

CHAPEL-EN-LE-FRITH PARISH COUNCIL



TOWN HALL
CHAPEL-EN-LE-FRITH
HIGH PEAK, DERBYSHIRE, SK23 0HP

Tel: 01298 813320
clerk@chapelpc.org
www.chapelpc.org



Office Hours: Monday-Friday 9.00 to 12.30

29 September 2020

Dear Councillor,

You are hereby summoned to attend an **ORDINARY MEETING** of the Parish Council to be held on **Tuesday 6 October 2020 at 7.30pm.**

Remote Meeting: Meeting ID: 870 1796 5525 Meeting Password: 521159
This meeting will be recorded

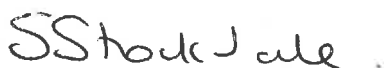
After prayers have been said and Apologies for absence have been given, the business to be transacted will be as follows: -

1. Declaration of Interests
2. Public apology from Councillor Adshead following social media post
3. Police matters
4. Open Forum – Public Participation
5. To receive the Minutes of the Full Council Meeting held on 8 September 2020
6. To receive the Minutes of the Planning Committee held on 22 September 2020
7. To receive the Minutes of the Communciations Committee held on 29 September 2020
8. To consider any matters arising from the above Minutes
9. Casual vacancy - Chapel East Ward
10. Town Hall loss of earnings update
11. Memorial Park
 - Update on work to the Skate Park
 - Request from a resident to replace the skatepark with equipment that will have less of a noise impact on neighbours
 - MUGA update on repairs
 - Request from a resident to relocate the MUGA

Clerk to the Council – Suzan E. Stockdale

- Purchase of Superturfman Bowling Green machine with contribution from Chapel Bowling Club
12. Decision on the proposed Centenary celebrations proposed for the Memorial Park in 2021
 13. Interview panel for staff appointment to Parks and Open Spaces
 14. Leys Allotments
 15. Motion from Councillor Gourlay "This council resolves to comply with the 1950 Allotments Act and allow the keeping of hens on its allotments. The council will rewrite its leases and inform its allotment-holders of their legal rights."
 16. Use of inappropriate materials in Conservation Areas
 17. Freedom of Information requests
 - 2 requests
 - Internal review update
 18. Correspondence
 - Email from resident re Brookside Pastures
 - Email from Cllr George re Flooding in Whitehough
 - Email from Cllr George re Active travel fund
 - Email from C Bannon
 - Natural Stone Products Ltd request for tree planting permission
 19. Schedule of Accounts presented for payment
 20. Press Releases
 21. To resolve to exclude the press and members of the public under the Public Bodies (Admission to Meetings) Act 1960.
 - Tramway wall legal position
 - Hoey Ainscough Associates Ltd proposal to support the Council
 - Notice before action from Richard Buxton Solicitors
 - Leys Allotments legal advice prior to sale of land

Yours sincerely,



Mrs SE Stockdale
Clerk to the Council

Suzan Stockdale is inviting you to a scheduled Zoom meeting.

Topic: Full Council

Time: Oct 6, 2020 07:30 PM London

Join Zoom Meeting

<https://us02web.zoom.us/j/87017965525?pwd=OGpDZkdCQUI2V2pEZ3NTYTN2ZHh1Zz09>

Meeting ID: 870 1796 5525

Passcode: 521159

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Meeting ID: 870 1796 5525

Passcode: 521159

Find your local number: <https://us02web.zoom.us/j/kc8vJzOfEX>

Town Hall Loss of Earnings

Date	Weekly Hirer Loss	Monthly Hirer Loss	Total weekly	Running Total
23rd March - 23rd May 2020				2988.26
25th -31st May 2020	£ 298.50	£ 25.00	£ 323.50	£ 3,311.76
1st - 5th June 2020	£ 298.50	£ -	£ 298.50	£ 3,610.26
8th - 12th June 2020	£ 298.50	£ 55.00	£ 353.50	£ 3,963.76
15th - 19th June 2020	£ 298.50	£ 168.00	£ 466.50	£ 4,430.26
22nd - 26th June 2020	£ 298.50	£ -	£ 298.50	£ 4,728.76
29th May - 3rd July 2020	£ 298.50	£ -	£ 298.50	£ 5,027.26
6th - 10th July 2020	£ 298.50	£ 108.75	£ 407.25	£ 5,434.51
13th - 17th July 2020	£ 298.50	£ 168.00	£ 466.50	£ 5,901.01
20th - 24th July 2020	£ 298.50		£ 298.50	£ 6,199.51
27th - 31st July 2020	£ 298.50	£ 25.00	£ 323.50	£ 6,523.01
3rd - 7th August 2020	£ 269.50		£ 269.50	£ 6,792.51
10th - 14th August 2020	£ 210.50	£ 298.00	£ 508.50	£ 7,301.01
17th - 21st August 2020	£ 197.75		£ 197.75	£ 7,498.76
24th - 28th August 2020	£ 197.75	£ 25.00	£ 222.75	£ 7,721.51
31st Aug - 4th Sept 2020	£ 197.75		£ 197.75	£ 7,919.26
7th - 11th Sept 2020	£ 197.75	£ 261.75	£ 459.50	£ 8,378.76
14 - 18th Sept 2020	£ 197.75		£ 197.75	£ 8,576.51
21st - 25th Sept 2020	£ 183.00		£ 183.00	£ 8,759.51
28th Sept - 2nd Oct 2020	£ 183.00	£ 25.00	£ 208.00	£ 8,967.51

CHAPEL MEMORIAL PARK CENTENARY CELEBRATIONS

WHEN: Propose one of the following: Saturday August 4th/11th/18th

WHERE: Chapel Memorial Park

TIME: 10am – 6pm

NUMBERS EXPECTED: 5000 over the day (1000 at any one time)

Further to a meeting at Chapel en le Frith Memorial Park to discuss the development & delivery of a 1 -day event to celebrate the Centenary of the Memorial Park, the following were discussed and it was agreed that further information needed to be gathered around the following:

BARRIERS TO EVENT

The following are all issues to be considered that might jeopardise the delivery of the event for August 2021:

- Covid19 – Social Distancing etc.
- Finance – a budget is being put together over the next 2 weeks
- Weather – a wet July would mean that the park would not be in the best condition to use

DRAINAGE

Due to the poor drainage in the Park, there would need to be a number of days/weeks of dry weather prior to the event to ensure that the Park wasn't left in an unusable state after it.

EVENT COMMITTEE

The event should be a co-operative between Parish Council, the Community and possibly the Chapel Carnival. The committee should have a maximum of 8 members

VOLUNTEERS

Event Volunteers will be recruited from the various membership organisation groups in Chapel including Guides/Scouts/W.I./Chapel History Society and others

FIRST AIDERS

There will be the requisite number of First Aiders for the numbers expected.

EVENT THEME

The event theme will reflect the fact that the Memorial Park has been a feature of Chapel en le Frith for 100 years. There will be consultation with the parish and groups within Chapel along with those that regularly use the Park. Once theme/s have been decided, the Committee will put together an event site plan.

PARISH INSURANCE

Cllr. Young thought that the Parish Council's insurance might cover/or be extended to cover the event. This was to be explored.

SAFETY & EMERGENCY PLANNING

The event organisers will utilise the safety & emergency planning guidance provided by High Peak Borough Council <https://www.highpeak.gov.uk/article/1527/Events-in-public-places>

Sue Stockdale

From: Nick Hill <request-693162-f4cceeea@whatdotheyknow.com>
Sent: 23 September 2020 15:58
To: Sue Stockdale
Subject: Freedom of Information request - Cost of Investigation into Breach of Conduct Rules by Councillor Nigel Gourlay

Dear Chapel-en-le-Frith Parish Council, High Peak,

Please can you provide the legal costs of the investigation into Cllr. Nigel Gourlay regarding the publishing of the minute from the 5th November 2019 Parish Council meeting relating to the Banning of Parish Council Meeting filming.

Yours faithfully,

Nick Hill

Please use this email address for all replies to this request:
request-693162-f4cceeea@whatdotheyknow.com

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For more detailed guidance on safely disclosing information, read the latest advice from the ICO:
<https://eur01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.whatdotheyknow.com%2Fhelp%2Fico-guidance-for-authorities&data=02%7C01%7Cclerk%40chapelpc.org%7C729ab81050fd4d9a845308d85fd10c02%7C0121a273e03149bab97723ba9335dcf8%7C0%7C0%7C637364699116973165&sd=QPRIOTuszhKNIUK8RoaEAkVfyZqreHgOobR%2F%2BKNDWE%3D&reserved=0>

Please note that in some cases publication of requests and responses will be delayed.

If you find this service useful as an FOI officer, please ask your web manager to link to us from your organisation's FOI page.

Sue Stockdale

From: Nick Hill <request-693155-297eb524@whatdotheyknow.com>
Sent: 23 September 2020 15:44
To: Sue Stockdale
Subject: Freedom of Information request - Minutes relating to Banning of Filming of Council Meetings by Public

Dear Chapel-en-le-Frith Parish Council, High Peak,

Please could you supply all the minutes relating to the motion voted on in Part 2 of the Full Parish Council Meeting that took place on 5th Nov 2019 (which the Public were excluded from) 'that no filming of meetings should take place in respect of attendees...who are not elected members.

Yours faithfully,

Nick Hill

Please use this email address for all replies to this request:

request-693155-297eb524@whatdotheyknow.com

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Sue Stockdale

From: Chiefofficer <chiefofficer@derbyshirealc.gov.uk>
Sent: 21 September 2020 14:57
To: Sue Stockdale
Subject: Internal review of FOI request

Hi Sue

Just following up on this for you The advice I have been given is:

An internal review should be conducted if someone is unhappy with the response provided; they should ask for an internal review within 40 days of receiving the response and you have up to 40 days in which to conduct the review and issue the decision. The ICO say that a decision should be issued within 20 days, but 40 days is the maximum they recommend. Ideally the review would not be conducted by the individual who originally dealt with the request. It would be right to consult with the Clerk (if they dealt with the request) to understand why a particular decision was made or exemption(s) applied, but I don't think it would be appropriate for them to be conducting the review or corresponding on the review with the requester.

My recommendation for the Council is to firstly acknowledge receipt of the request and then to either:

1. Set up a committee to review the decision who will then make a recommendation to the full Council. The committee will need to familiarise themselves with the FOI rules and regulations before making their assessment and recommendation.
2. For the Council to resolve to employ an external agency to conduct the review on their behalf. Please note that, if this is the preferred course of action, this is not something that DALC have been asked to do by any members in the past so we would not consider ourselves to have the relevant experience. However, if the Council are finding it difficult to source a consultant to do this on their behalf, we would consider taking this on to support the council.

I hope this provides you with the clarity you need to move forward.

Kind regards

Wendy

Wendy Amis
Chief Officer
Derbyshire Association of Local Councils



SUPPORT · TRAINING · ADVICE

Unit 6, Lime Tree Business Park
Lime Tree Road, Matlock, DE4 3EJ
Tel: 01629 826655
www.derbyshirealc.gov.uk chiefofficer@derbyshirealc.gov.uk

Sue Stockdale

From: pjohnson
Sent: 08 September 2020 07:45
To: Sue Stockdale
Subject: Re:Bridge

Dear Parish Council,

Meeting 8th Sept 2020.

Can I object to any notion of re-instating the bridge across Warmbrook river. Since its removal - Anti Social behaviour has decreased in Brookside Pastures (Target Wall field) but is still an ongoing issue.

My property backs onto the site of where the bridge was located. Reinstating the bridge, with fenced path or not, will once again become a gathering point and bring easy access to the field again for youths seeking a place to gather at all hours. I don't need to list what accompanies this.

Could I ask if the reinstatement is progressed any further, that those residents who will be impacted are contacted?

Thanks for your work supporting the Parish.

Regards
P Johnson



Sue Stockdale

From: Ruth George (Elected Members) <Ruth.George@derbyshire.gov.uk>
Sent: 21 September 2020 10:00
To: Sue Stockdale
Subject: Peak Forest Tramway

Dear Sue

I hope you are keeping well.

Derbyshire County Council are in the process of putting together possible bids for Tranche 3 of the Active Travel Fund.

This is the largest of the Active Travel funding sources and any proposals will need to show how they contribute to both long distance cycle routes, and local active travel.

As county councillor in Whaley Bridge I'm really keen to see us able to link up routes through Whaley Bridge to the proposals from the Buxton Travel Team which rank first and second in the county council's priorities for cycling in Derbyshire.

This would involve coming through Chapel, and I understand that a proposal was submitted for the Peak Forest Tramway Trail to enable a route to be put into use again.

If it was possible to link that route to the proposals from Buxton and Whaley Bridge, it would enable us to fulfil many of the criteria for the substantial Tranche 3 funding, and as such would have a chance of securing the necessary funding for the required works.

Would you be able to give me an update on the proposals for the tramway please, and whether it may be possible to work them into a larger scheme for a proposal for Active Travel funding?

With many thanks and kind regards

Ruth

Cllr Ruth George

Derbyshire County Councillor for Whaley Bridge & Blackbrook Division

Including Bridgemont, Buxworth, Chapel Milton, Chinley, Combs, Fernilee, Furness Vale, Taxal, Tunstead Milton, Whitehough and the Whaley end of Chapel-en-le-Frith up to Crossings Road

Mobile 07583-046168

Facebook: @ruthgeorgehp

Twitter: @ruthgeorge6

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Sue Stockdale

From: Ruth George (Elected Members) <Ruth.George@derbyshire.gov.uk>
Sent: 09 September 2020 18:27
To: Mark Krassowski; parish@sizeland.net; Simon Pote
Cc: Tom Foster; Gareth Williams; clerk@chinleybuxworthbrownside-pc.gov.uk; Sue Stockdale
Subject: RE: 2020 09 07 Culvert Diversion LDC 2019/346A-D/WT Granted

Many thanks to alerting me to this issue, together with all the work that's been undertaken so far to try and resolve the flooding at Whitehough, and to Tom for the further information you've given me today.

I attach below the email I've sent to Cllr Simon Spencer, the Executive Member for Highways, Transport & Infrastructure whose department this falls under, requesting that he seek a practical solution that enables the culvert under the tramway to be replaced this autumn.

I will let you know the response I receive and may well need to request further information, but I do hope that we can get the positive outcome that the whole community needs.

Kind regards

Ruth

Cllr Ruth George

Derbyshire County Councillor for Whaley Bridge & Blackbrook Division

Including Bridgemont, Buxworth, Chapel Milton, Chinley, Combs, Fernilee, Furness Vale, Taxal, Tunstead Milton, Whitehough and the Whaley end of Chapel-en-le-Frith up to Crossings Road

Mobile 07583-046168

Facebook: @ruthgeorgehp

Twitter: @ruthgeorge6

Dear Simon

I am writing to ask you to help to resolve a problem that has arisen with efforts to prevent the longstanding recurrent flooding in the village of Whitehough, on the road that links Chinley to the west of Chapel-en-le-Frith.

This has been happening since the A6 Chapel bypass was completed several decades ago. With the onset of heavy rain, water flows from the south towards Black Brook which runs through the valley and pools before the road bridge over the river on Whitehough Head Road, rising rapidly to several feet within an hour of heavy rain and taking at least a day, sometimes more to subside, blocking the entrance to Chinley from the south.

Much of the water comes from the Peak Forest Tramway which runs more or less parallel to Black Brook, around 100m-200m to the south. The culvert under the ancient tramway cannot cope with the volume of water, which then flows west along the tramway and onto Whitehough Head Road, streaming down the road to flood before the bridge across it.

The large brownfield site that used to be the Dorma factory is currently being developed and Wains Homes have developed a drainage system for the site.

As a major part of the problem is the small culvert under the Peak Forest tramway which is outside of the development site. Wains have had discussions with DCC officers and developed a proposal for straightening and replacing the culvert under the tramway with a wider one. The sign-off for the designs on 10th August is attached.

The company were hoping to get the work completed before the onset of heavier rain in the winter.

I have come to this as the new County Councillor and understand that it was always expected that DCC would make a contribution to these works as they are the responsibility of the County Council and they will also hopefully solve a very long-running and serious flood issue.

The developer has asked for a contribution of £10,000 to the cost of the works, which as you can see from the attached plans will be substantial, involving removing and replacing a section of the tramway, inserting a wider culvert over around a 20 foot section that falls outside of the development site, and connecting it to the new drainage system on the estate.

At this point I understand that officers have said that they cannot agree to any contribution for the work to go ahead without a S278 agreement for which fees would be incurred. The need for a S278 agreement has not previously been mentioned when the works were approved, which is now frustrating for the developer who is keen to get on with the work, and for the community who have suffered for too long from the flooding.

Wains have requested that if a contribution cannot be made by DCC, then the County Council do the agreed works themselves before winter, but this has been refused. Officers have stated that the culvert under the tramway will simply be cleared and will not be enlarged.

I and many other local people will attest to the fact that this is a longstanding problem which will not be solved by clearing the culvert as it is too small for the volume of water and even when it is clear then large volumes flow onto the tramway and then down the road.

The sum requested does not seem a huge amount in relation to the work required, which DCC will need to undertake themselves eventually, along with further clearance of the existing culvert in the meantime, but unless this work is done now the local communities of Chapel-en-le-Frith, Chinley and especially Whitehough will suffer from further flooding over the coming winter.

The £10,000 proposed seems like a relatively small sum in return for a major gain for the county council and local communities.

I understand that individual officers may not be able to sign off on a financial contribution, but I hope that you and more senior officers will be able to look at this proposal and seek to reach a practical solution, whether by DCC undertaking the work required, or by making a contribution.

If I am able to do so under the rules of the scheme, I would be happy to make some contribution from my Councillors' Initiative Fund as alleviation of the flooding would have a considerable community benefit for the area for many years to come, including the scouts and guides whose hut is adjacent to the bridge and is regularly flooded.

I hope that a speedy resolution can be found to enable the work to be completed this autumn. I would be pleased to discuss this with you, or to seek the answers to any questions that you or officers may have.

With many thanks

Ruth

Cllr Ruth George

Derbyshire County Councillor for Whaley Bridge & Blackbrook Division

Including Bridgmont, Buxworth, Chapel Milton, Chinley, Combs, Fernilee, Furness Vale, Taxal, Tunstead Milton, Whitehough and the Whaley end of Chapel-en-le-Frith up to Crossings Road

Mobile 07583-046168

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Sue Stockdale

From: mrs caroline bannon <caroline@chapelwestward.co.uk>
Sent: 25 September 2020 16:59
To: Sue Stockdale
Subject: Chapel west ward social media

Dear Sue

Just like to clarify, that I Caroline Bannon run Chapel west ward page since I set up the page when my partner ran for councillor. I post and share to that page and it was I not my partner who put up the post about the memorial park children's play equipment, .from what I had heard from listening to the meetings about said play equipment in my opinion it seemed that every solution that was offered , to some it just wasnt good enough and when speaking with other parents , it was commented that maybe said councillors want it moving completely as every other option had been turned down.

So I reiterate, I run and post on chapel west ward and I put up the post as a worried member of the community who's children frequent said park . Also I'd like it publicly known , my partner(cllr Paddy Bann) suggestion to tape off said skate park for safety reasons till the bolts and nuts where put back in place had been twisted to suit certain cllrs narratives. No where did he state to shut down the park as our children use it most weekends. His main concern was the safety of said children who use the skate park.

Sincerely

Caroline Bannon,

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Hi Sue,

Further our discussions.

Please put forward the current scheme for tree planting as shown on the drawings provided and for the 106 agreement to that effect.

NSS is in agreement that the wall will be re-built along the whole of your boundary once the development is under way.

Kind Regards

Mat Milner
Director

e: mat@naturalstonesurfaces.co.uk

t: 0845 491 8790

f: 0845 491 8799

W: <http://www.naturalstonesurfaces.co.uk>



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