>	<b>£206.40</b>
<i>TV Licence Refunds (14 @ £22)</i>	<b>£308.00</b>
<i>Spendloves Butchers (L/Club Supplies)</i>	<b>£80.39</b>
<i>M&amp;M Timber &amp; Building Supplies (Parish/Cemetery Maintenance)</i>	<b>£32.46</b>
<i>Tiscali Billing (Broadband Fee)</i>	<b>£15.65</b>
<i>Chesterfield Borough Council (Consent to operate Clay Cross Market for the year)</i>	<b>£10.00</b>
<i>Co-op Bank (Charges)</i>	<b>£31.00</b>
<b>Total:</b>	<b>£10,321.45</b>

**5. to note the following income:**

<i>NEDDC (1<sup>st</sup> 2009/10 Precept Payment)</i>	<b>£102,500.00</b>
<i>NEDDC (2008/09 Contribution to Maintenance of Public Conveniences)</i>	<b>£2,094.24</b>
<i>Rykneld Homes (2008/09 Rent and Service Charge for Clay Cross Housing office)</i>	<b>£7,744.68</b>
<i>Clay Cross Social Centre Hire</i>	<b>£577.00</b>
<i>Parish Allotment Rents</i>	<b>£338.00</b>
<i>Market Rent 4.4.09, 11.4.09</i>	<b>£149.25</b>
<i>Bingo 1.4.09, 8.4.09, 15.4.09</i>	<b>£292.40</b>
<i>Dance 2.4.09, 9.4.09, 16.4.09</i>	<b>£214.90</b>
<i>Lunch Club 7.4.09, 21.4.09</i>	<b>£361.20</b>
<i>Parkhouse Football Club (Photocopies)</i>	<b>£30.00</b>
<i>Co-op Bank (Interest)</i>	<b>£00.20</b>
<b>Total:</b>	<b>£114,301.87</b>

**Work In Progress**

Further to minute no **634/08** regarding donations to local organisations. Parish Clerk reported that a card and letter have been received from Barney's Baby & Toddler Group and Home-Start thanking the Parish Council for its donation.

**709/09 Parish Clerk's Report/Items for Decision and Information**

- Rykneld Homes Ltd:** Details of Danesmoor neighbourhood walkabouts for September 2009

2. **North East Derbyshire District Council:** Members Code of Conduct – Presentation to Parish Clerk on Wednesday 29 April 2009 in the Council Chamber, Saltergate
3. **North East Derbyshire District Council:** House to House Collection Application HH/14/09 – Rainbow Children’s Hospice
4. **North East Derbyshire District Council:** Street Collection Application SC/08/09 – Little Star’s Luxor Childrens Trust on Thursday 18 June 2009
5. **North East Derbyshire Community Safety Partnership:** NE Derbyshire Community Safety Partnership Plan 2009-2012 (circulated)
6. **North East Derbyshire Community Safety Partnership:** update on projects from Sgt John Rawlinson (circulated)
7. **Derbyshire Association of Local Councils:** Comments and Questions arising from the Police Annual Parish Councils’ Evening held Wednesday 7 January 2009
8. **Derbyshire Association of Local Councils:** Minutes of the Executive Committee meeting held Saturday 28 February 2009
9. **Campaign to Protect Rural England (Derbyshire Branch):** Annual Report 2008
10. **Campaign to Protect Rural England (Derbyshire Branch):** Newsletter 2009 including invitation to attend Annual General Meeting to be held Wednesday 6 May 2009

**Resolved That:**

1. ***Councillor D Skinner attends the Campaign to Protect Rural England Annual General Meeting on Wednesday 6 May 2009***
2. ***the Clerk’s Report/Items for Decision and Information are noted***

**710/09 Date of Next Meeting**

**Resolved That: *the next Parish Council meeting is held Tuesday 26 May 2009 at 7pm in the Parish Council office.***