

**MINUTES OF THE HOLBROOK PARISH COUNCIL MEETING HELD ON  
WEDNESDAY 31<sup>st</sup> AUGUST 2016 AT 7.15 p.m. AT THE 'ARKWRIGHT' PARISH  
HALL, MOORSIDE LANE, HOLBROOK**

**PRESENT:-** Councillors Massey (Chairman)  
Mrs Briggs  
Bull  
Mrs Gruber  
Kennedy  
Rhodes  
Roberts  
Kevin BATTERY DCC/AVBC  
Mrs H Owen (Clerk)  
100 members of Public

**2016/08/1 APOLOGIES**

Cllr T Ainsworth (AVBC), PC Gareth Cole and PCSO John Midgely

**2016/08/2 DECLARATIONS OF MEMBERS INTERESTS**

Cllr Bull declared an Interest in Agenda Item 13 Planning and would leave the meeting at this section.

Cllr Gruber declared an interest in Agenda Item 10-cheque for Councillor training.

**2016/08/3 PUBLIC SPEAKING:-**

**100 Members of the Public:**

100 members of the Public came to the Public Speaking session to raise concerns about the recent planning applications for the redevelopment of the Spotted Cow Pub on Town Street.

The Chairman welcomed everyone to the meeting and emphasised that the Parish Council would listen to the concerns and issues and would be able to answer factual information requests but would not be able to debate or discuss this application until the Parish Council discussed the item on the Agenda in the main part of the meeting. The Chairman stressed that everyone was welcome to stay to listen and it was proposed by Cllr Briggs, that the item be moved up the Agenda to after Public Speaking. This was seconded by Cllr Massey and all voted in favour.

Key concerns raised by the public at the meeting were as follows:

- Several inaccuracies in the statements in the Spotted Cow redevelopment documents.
- 8 Houses is too many for the area and access on Town Street will be limited and dangerous on an already dangerous road.

- The Paddock access is too small and will not be safe or suitable for the increased traffic.
- Parking Issues
- Demolishing of an historic old building in Holbrook
- Changing the image and history of the area, losing the focal point of the conservation area.
- Concerns raised about the standard of materials being used not been appropriate.
- Large increase in cars and need for parking
- Loss of car park
- Some houses doors will open straight onto the road
- Strong concerns raised about the land ownership with one member of the public saying part of his land is included in the development plans
- Problems with access to current properties
- Loss of privacy to current properties
- Loss of employment opportunities with the closing of the pub

### **2016/8/11 Planning**

This item was moved forward to after the public speaking. This was proposed by Cllr Mrs. Briggs, seconded by Massey and all voted in favour. Cllr Bull left the meeting.

### **New Planning Applications**

**AVA/2016/0792 Spotted Cow, 12 Town Street, Holbrook:  
Alteration to existing public house to form a single residential dwelling and associated landscaping and AVA/2016/0793 Spotted COW, 12 Town Street Holbrook: Construction of 8 dwellings and two garages with access from Town Street and The Paddock.**

The Parish Council submit the following statement to application AVA/2016/0792 and AVA/2016/0793. The supporting documents mentioned in the below statement have been emailed directly to [Alan.Redmond@ambervalley.gov.uk](mailto:Alan.Redmond@ambervalley.gov.uk)

Holbrook Parish Council (HPC) asks Amber Valley Borough Council (AVBC) to refuse planning application AVA/2016/0792 and the related application AVA/2016/0793 on the grounds that:

- 1) It is detrimental to the Holbrook and Holbrook Moor Conservation Area and is contrary to the National Planning Policy Framework (NPPF) Core Planning Principles and the saved policy EN27 of the AVBC Local Plan.

- 2) It is contrary to the application made to AVBC by HPC (which was acknowledged by AVBC as received 09/12/2015) to register the "Spotted Cow" as an Asset of Community Use.
- 3) It will mean the loss of an established business at the heart of the village.
- 4) It will exacerbate an already difficult and potentially dangerous traffic situation on a narrow road forming part of the through road from Derby to Belper.
- 5) Further despite the inaccurate comments in the Heritage and Impact Statement there is community interest in purchasing the Spotted Cow and car park and time should be given to allow that to be completed. It has also been highlighted that there has been omissions by the developer including significant height differences between the front and the back of the site.
- 6) There are inaccuracies throughout the application which must be rectified.

AVBC are asked to consider using an Article 4 direction, which can be made when the character of an area of acknowledged importance would be threatened, to prevent the proposed change of use of the "Spotted Cow" and car park to housing. Article 4 directions are most commonly used in conservation areas.

Supporting information and documentation:

- 1) The Holbrook and Holbrook Moor Conservation Area Character Statement (see enclosed) adopted as Council Policy and Supplementary Planning Guidance 23/12/1996 in the section covering Town Street and Church Street mentions the Spotted Cow public house.

The policy seeks to protect the character of the Conservation Area and specifically states that development should not encroach upon the setting of historic buildings.

Planning application AVA/2013/1013 concerning the demolition of an existing dry stone wall at 20 Town Street which is the property immediately to the south of the Spotted Cow car park was refused. The letter (see enclosed) dated 9 January 2014 from Julian Townsend, Executive Director Operations at AVBC, includes "The site lies within Holbrook Conservation Area, saved policy EN27 of the Adopted Amber Valley Borough Local Plan 2006 states that planning permission will only be granted if the development contributes to the preservation or enhancement of the Conservation Area."

HPC does not consider the proposed development covered by this application preserves or enhances the Conservation Area.

- 2) The sale particulars for the Spotted Cow and car park were for a public house which HPC supported. In view of the lack of evidence of progress of the sale

HPC resolved at its meeting on 25<sup>th</sup> November 2015 (minute number 2015/11/7 g) to apply to AVBC to register the Spotted Cow as a Community Asset. The application was received by AVBC 9<sup>th</sup> December 2015.

- 3) The Spotted Cow has long been a popular pub and restaurant and HPC does not believe its closure was a result of falling trade but down to factors outside the control of the Holbrook Community. At its peak it had a turnover of c£454,000 and as recently as 2010 was voted the Midlands' Dining Pub of the Year.
- 4) The Spotted Cow and car park run along the West side of Town Street which is a busy through road and bus route between Derby and Belper. Town Street at this point is narrow and HPC would draw attention to the observations from Derbyshire County Council relating to this application.
- 5) The comments included in the Heritage and Impact and Design and Access Statements are at best inaccurate. It is stated that, with regard to the Spotted Cow public house, there was "no interest shown to reopen it or purchase it by the community for community use". As previously stated the Spotted Cow and car park were put up for sale as a pub and there had been no indication that the sale was proceeding other than on that basis. Further HPC was approached by the owners about attending an HPC meeting to explain why it was considered necessary to seek permission to build two houses at the back of the car park to generate funds to refurbish the pub see enclosed e-mail dated 05/01/2016 to the HPC clerk.

Further HPC was contacted via e-mail dated 23 February 2016 (see enclosed) by four parishioners who had considered making an offer for the Spotted Cow and car park as a going concern. At best they were being frustrated by the agents. HPC understands that contact has been made by this group of parishioners with a business which looks to invest in pubs like the Spotted Cow in similar locations. HPC further understands that the business has already done this in Derbyshire villages close to Holbrook.

HPC has become aware of an instrument called an Article 4 direction, which can be made when the character of an area of acknowledged importance would be threatened. Most recently this approach has been used by Councils including Wandsworth Council and Cambridge Council to protect its pubs and HPC would ask AVBC to use this instrument to prevent the proposed change of use of the "Spotted Cow" and car park to housing. Such action would allow the community, who are currently seeking to raise the necessary funds, to complete that action.

HPC would like to request that this matter goes to committee and the decision is not made by delegated powers.

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HPC is supported by a considerable body of parishioners in urging AVBC to refuse this planning application.

**AVA/2016/0860 & AVA/2016/0861 Lumley Cottage, Birchwood Farm Portway, Coxbench.**

**Proposed singled storey rear extension to cottage (Sun Lounge) (Application 0861 is listed building consent).** The Parish Council has no observations.

**AVA/2016/0805 Garage on land to north of 97 Belper Road Bargate. A new two storey house with double garage to replace current industrial unit.**

The Parish Council support the application and believe it will be a vast improvement on the current building.

#### **Decisions**

**AVA/2016/0565** 8 Town Street, outline application for the conversion and extension of the smithy to form single dwelling. **PERMITTED**

**AVA/2016/0636** 18 Moorside Lane, Two storey extension. **PERMITTED**

**AVA/2016/0623** Steel framed barn, Birchwood Farm, Portway, Coxbench. Residential conversion of barn including garage. **REFUSED**

#### **2016/08/4 MINUTES OF THE PARISH COUNCIL MEETING WEDNESDAY 27<sup>th</sup> JULY 2016**

Proposed Cllr Rhodes, seconded Cllr Mrs Briggs – unanimously agreed.

#### **2016/08/5 CHAIRMAN'S ANNOUNCEMENTS**

The Chairman welcomed everyone to the meeting and outlined business for the evening.

#### **2016/08/06 Casual Vacancies and Co-Option of new Councillors**

Jan Bradshaw attended the meeting with a view to becoming a Parish Councillor. Cllr Massey outlined the work of the Parish Council. The Councillors asked questions

about what Mrs. Bradshaw could bring to the Council.

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It was proposed by Cllr Massey to co-opt Mrs Bradshaw onto the Council, this was seconded by Cllr Mrs, Gruber and all voted in favour. Mrs Bradshaw signed the relevant declaration of acceptance of office form and joined the meeting.

The Clerk is to invite Paul Vincent to the September meeting following his interest at the Village Fete at becoming a Parish Councillor.

### **2016/08/7 CLERK'S REPORT**

#### **(a) Mellors Lane Park Improvements – inspection reports and request of use**

Mr Brocklehurst reported an issue with the zip wire equipment. Cllr Rhodes went to look at the item and confirmed the item is safe to use and the issue had been fixed.

A request from Belper Sports Football Club to hold a social event on Mellors Lane Park on Sunday 4<sup>th</sup> September. They wished to use single use BBQ's and play on the park. It was felt it was not appropriate to allow the use of the BBQ's and the request had come with too short a notice time for us to access the Health & Safety of the event. The Clerk will respond to the request and explain the situation. It was suggested by Cllr Mrs.Gruber that the Council have a policy about use of Mellors Lane Playground. This will be looked at and discussed at a future meeting.

**Action-The Clerk**

**(b) Potterell Charity** – Cllr. Massey reported a wasp and ant infestation which is being dealt with.

#### **(c) Footpaths, hedges and verges.**

All the items which were highlighted on the annual footpath walk have been approved for repair by DCC and work will take place shortly.

Cllr Mrs. Briggs reported that the verges on Portway were dangerously overgrown and people were unable to use the footpaths. The matter was reported to Cllr Kevin Buttery and he will ask for the request to be completed. He reported to the Parish Council that the department are very stretched and they are only doing areas classed as dangerous.

#### **(d) Social Media**

The Facebook page has had a few new followers this month and has been posting information throughout the month. The Clerk will continue to use the page to engage with members of the Parish.

**Action-The Clerk**

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**(e) Parish Warden**

The Parish Warden has been signed off work for 4 weeks. It was RESOLVED that the clerk would contact other local parishes to see if their Warden may be able to help with the work in Holbrook during the next 4 weeks. If they are not available the clerk is to contact a local company who do such work. It was RESOLVED that the Chairman, Vice Chairman and the clerk could deal with this matter.

**Action- The Clerk**

**(f) Insurance Quote**

It was RESOLVED to select the Hiscox insurance quote through Came & Company for 1 year and review again this time next year. The cost of the insurance is £1244.48p.

**Action- The Clerk**

**2016/08/8 Neighbourhood Plan Update**

The Clerk has registered the Parish as the designated area for the Neighbourhood Plan. Once this has been confirmed as accepted by AVBC the Clerk will inform the Councillors. The Neighbourhood plan will be discussed further at the September meeting.

**2016/08/9 Budget and Precept Plans for 2016/17**

Cllr Mrs. Gruber raised the subject of community involvement in the plans for the budget and precept. It was RESOLVED that the clerk would draft an article to be used in the village magazine.

**Action-The Clerk**

**2016/08/10 FINANCE:-**

**a) Accounts for payment**

Proposed Cllr Mrs Briggs and seconded Cllr Kennedy. Unanimously agreed. Cllr Mrs Gruber declared an interest in item 2016/08/10 a5

1) MS Accountancy	£14.64	Cheque 000907
2) H Owen Salary	£544.57	Cheque 000908
3) Tom Connors	£476.23	Cheque 000909
4) HMRC	£136.16	Cheque 000910

5) DALC finance training for K Gruber	£25	Cheque 000911
6) AM Hall (Mowing of Gorsey Piece)	£102	Cheque 000912

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**b) Update on new bank accounts**

HSBC account is now open and all cheques for £72,500 have been paid into the accounts. The Clerk will now work with Cllr Mrs. Briggs to update Natwest, RBS and Unity Trust accounts with Cllr Mrs. Briggs replacing Gail Brocklehurst as a signatory.

**C) Pensions Auto Enrolment Update-** The pension's scheme with Derbyshire County Council has now been set up.

**2016/08/12 Correspondence for information.**

DALC circular, Emails regarding Spotted Cow planning application, Film Scene emails, Derbyshire Care services email, Public Sector Exec, Help keep Derbyshire together email, Code of Conduct request,

**2016/08/13 Date of next meeting:** Wednesday 28<sup>th</sup> September 2016

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