

RIPLEY TOWN COUNCIL

Minutes of the meeting held on 18 January 2005 at the Town Hall Ripley.

PRESENT

Councillor Mrs. I Harry (in the Chair)

Councillors Mrs. J N Blake, G Carlile, Miss L D Cox, C Cutting, I Fisher, M B Gent, Mrs. D D Goddard, R H Goddard, Mrs. J H Gregory, M C Hooley, M J Missett, D R Neilson, F A Raphael and A Wilde

Constable John Fahey (881) and one member of the public were in attendance.

4333 MATTERS RAISED IN PUBLIC PARTICIPATION

There were no matters raised by the public.

4334 APOLOGIES

An apology for absence was submitted on behalf of Councillors Mrs P D Carlile, S M Daley, C A D Eley, S D Freeborn, W G Fryer MBE and M J E V Wilson.

4335 DECLARATION OF MEMBERS INTERESTS

Councillor G Carlile declared a personal interest in the matter detailed at Minute 4359(d) (because he was currently under investigation by the Standards Board) and took no part in the discussion or decision on this matter.

Councillor F Raphael declared a personal interest in the matter detailed in Minute 4338(as a Member of the Cromford Canal Society).

4336 NON-EXEMPT MINUTES – 23 NOVEMBER 2004

RESOLVED to confirm as a correct record the Non-Exempt Minutes of the Meeting held on 23 November 2004.

4337 MINUTES - ALLOTMENT SUB-COMMITTEE - 23 NOVEMBER 2004

RESOLVED to approve and adopt the recommendations contained in the Minutes of the Allotment Sub-Committee held on 23 November 2004 as shown at Appendix 1 to these Minutes

4338 MINUTES - PLANNING SUB-COMMITTEE - 7 JANUARY 2005

RESOLVED to approve and adopt the recommendations contained in the Minutes of the Planning Sub-Committee held on 7 January 2005 as shown at Appendix 2 to these Minutes

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4339 ITEMS IN EXCLUSION

There were no items to be taken in exclusion other than those detailed on the Agenda.

4340 TOWN MAYORS ANNOUNCEMENTS

It was reported that the Town Mayor had attended the following function to represent the Town Council since the last meeting of Council: -

30 November Official Switch-on Christmas Lights
4 December Ripley Hospital League of Friends Christmas Fayre
13 December DAB Sight Support Carol Service
17 December Salvation Army Christmas Spectacular
20 December Swanwick Civic Carol Service

4341 COMPLETION OF ANNUAL AUDIT 2003/2004 BY DISTRICT AUDIT

RESOLVED to note that the District Auditor had issued the Notice of Conclusion of Audit and right to inspect the Annual Return in respect of the year 2003/2004 and the required notice and Annual Return had been displayed on the Town Hall Notice Board from 22 November - 24 December 2004.

4342 EXTERNALLY DECORATED PROPERTY COMPETITION - CHRISTMAS 2004

It was reported that the Leader of the Council and the Town Clerk had judged the externally decorated property competition for Christmas 2004 that had attracted 11 entries:

RESOLVED 1) to confirm the recommendations of the judges as follows:

Winner £50.00

Mr and Mrs Turner 36 Wright Avenue Ripley

Second Prize £25.00

Mr R Thompson and Mr. P Hitchcock 20 and 22 Fearn Avenue Ripley

Equal Third Prize £10.00 each

Mr and Mrs Hall 119 Warmwells Lane Ripley

Mr. D Rice 22 Chestnut Avenue Ripley

Mr Gareth Turner 51 Wall Street Ripley

2) to compliment the entrants on the very high standard of decorations provided this year which included animated, musical, sound and inflatable displays and

3) to thank the Ripley and Heanor News for sponsoring the publication of the application form.

4343 PAROCHIAL ESTIMATE AND PRECEPT 2005/2006

It was reported that income for the current year 2004/2005 was estimated as: -

Balance brought forward from 2003/2004	£41461
Precept from Amber Valley Borough Council	£48500
VAT reimbursement	£2195
Miscellaneous	£1944
Total	£94100

The estimated expenditure for 2005/2006 was as recorded below and details of that expenditure had been made available for public consultation with no comments being received: -

Original Estimate 2004/2005 £	Item	Probable 2004/2005 £	Estimate 2005/2006 £
1580	Mayors Allowance	1580	1610
13000	Town Clerk's Salary and NI	13400	14000
00	Town Clerk's Gratuity	00	5000
4200	Admin Audit and Subs	3600	4200
3500	Grants to Voluntary Bodies	3000	3500
4500	Grants to Special Projects	00	4500
825	Amber Valley Comm Transport	825	850
21500	Christmas Lighting	21500	22000
1000	Footpath Maintenance	900	1000
4500	Environment Improvements	00	3500
2000	Blackspot Lighting	2624	2000
2000	Lighting Maintenance Charges	700	1000
3550	Recreation/Summer Entertainment	1815	2400
1600	Insurance	2101	2500
6500	Contingency (Elections etc)	6500	6500
4000	Lottery Matching Funding	0	2000
790	Remembrance Day Parade/Service	790	810
4000	Newsletter	3000	3000
1000	War Memorials	1000	1000
2000	Bus Shelter Maintenance	30	150
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82045	TOTAL	63365	81520

RESOLVED that the budget for 2005/2006 be £81520 and with the use of balances the precept be £49470 (2% increase).

4344 DERBY ROAD POST BOX MAREHAY

RESOLVED to determine from Royal Mail the progress on the installation of a Post Box at Derby Road Marehay promised in August 2004 particularly in view of the possible General Election and the effect of postal votes.

4345 REQUESTS FOR GRANTS FROM RIPLEY TOWN FOOTBALL CLUB WADO-KAI ENGLAND KARATE DO FEDERATION AND THE GLEBE FIELD CENTRE

RESOLVED 1) that a grant of £250 be made to Ripley Town Football Club

2) that a grant of £100 be made to the Wado-Kai England Karate -Do Federation to support the five members from the Ripley area who are members of the fifty strong squad to Japan in August 2005 and

3) to authorise the Town Clerk to make a grant of £100 to the Charity Glebe Field Centre Crich in respect of the four residents of Heage who use the day care facility on a regular basis subject to the last audited accounts being satisfactorily vetted by the Town Mayor and Deputy Mayor.

4346 QUEST FOR LEISURE (MINUTE 4325)

In the comments made to the Borough Council on the refurbishment of Leisure Centres the Council had asked for clarification on how the recommendations were arrived at whether or not the Nottingham Road site was being considered as a Ripley option.

RESOLVED to note that the Borough Council had reported that :-

1 the Borough Council Members of the Leisure PFI Decision Panel (this is a small group of cross party Members who the Chief Executive, within the terms of his delegated authority, takes the lead from on PFI discussions) met on 11 October and agreed the consultation recommendations and

2 the Minutes from the PFI Decision Panel on 11 October stated that :- "if a smaller facility was built at Ripley to match the core requirements then the possibility of re-building on the existing site could also be explored" consequently the Nottingham Road site was not being considered at this stage.

4347 LICENSING ACT 2003 - DRAFT STATEMENT OF LICENSING POLICY (MINUTE 4320)

It was reported that Council had requested that they be included in the list of Consultees on Licence applications to the Borough Council.

RESOLVED 1) to note that the Borough Council were not obliged to inform Parish and Town Councils of applications but as Town and Parish Councils were likely to be interested parties the Council would normally do so and

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2) to ask the Borough Council to clarify the position of "dual hatted" Councillors who serve on the Borough Licensing Committee who will have to comment on their own Parish Licence applications/matters at Parish level.

4348 AMBER VALLEY FREE TREE SCHEME - OFFER OF 31 TREES (1 OAK AND 30 HAZEL) FOR GREENHILLOCKS ALLOTMENT SITE (MINUTE 4319)

RESOLVED to note that the application for 1 Oak tree and 30 Hazel trees for Greenhillocks Allotment Site had been successful and that the trees had been planted in a selected area at the Peasehill Road end of the site.

4349 PLANNING APPLICATION AVA/2004/1260 FOR 18 METRE MONOPOLE WITH 3 ANTENNAS, 1 NO 300MM DISH, RADIO EQUIPMENT, HOUSING AND ANCILLARY DEVELOPMENT AT LAND ADJACENT TO DERWENT PACKAGING LTD HEAGE ROAD FOR VODAPHONE UK

RESOLVED 1) to note that the Borough Council had approved this application, which had raised objections by this Council and

2) to request the Borough Council to resist lifting the covenants in respect of highway access to this site by the developer.

4350 PLANNING APPLICATION AVA/2004/1193 - CHANGE OF USE FROM SHOP TO HOT FOOD TAKE AWAY AT 76 DERBY ROAD RIPLEY FOR I HUSSAIN AND GS CHAUBRY 15 VILLAGE STREET DERBY

RESOLVED to note that the Borough Council had refused this application, which had raised objections by this Council.

4351 PLANNING APPLICATION AVA/2004/1313 - ALL WEATHER RIDING AREA/MENAGE ON LAND AT 37A BROOK STREET HEAGE FOR MR AND MRS BROWN

RESOLVED to note that the Borough Council had approved this application, which had raised objections by this Council, with conditions restricting use to private/domestic and no illumination of the area.

4352 PLANNING APPLICATION AVA/2004/1033 FOR RESIDENTIAL DEVELOPMENT AT JOLLY COLLIERS 1 JESSOP STREET WAINGROVES FOR NOVALIA C/O IAN BASELEY ASSOCIATES EDWINSTOWE

RESOLVED to note that this application, which had raised objections by this Council, had been withdrawn.

4353 OFFICIAL TOWN MAP AND STREET INDEX 2005

RESOLVED to note that 1000 copies of the new Official Town Map and Street Index had now been supplied by the Council's contractors and would be distributed on request from the Ripley Tourist Information Office

4354 PROPOSED WAITING RESTRICTIONS; B6179 DERBY ROAD/CEMETERY LANE RIPLEY

It was reported that the County Council were proposing to implement waiting restrictions at the junction of Derby Road and Cemetery Lane and had sought the views of the Town Council.

RESOLVED to welcome the proposals and to raise no objection to the waiting restrictions proposed.

4355 2004 ROYAL BRITISH LEGION POPPY APPEAL IN AMBERGATE RIPLEY AND DISTRICT

RESOLVED 1) to note that the total raised in the 2004 Poppy Appeal for Ambergate Ripley and District was £11862.70

2) to thank Mr Colin Picken and all the many collectors who gave of their time to make the annual Poppy Appeal so successful.

4356 LICENSING MATTERS

RESOLVED 1) to raise no objection to the following application for a Public Entertainment License: -

(i) Moss Cottage Nottingham Road Ripley

2) to confirm the action of the Town Clerk's following consultation with the Mayor and Deputy Mayor of raising no objection to the application for a Justices Licence transfer in respect of: -

(i) Moss Cottage Nottingham Road Ripley (Transfer to Jonathan Anthony Dawson, Rachel Anne Shore, and Primoz Neil Alexander Revill)

(ii) Kwik Save 15 Grosvenor Road Ripley (Transfer to Krystyna Wattam and Kimberley Bligh)

(iii) Red Lion Market Place Ripley (Transfer to Paul Rice and Tracey Coggle)

4357 DERBYSHIRE ASSOCIATION OF LOCAL COUNCILS

RESOLVED to note the information contained in Circulars 51/2004, 52/2004, 1/2005 and 5/2005.

4358 FINANCE

RESOLVED 1) to authorise the under mentioned payments: -

Town Clerk's Salary	£641.09
Inland Revenue	£314.78
Midland Newspapers Ltd (Newsletters 9 &10)	£119.49
Lady Jowitt (Rent 3 Grosvenor Road)	£400.00
Externally Decorated House Competition	£105.00
B Wood (Postages to 31.12.2004 - £307.35) Balance	£111.91
AVBC (Remembrance Day Chairs - Transport)	£115.11
P C S Edmundson (Xmas Lights)	£385.49
Image Printing (Rem Sunday & Xmas Lights Progs)	£302.88
Symanhire (Xmas Lights)	£934.13
BTH Ripley (Xmas Lights)	£168.26
Remco (Xmas Lights)	£2809.21
Tarmac Ltd (Xmas Lights)	£710.59
1st Ambergate Brownies (Newsletters 9&10)	£100.00
Shelter Maintenance	£5.82
Audit Commission	£411.25
Amber Valley Borough Council (Newsletter 9)	£548.00
Staples (Printer Cartridges)	£100.40
Bakewell Silver Band(Xmas Ent)	£125.00
Total	£8408.41

2) to note the following income:-

Crest of the Wave (Xmas Light Fitting)	£400.00
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3) to note the 2004/2005 Budget Review/Risk Assessment report to 31 December 2004.

4359 ITEMS FOR INFORMATION

Receipt of the following items was reported for the information of Members:

- (a) AVBC - Third Annual Scrutiny Report 2003/2004
- (b) emda News - Issue 20 November 2004
- (c) Derby and Derbyshire Waste Local Plan - Proposed Modifications
- (d) Standards Board - Local Investigations: Guidance for Monitoring Officers and Standard Committees
- (e) Derbyshire Police Authority Annual Report 2003/2004
- (f) b-line Magazine Winter 2004
- (g) Road Accidents in Derbyshire : The Casualty Report 2003
- (h) Fieldwork (CPRE) December 2004
- (i) On Board - Public Transport in Derbyshire Winter 2004/5
- (j) SACRE Annual Report 2003/2004
- (k) Standards Board Bulletins 20 and 21 (Circulated)

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4360 PRESS AND PUBLIC

RESOLVED that the press and public be excluded from the meeting during discussion of the following item of business in accordance with the provisions of the Public Bodies (Admission to Meetings) Act, 1960 as publicity would be prejudicial to the public interest by reason of the confidential nature of the business to be transacted:

- (a) Honorarium for Barry Ward - Christmas Lights 2004

RIPLEY TOWN COUNCIL
APPENDIX 1

Minutes of a meeting of the Allotment Sub Committee held on 23 November 2004 at the Town Hall Ripley.

Present

Councillors G Carlile, W G Fryer MBE, I Harry and D R Neilson.

Representatives of the Allotment Societies - Messrs B Fairey and L Harris.

An apology for absence was submitted on behalf of Councillor A Wilde.

8/2004 APPOINTMENT OF CHAIRMAN

RESOLVED that Councillor W G Fryer MBE be appointed Chairman of the Sub-Committee for the ensuing year.

(Councillor W G Fryer thereupon occupied the Chair)

9/2004 APPOINTMENT OF VICE-CHAIRMAN

RESOLVED that Mr Brian Fairey be appointed Vice-Chairman of the Sub-Committee for the ensuing year.

10/2004 MINUTES - 24 FEBRUARY 2004.

RESOLVED that the Minutes of the Meeting held on 24 February 2004 be confirmed as a correct record and to note that the recommendations contained therein had been approved and adopted by Council.

11/2004 BEST ALLOTMENT COMPETITION 2004

RESOLVED to note 1) that the Midlands Co-Operative Society had sponsored the Best Allotment Competition with prizes of £25, £15 and £10 for 1st, 2nd and 3rd respectively and

2) that the winner from the three entries received for the 2004 competition was Mr Derek Slack of the Sandham Lane site with Mr John Parkin of the Heage Road site second and Mr Bernard Sharp of the Nuttalls Park site third.

(Councillor G Carlile declared a personal interest in this matter as a Member of the Co-operative Society Member Relations Committee)

12/2004 GREENHILLOCKS SITE WATER SUPPLY

RESOLVED to note that the new water supply from the Borough Council Cemetery had been installed at a cost of £688.18.

13/2004 BOUNDARY HEDGE COMPLAINT FROM COPPER BEECHES RESIDENTS IN RESPECT OF THE HEAGE ROAD RIPLEY SITE (MINUTE 5/2004)

RESOLVED 1) to note that it had not been possible to secure the agreement of the residents of 12 Copper Beeches despite two further attempts by the Town Clerk by telephone call and letter and

2) that allotment holders had been advised to apply reasonableness when pruning boundary trees and should contact the Town Clerk in respect of any works on the boundary with 12 Copper Beeches .

14/2004 DISSOLUTION OF DIG (DISABILITIES IN GARDENING PROJECT)

RESOLVED to note that the Disabilities in Gardening Project proposed in association with the Nuttalls Park Allotment Society had been dissolved due to the project's inability to find new members to continue.

15/2004 VARIATION OF GRAZING AGREEMENT - PARKSIDE ALLOTMENT SITE

RESOLVED to note that at the request of the tenant the Council had agreed to a temporary variation in the Parkside Heage Grazing Agreement to allow grazing by three cattle rather than by horses.

16/2004 ALLOTMENT BONFIRES - ENVIRONMENTAL PROTECTION ACT 1990

RESOLVED to note that all Allotment Society representatives had been provided with a laminated notice on Allotment Bonfires for display on the site notice board and copies of the Borough Council Helping You with Allotment Bonfires for circulation to individual society members.

17/2004 AMBER VALLEY BOROUGH COUNCIL FREE TREE SCHEME

RESOLVED to recommend to Council that an application be made for free trees to be provided for the Greenhillocks site (for the area near the Peasehill gate entrance to the site)

18/2004 SKIP FOR SANDHAM LANE ALLOTMENT SITE

RESOLVED to recommend to Council that a skip be provided for the Sandham Lane site to allow clearance of all extraneous materials from the site at an estimated cost of £130.

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19/2004 ACCOUNTS FOR PAYMENT

RESOLVED 1) to note that the following accounts had been paid: -

	Peak Waste (Parkside)	£123.88
	GEM Concrete (Fencing - Sandham Lane)	£76.67
	M Fairy (Water pipe repair - Sandham Lane)	£50.00
	Wardmans (Fencing - Parkside)	£108.34
	Total	£358.89
(b)	Income to 30 October 2004	
	Allotment Rents	£589.00
	Rent from grazing land	£530.00
	Interest	£20.10
	Total	£1139.10

20/2004 DATE OF NEXT MEETING

RESOLVED that the next meeting be held on 22 March 2005.

RIPLEY TOWN COUNCIL

APPENDIX 2

Minutes of a meeting of the PLANNING SUB COMMITTEE held on 7 January 2005.

PRESENT

Councillor Mrs I Harry (in the Chair)

Councillors G Carlile, S M Daley, W G Fryer, M B Gent and F A Raphael.

1/2005 MATTERS RAISED IN PUBLIC PARTICIPATION

There were no members of the public present.

2/2005 DECLARATION OF MEMBERS INTERESTS

Councillor F A Raphael declared a personal interest as a member of Cromford Canal Society in the matter recorded at Minute 3/2005.

3/2005 PLANNING APPLICATION CW6/1104/162 - PROPOSED RESTORATION OF WOODLAND USING STONE AND SOIL FROM ADJACENT WAREHOUSE DEVELOPMENT SITE PREPARATION - DISUSED RAILWAY CUTTING SAWMILLS AMBERGATE FOR LOCKWOOD HOLDINGS LTD

A Local Member raised her anxieties about this application on the three following aspects: -

1 The effect on the lives of nearby residents

The proposal was to infill the cutting to a maximum depth of 14.75 metres i.e. higher than a house - by dumping earth materials, in layers, between 8am and 5pm Monday to Friday, over a period of three years. There was no estimation of noise levels. It was suggested that the cutting would not screen the noise, especially as the cutting floor would rise as material was dumped. Residential properties are within 50 yards and it was therefore envisaged that within a short space of time, for instance by early summer 2005, Sawmills residents would be subjected to irritating levels of noise right through the summer months, when they would want to enjoy the peace and privacy of their rear gardens. (Photographic evidence was produced to show that the existing trees in the mature woodland were being cut down and dumped) In addition, the cutting passes through a steep slope, which means that as the level of infill rises, the dumping would be increasingly loud and visible.

Tree cover will have to be removed before dumping can begin which will expose the whole cutting to sun and wind. This would dry out the dumped material quickly,

resulting in dirt and grit being blown into the homes of Sawmills residents. The removal of the trees would also expose the site to rainfall and flash flooding. This raises the question of where the run-off will go, since there is no drainage on the site.

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It was considered unacceptable for residents to put up with this level of disruption, over four years, including one year to plant trees. Annoyance from wind-blown dust and flash flooding could be longer than this time because it takes much more than one year for trees and vegetation to become established on a steep slope of low-grade soil.

An additional worry was that in-filling a slope risks the danger of landslip following heavy rain. This was an especial worry because the proposal contains no aftercare apart from replacing dead saplings and 'weed control'. For a slope to be properly consolidated it would require careful planting of low-growing native plants to conserve the soil surface, in addition to native trees. Weed control implies killing plants rather than encouraging their growth.

2 Historical aspects of the site

Concern was expressed that the cutting was considered to be of no historic importance. As part of the old Midland Railway, formed in 1844 this makes the line an early example of railway engineering. The cutting is also immediately adjacent to the bed of the Cromford Canal, which was vital in past transport and industrial history.

This area is part of an important access to the Derwent Valley and the Peak National Park. This cutting could provide an interesting and peaceful trackway, for walkers and cyclists, to and from Ambergate Station, and the restored Cromford Canal, and away from the increasingly busy A610.

3 Environmental issues

It was disappointing to note that the cutting was surveyed for wildlife and the environment in October 2004 at a time of year when most herbaceous plants had died away and were invisible, trees were difficult to identify, and many animals, whether mammals, birds, amphibians or invertebrates, had made themselves scarce or gone into hibernation. Pond life was at a low ebb and so little, if anything, alive was visible in the marshy and damp areas of the bottom of the cutting.

In addition, the cutting was at the centre of a group of five assorted wildlife and nature sites and must by its peaceful and undisturbed character be an important wildlife corridor in a narrow valley blighted by the busy A610. The cutting had lain undisturbed since 1968, which had allowed a variety of trees and vegetation to grow to maturity. Being peaceful and secluded, it was a nesting haven for bird life and a site regularly used by many different animals.

It was considered important that a full environmental survey was carried out before any disturbance of the site was contemplated.

Three residents had provided copies of comments they had made regarding the application and were reported to the meeting. The comments concentrated on the possible effects of surface water/flooding, noise and dust during operations and after care.

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RESOLVED to recommend to Council to object to this application on the grounds that infilling this cutting would neither restore the land, nor improve the ecology or landscape of the area and to draw to the attention of the Planning Authority to the comments expressed in respect of the surface water/flooding dangers, noise and dust pollution problems for local residents and after care as detailed in the preamble to the resolution.

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