

**Minutes of the  
Meeting of Heanor and Loscoe Town Council  
held virtually/on-line, on 1 October 2020**

**PRESENT:** Councillors K Hill (Mayor), C Cox, S Danvers, C Emmas-Williams, S Grainger, J Halfpenny, E Hamilton, S Hind, P Jones, S Oakes, J Stones, R Waldron, J Ward and D Wright.

A minute silence was held in memory of Mrs Joan Soar, a former member of Heanor and Loscoe Town Council.

**AGENDA**

**PART 1 – NON-CONFIDENTIAL INFORMATION**

**045 Apologies**

Apologies for absence were received from Councillors S Bower (work commitments), Mark Burrell (prior commitment), F Carmichael (prior commitment), B Gration (illness), C Gration (family commitments) and S Hart (work commitments).

**Resolved:** Members approved these reasons for absence.

**046 Declaration of Members Interests/Update of Register**

The following declarations of interest were received:

Agenda Item 7 (d) – Thorpes Road – Village Green

Councillor C Cox - personal – personal connection to a member of AVBC (out of room)

Councillor C Emmas-Williams - personal – member of AVBC (out of room)

Councillor S Grainger - personal – member of AVBC (out of room)

Councillor E Hamilton - personal – member of AVBC (out of room)

Councillor K Hill - personal – member of AVBC (out of room)

Councillor S Oakes - personal – member of AVBC (out of room)

Agenda item 11 - Planning/Environment/Licencing

Councillor Stephen Grainger – personal – member of AVBC Planning Board (out of room)

Councillor Kieran Hill – personal – member of AVBC Planning Board (out of room)

Councillor E Hamilton – personal – member of Amber Valley Borough Council (out of room)

**047 Dispensations**

No request for dispensation received.

**048 Public Speaking**

Public Matters

No public matters raised.

**049 Minutes**

The Minutes of the Town Council meeting held on Thursday 3 September 2020 having been circulated to members, were approved as a correct record, and duly signed by the Mayor.

**050 Items to be taken in Exclusion**

**Resolved:** No item to be taken in exclusion.

## 051 Town Council – Items for Decision/Action

### (a) Commemorative Bench – Red River Local Nature Reserve

The rear, custom made, section of the World Ward 1 commemorative bench sited in the Red River Local Nature Reserve has been stolen. David Ogilvie Engineering Ltd of Kilmarnock, suppliers of the bench have kindly agreed to supply a replacement bench free of charge. The remains of the original bench have been removed from site and placed in storage, this will be collected by David Ogilvie Engineering Ltd.

**Resolved:** The replacement bench is to be sited in the Red River Local Nature Reserve. Thanks to be forwarded to David Ogilvie Engineering Ltd and the individual responsible for reporting the theft to the Town Council.

### (b) DCS Ltd – Water Hygiene Survey Risk Assessment – Heanor Town Hall

This document is received, and action is taken to address the recommendations

### (c) Reform of Planning System

The Town Council has submitted their comments to the consultation on a reform to the existing planning system. Details of the comments submitted were circulated to members.

**Resolved:** This information is received and noted.

Thanks, were recorded to Councillor P Jones for collating and submitting the response on behalf of the Town Council.

A copy of the Town Council's submitted comments is forwarded to Nigel Mills MP.

Councillors C Cox, C Emmas-Williams, S Grainger E Hamilton, K Hill and S Oakes left the meeting for the next agenda item.

### (d) Thorpes Road - Village Green

The Town Council has been keen to support an application for a Town Village Green for this area of land to protect it from development.

However, an application in 2010, determined in 2015, was judged by an independent inspector not to meet the criteria. To quote their advice 'The case law rules that in order for the public to acquire TVG rights their use must be *'as of right'*, which is use without force, secrecy or permission. The inspector's opinion was that use of Lockton Avenue Playing Fields was not as of right but, *'by right'*, i.e. with permission (implied or otherwise) and that is why the application was refused.' Further comment was that since then a major change in case law from a case last year see [Lancashire County Council v Secretary of State for the Environment, Food and Rural Affairs \[2019\] UKSC 58 \(Lancashire\)](#). This case law does not change anything about how the land must be used as of right but it potentially makes the registration of land owned by a public body more difficult, as land held for purposes that are statutorily incompatible with TVG rights cannot be registered as a TVG.

In the circumstances it will not be possible to pursue such an application as the area does not meet the current necessary legal requirement to become a Town Village Green.

**Resolved:** This information is noted.

Councillors C Cox, C Emmas-Williams, S Grainger, E Hamilton, K Hill and S Oakes returned to the meeting. Councillor K Hill returned to the chair.

## 052 DALC

### Derbyshire Association of Local Councils

No correspondence received since the last Town Council meeting.

**Resolved:** This information is received.

## 053 FINANCE

### (a) Bacs Payments for approval

Payee	Description	Nett	Vat	Gross
<b>August</b>				
Staff (Sept)	Salary/Wages/mayoral all.	4563.01	00.00	4563.01
Haven Power	Electricity to Town Hall	953.98	190.79	1144.77
Viking	Stationery/cleaning	154.65	17.93	172.58
Kirk Contracts	Shutter cleaning	25.00	5.00	30.00
SWALEC	Electricity supply – FS	275.88	13.79	289.67
Lite Ltd	25% deposit – Xmas lights	2683.25	536.65	3219.90
Protec Fire Ltd	Maintenance/service	168.82	33.76	202.58
Morris Vermont	Lift service	57.50	11.50	69.00
Excel Cleaning	Anti bac/mop head	19.42	3.88	23.30
Derbyshire CC	Superannuation	780.99	00.00	780.99
Tudor Landscapes	Door glass/cills/grounds maint	890.37	00.00	890.37
Opus Energy	Gas supply – WS	33.87	2.87	60.25
Opus Energy	Gas supply – TH	23.51		
AVBC	Rates	1237.00	00.00	1237.00
XLN	3 x line rental/calls/broadband	191.76	38.35	230.11
Inland Revenue	Paye/Ni	935.08	00.00	935.08
<b>Total</b>		<b>12994.09</b>	<b>854.52</b>	<b>13848.61</b>

**Resolved:** Payment of the above accounts by BACS at a cost of £13,848.61 is approved.

### (b) Income for August 2020

Town Hall lettings	700.00
Town Hall Rents	333.33
The Old Fire Station	1441.32
The Wilmot Street Centre	303.75
Other	94.35
<b>Total</b>	<b>2872.75</b>

**Resolved:** This information is received.

### (c) Bank Reconciliation August 2020

**Resolved:** This document is received.

## 054 Clerks Report

Summer planting scheduled to be removed 8 October 2020.

The entrance to Red River was constructed by Derbyshire County Council and allows for disabled access.

Necessary roof repairs have been carried out on the Town Hall.

Covid 19 Test and Trace mobile site visited Heanor 18-21 September 2020.

The costs for the sacrifice sculpture have been brought in on budget and the Town Council has a scale model for viewing.

Groundwork will be working with members of Red River Group and volunteers on the Red River site on Tues 29<sup>th</sup> Sept and Wed 7<sup>th</sup> Oct. and Tues 20<sup>th</sup>.Oct.

Heanor Boots Store to close on Saturdays from 5<sup>th</sup> October 2020.

**Resolved:** This information is received.

Councillors S Grainger, K Hill and E Hamilton left the meeting for the next agenda item.

Council Leader Councillor P Jones took the chair.

**055 PLANNING/ENVIRONMENT/LICENSING**

**AVA/2020/0783 – Heanor Fish Bar 15 Loscoe Road, Heanor, Derbyshire, DE75 7FF**

New shop front and construction of rear dormer to flat above.

**AVA/2020/0819 – 23 Furnace Lane, Loscoe, Heanor, Derbyshire, DE75 7LD**

Proposed two storey side extension to dwelling house.

**TRE/2020/0776 – 17 Greyfriars Close, Heanor, Derbyshire, DE75 7UY**

Reduce height of sycamore trees.

**AVA/2020/0824 – 29 Lake Avenue, Loscoe, Heanor, Derbyshire, DE75 7LJ**

Two storey side to dwelling house.

**AVA/2020/0660 – 1 Allandale Road, Heanor, Derbyshire, DE75 7FH**

External cladding to front side and rear elevations.

**AVA/2020/0858 – 19A Church Street, Heanor, Derbyshire, DE75 7AH**

Variation of condition 2 of AVA/2019/1234 regarding opening hours.

**Resolved:** The Council objects to this application on the following grounds.

The application is for the opening hours to be extended to 11pm.

There are several residential properties nearby which would be adversely affected if this were to be granted.

It should be recognised that activity would not cease at this time, noise would be generated by cleaning, staff leaving the premises and movement of vehicles well beyond 11pm.

**TRE/2020/0795 – 13 Mansfield Road, Heanor, Derbyshire, DE75 7AQ** Re-pollarding of 2 no. lime trees.

Councillors S Grainger, K Hill and E Hamilton returned to the meeting. Councillor K Hill returned to the Chair.

**056 National Joint Council 2020-2021 National Salary Award**

The National Joint Council for Local Government Services (NJC) has agreed the new pay scales for 2020-20201 to be implemented from 1 April 2020.

**Resolved:** The Town Council implement the NJC National Salary Award with effect from 1 April 2020.

**057 Date of Next Town Council Meeting – 5 November 2020**