

## **PLEASE NOTE THE VENUE AND TIME**

### **SWANWICK PARISH COUNCIL**

Clerk to the Council  
76 – 80 Derby Road  
Swanwick  
Derbyshire DE55 1BG  
Email: [clerk@swanwickparishcouncil.org.uk](mailto:clerk@swanwickparishcouncil.org.uk)  
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10<sup>th</sup> October 2017

You are summoned to attend the **FULL COUNCIL MEETING** to be held at **Meeting Rooms, rear of Baptist Church, Derby Road, Swanwick on Thursday 19<sup>th</sup> October 2017 at 7.15pm.**

Members are asked to sign the attendance sheet for the meeting and to complete the Declarations Sheet (if appropriate), both available at the meeting.

Clerk to the Council

## **AGENDA**

### **1. Apologies**

Members are reminded to give their apologies direct to the Clerk.

### **2. Variation of Order of Business**

### **3. Declarations of Interest**

Members must fill out the Declaration of Interests Forms for submission. Members are requested to declare any personal or prejudicial interest they may have in any item of the evening's business, and to explain the nature of that interest.

Where a member indicates that they have a prejudicial interest, but wish to make representation regarding the item before leaving the meeting, they must do so under item 10D of Public Participation.

### **4. Public Participation**

**A) Public Attendance & Speaking:** Residents wishing to speak need to book in with the Clerk, preferably prior to the meeting by email/phone or immediately prior to the start of the meeting.

**Whether wishing to speak or not, each member of the public is required to indicate whether or not they consent to have their name and/ or organisation recorded and published in the minutes of the meeting. Minutes are published on the Parish Council website and are available to the public under the Freedom of Information Act 2000.**

At the start of the meeting a period is available for members of the public to ask questions, make representations or submit comments. This is **LIMITED TO THREE MINUTES PER PERSON** – at the sole discretion of the Chair.

**B) Parish Council Members' observations will be taken alongside Reports from any Borough and County Councillors attending.**

### **C) Police Matters**

Information about the Safer Neighbourhood Team's activity in the area and an interactive crime map are available on the following web pages

[www.police.uk/derbyshire/NR06/](http://www.police.uk/derbyshire/NR06/)

### **D) Representations or Evidence from Members Declaring a Prejudicial Interest**

Members indicating that they have a prejudicial interest in an agenda item and who wish to make a representation before leaving the meeting shall do so at this stage.

## **5. Minutes of Full Council**

### **5.1 To receive the Minutes of the Meeting held 21<sup>st</sup> September 2017**

## **6. Planning Matters**

**6.1 Planning Applications for comment:** All applications can be viewed at [www.ambervalley.gov.uk](http://www.ambervalley.gov.uk) click on Planning and then click on Planning Applications and use the AVA reference number to search.

**6.2 AVA/2017/0963 Lily Street Farm** Erection of 157 dwellings, access, drainage and open space infrastructure (Phase 1)

## **7. Clerk's Report**

- 7.1** Village Hall Site – Intrusive Investigation
- 7.2** Village Hall Site - Contamination Survey
- 7.3** Application to DoT for Stopping up Order
- 7.4** Vacancies in the office of parish councillor
- 7.5** Councillor Attendance record 2017-18
- 7.6** Swanwick Recreation Grounds- Chapel Street
- 7.7** Street lighting columns - Stress Testing
- 7.8** DCC Snow Warden Scheme
- 7.9** BT Poles on 76 – 80 Derby Road removal
- 7.10** Swanwick Old peoples Welfare High Street
- 7.11** Portable Appliance Testing
- 7.12** Notice Board

## **8. Chair's Report**

To be presented verbally

## **9. Councillors' Updates**

Website activity & Social Media

Remembrance Sunday Parade

Carol & Civic Service

Village Hall Working Group Meeting 18<sup>th</sup> October 2017

Defibrillator Working Group

## **10. Correspondence & Circulars (copies are available on the website)**

**10.1** DALC 10 2017

**10.2** DALC 11.2017

## 11. Accounts - update

### 11.1 To approve urgent payments made to the following:

Date	Cheque	To Whom Payable	Reason	Amount £
31.08.17	3720	Atlantic Electric & Gas	Gas Utility	33.41
07.09.17	DD	NEST	Pension Contr. 08/17	25.95
17.09.17	DD	Haven Power Ltd	Utility Electricity	17.00
21.09.17	3721	Cancelled		0.00
21.09.17	3722	M Barnett	Honorarium Qtr 3	80.00
21.09.17	3723	G Soudah	Chair's Allowance 2nd Half	400.00
21.09.17	3724	G Soudah (Reimbursement)	Phone & B/band	30.00
			Stationery	71.50
			Postage Stamps	13.44
			Misc - Flowers etc	16.50
			Misc - Consumables	1.99
			Ent - Int Panel	47.50
			Ent - Int Panel - plates & glasses	5.07
21.09.17	3725	G Soudah	Keys	40.00
30.09.17	3726	New Leaf Landscapes	Contract Payment 6 of 8	1,125.00
30.09.17	3727	Broadbent Solicitors LLP	Reg of Title - Swanwick Allmt	299.00
30.09.17	3728	Rock Fall (UK) Ltd	Personal Protective Equipment	67.39
30.09.17	3729	Rural Action Derbyshire	PAT Workshop (RC)	117.60
30.09.17	3730	Royal British Legion	2 x wreaths	40.00
30.09.17	3731	Glasdon UK Ltd	Spaceliner bin	1,208.31
30.09.17	3732	Cancelled		0.00
30.09.17	3733	R Castledine	Wages Mth 6	1,230.99
30.09.17	3734	HMRC	Tax & NI Mth 6	342.51
30.09.17	3735	C Miles	Wages Mth 6	884.92
03.10.17	DD	NEST	Pension Contr. 09/17	42.33
06.10.17	3736	Valley CIDS	Bench refurb - Man Shed	40.00
06.10.17	3737	Noticeboards Online	Noticeboard	235.20
			<b>Total</b>	<b>6415.61</b>

### 11.2 To approve payments to the following: - update

To Whom Payable	Reason	Amount £
MH-P	Web Site 2017-18	588.00
	<b>Total</b>	<b>588.00</b>

### 11.3 Income Received: - update

Date	Remittance	Amount £
20.09.17	601365 Swanwick Allotments 2nd Half Rent	225.00
21.09.17	BACS September 17 Precept	69625.00
	<b>Total</b>	<b>69850.00</b>

## **12. Bank Reconciliation – update**

Opening Balance 01.04.17	72593.88	
Receipts to 02.10.17	147098.17	
Sub Total		219692.05
Unpresented cheques 16-17	2287.71	
Payments to 02.10.17	41775.3	
Unpresented cheques	5315.72	
Sub Total		38747.29
Closing Balance 02.10.17		180944.76
Bank Balance at 02.10.17		180944.76

## **13. Exclusion of Press & Public**

'That pursuant to section 1(2) of the Public Bodies (Admission to Meetings) Act 1960, the press and public be excluded from the meeting for Agenda Item(s) below by reason of the confidential nature of the business to be transacted'.

## **14. Items for the next Agenda**

Items are invited for inclusion in next month's agenda

## **15. Date of Next Meeting: 7.00pm 16<sup>th</sup> November 2017 at the Meeting Room at the rear of the Baptist Church, Derby Road.**

**SWANWICK PARISH COUNCIL  
MINUTES OF THE PARISH COUNCIL MEETING  
THURSDAY 21st September 2017**

**Present:** Cllrs Adams, Barnett, King, Payne & Soudah

**Members of the Public:**

**Members of the public listed waived their right to anonymity under the Data Protection Act:**

John Briggs

Rob Castledine

Varinka Strong – Swanwick Primary School

AVBC Cllr David Wilson

**379/2017 APOLOGIES**

Cllr Briggs & Davies

**380/2017 VARIATION OF ORDER OF BUSINESS**

No variation proposed

**381/2017 DECLARATION OF INTEREST**

Members were reminded to update their Declarations of Interest and submit these to the Clerk.

Cllr. Barnett declared interest in item no.11.2

Cllr. Soudah declared interest in item no.11.2

Both councillors remained in the meeting.

**382/2017 PUBLIC PARTICIPATION**

**382.1/2017 Public Speaking**

**Varinka Strong** spoke about Swanwick Primary School Governors concerns about the Phase 1 development proposal for Lily Street and in particular the revised location of the school. The Governors are concerned about the additional numbers of pupils and the fact that the Primary School is over subscribed.

**AV Cllr. David Wilson** provided a copy of DCC Highways comments to the proposed private car park at 63 Derby Road.

**John Briggs** commented on Phase 1 proposal for Lily Street. He was concerned that AVBC did not acknowledge inaccurate dates entered on decision notices and whether this had any legal implications.

**382.2/2017 Members' Observations**

**Cllr Mary Barnett** asked about the bench that was removed from outside the PO in High Street. This has been removed for refurbishment and will eventually be returned.

**Cllr Bruce Adams** raised 6 points:

1. Land at corner of Western Avenue and New Street – can this be used for parking. The Enquiry should be redirected to Future Homes Group who currently owns the land.
2. Traffic lights at Sleetmoor Lane – has the priority been changed as fewer cars are let through from Derby Road. An issue to raise with DCC Highways.
3. Oil spill outside the PO High Street – this is an issue to raise with the land owner.
4. Graffiti in the play area off Beaulieu Way – comment made on Facebook several months ago. Should be directed to AVBC.
5. Social Club in High Street – has ownership been discovered? Enquiries are pending.
6. Boot and Slipper are enquiring if additional benches can be placed on opposite side of roundabout. This is a licensing issue to be raised directly with AVBC and a highways issue on change of use of footway.

**Cllr Alan King** expressed concern about the lack of representation from Borough Councillors in respect of Lily Street development.

### **382.3/2017 POLICE MATTERS**

The Pantry was broken into again last week. Will raise matter at next SNP meeting.

### **382.4/2017 REPRESENTATIONS OR EVIDENCE FROM MEMBERS DECLARING A PREJUDICIAL INTEREST**

None

### **383/2017 MINUTES OF FULL COUNCIL**

#### **RESOLVED:**

Minutes of Full Council held on 20 July 2017 be received as correct account of the meeting. The minutes were signed by the Chair.

### **384/2017 PLANNING MATTERS**

#### **384.1/2017 Planning Applications**

**AVA/2017/0963 Lily Street Farm** draft response previously circulated was replaced by letter dated 18/09/17 – see attachment 1.

#### **384.2/2017 Planning Decision Notices**

No comments received & no Planning decision notices considered.

### **385/2017 CLERK'S REPORT**

#### **385.1/2017 External Audit**

Members noted the update.

#### **385.2/2017 Outline Planning Permission granted**

Members noted the update and that additional surveys and site investigations required.

#### **385.3/2017 Village Hall Site – Intrusive Investigation**

##### **RESOLVED:**

To authorise the Chair to review the quotations received, select and commission the Site Intrusive Investigation works from the most appropriate company.

**385.4/2017 Village Hall Site - Contamination Survey**

**RESOLVED:**

To authorise the Chair to review the quotations received, select and commission the Site Contamination Survey from the most appropriate company.

**385.5/2017 Application to DoT for Stopping up Order**

**RESOLVED:**

To authorise the Chair to apply for a SUO, to take appropriate action to establish ownership and register with Land Registry.

**385.6/2017 Recruitment of Clerk**

**RESOLVED:**

**385.6.1/2017** To approve the re-designation of the post of Clerk (Proper Officer & Responsible Financial Officer) as a paid post

**385.6.2/2017** To approve the panel's appointment of Cheryl Miles as Clerk (Proper Officer & RFO) on a six month fixed term contract ending 28th February 2017.

**385.7/2017 Vacancies in the office of Parish Councillor**

Members agreed to continue efforts to promote the vacancies, including on social media.

**385.8/2017 Councillor Attendance Record**

Members noted need to inform Clerk of non-attendance well in advance of meeting.

**385.9/2017 Land Registry Issues**

Members noted progress

**RESOLVED:**

To authorise the Chair to pay the invoice total of £871-00.

**385.10/2017 Pentrich Revolution Way Board**

Members noted the way board has now been installed.

**385.11/2017 Footpath South Wingfield – 55**

**RESOLVED:**

To include an article in the next newsletter and to flag the issue on social media.

**385.12/2017 Swanwick Recreation Grounds- Chapel Street**

**RESOLVED:**

**385.12.1/2017** To seek further information

**385.12.2/2017** Subject to the responses, Swanwick Parish Council will consider interest in sole trusteeship of the charity at a future meeting

**385.13/2017 Street Lighting Columns - Stress Testing**

**RESOLVED:**

**385.13.1/2017** To authorise the Chair/Clerk to approach a three local companies for a quotation

**385.13.2/2017** To authorise the Chair to select an appropriate company to undertake the SLC Stress Testing.

### **385.14/2017 DCC Snow Warden Scheme**

#### **RESOLVED:**

To authorise the Chair/Clerk to register for the scheme.

### **386/2017 Chair's Report**

The Chair presented a verbal report on the activities of the previous two months and his forward programme. This is summarised below: -

1. Safer Neighbourhood Panel Meeting 26 July 2017
2. Clerk Recruitment Interviews during 1<sup>st</sup>/2<sup>nd</sup> week August
3. Induction Training of newly appointed Clerk 1-15 September 2017
4. Cray's Hill Community Group Mtg 6 September 2017
5. Cray's Hill Community Group AGM 6 September 2017
6. Defibrillator Working Group Mtg 7 September
7. AVBC Mayor's Civic Service on 17 September 2017
8. Village Hall Working Group 20 September 2017

#### Future Events:

1. Induction Training of newly appointed Clerk 25-29 September 2017
2. Defibrillator Working Group Mtg 1 November 2017
3. Safer Neighbourhood Panel Meeting 1 November 2017
4. Cray's Hill Community Group Mtg 2 November 2017
5. Remembrance Parade 12 November 2017
6. Ripley TC Civic Service 26 November 2017
7. Swanwick Civic & Carol Service 11 December 2017

### **387/2017 Councillor Updates**

#### **387.1/2017 Website activity & Social Media**

Analysis of website activity was not available for the meeting.

#### **RESOLVED:**

Access to social media accounts needed to be reviewed to allow for future Clerk to act as administrator

#### **387.2/2017 Remembrance Sunday Parade 12 November 2017**

Bugler booked, Road Closure permit applied for and wreath ordered from British Legion.

#### **387.3/2017 Civic Carol Service 11 December 2017**

Brass band booked, Swanwick Primary School Choir & Amber Valley Voices notified. Catering still to be arranged.

#### **387.4/2017 Village Hall Working Group Meeting 20 Sept 2017**

Quotation received to be assessed on Tuesday 26<sup>th</sup> September 2017.



**387.5/2017 Defibrillator Working Group meeting 7/09/17**

An additional £400 donated by DCC Councillor Marshall Clarke from his community fund.

**388/2017 Correspondence & Circulars**

Noted

**389/2017 Accounts****389.1/2017 RESOLVED: To approve urgent payments**

Date	Cheque	To Whom Payable	Reason	Amount £
17.07.17	DD	Haven Power Ltd	Utility Electricity	17.00
25.07.17	3707	Hart Signs	PSWR Way Board	420.00
31.07.17	3708	R Castledine	Wages Mth 4	1,230.49
31.07.17	3709	HMRC	Tax & NI Mth 4	293.17
31.07.17	3710	MH-P Internet Ltd (Invoice 3141)	PC Hosting & Domain	127.18
31.07.17	3711	New Leaf Ltd	Contract Payment 4 of 8	1,125.00
01.08.17	3712	Swanwick Baptist Church	Meeting Rental to July 2017	90.00
01.08.17	3713	Grant Thornton UK LLP	Audit Fee 2017	1,560.00
04.08.17	DD	NEST	Pension Contribution 07/17	25.96
08.08.17	3718	Iansprint Ltd	Newsletter July 2017	225.00
			Printing Agenda & Minutes	29.82
10.08.17	DD	UKDMO - PWLB	Loan No 504972	5,044.31
17.08.17	DD	Haven Power Ltd	Utility Electricity	17.00
31.08.17	3714	New Leaf Ltd	Contract Payment 5 of 8	1,125.00
31.08.17	3715	R Castledine	Wages Mth 5	1,230.79
31.08.17	3716	HMRC	Tax & NI Mth 5	293.17
31.08.17	3719	Broadbent Solicitors LLP	Charges (Land Registration)	422.00
		Broadbent Solicitors LLP	Charges (Land Registration)	449.00
			<b>Total</b>	<b>13724.89</b>

**389.2/2017 RESOLVED: To approve the following payment**

To Whom Payable	Reason	Amount £
Cllr M Barnett	Honorarium Qtr 3	80.00
Cllr G Soudah	Reimbursement Expenses	186.00
Cllr G Soudah	Chair's Honorarium (2 <sup>nd</sup> Half)	400.00
Cllr G Soudah	Reimbursement Expenses (Keys)	40.00
	<b>Total</b>	<b>706.00</b>

**389.3/2017 Income Received**

Noted

Date	Remittance	Amount £
	<b>Total</b>	<b>0.00</b>

### **390/2017 Bank Reconciliation**

#### **Cash Book Reconciliation 02.08.17**

#### **NOTED:**

Opening Balance 01.04.17	72593.88	
Receipts to 02.08.17	77248.17	
<b>Sub Total</b>		149842.05
Unpresented cheques 16-17	2287.71	
Payments to 02.08.17	26815.18	
Unpresented cheques	5105.84	
<b>Sub Total</b>		23997.05
Closing Balance 02.08.17		125845.00
<b>Bank Balance at 02.08.17</b>		<b>125845.00</b>

### **391/2017 Exclusion of Press & Public**

None

### **392/2017 Items for the next agenda**

None specifically proposed

### **393/2017 Date & Time of Next Meeting**

7.15pm 19<sup>th</sup> October 2017 at the meeting Rooms at the rear of the Baptist Church, Derby Road

**Meeting closed at 20.55**

Signed:

Date:

# SWANWICK PARISH COUNCIL

Clerk  
Swanwick Parish Council  
76 – 80 Derby Road  
Swanwick  
Derbyshire DE55 1BG

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## BY EMAIL

Rae Gee  
Amber Valley Borough Council  
Planning & Development

18<sup>th</sup> September 2017

### AVA/2017/0963 - Comments by Swanwick Parish Council

The comments made below in respect of this planning application AVA/2017/0963 are referenced to conditions within the Planning Officer's report to the Planning Board on 16<sup>th</sup> November 2015 and the Decision Notice issued on 24<sup>th</sup> May 2016 granting Outline Planning for Lily Street Farm (Application AVA/2014/1154).

1. The Planning Officer's Report presented to the Planning Board on 16 November 2015 on page 87 states:

**Notes**

**Attention is drawn to the attached notes**

*1 The applicant is advised that unless the S106 is agreed, executed and signed within six months from the date of this report, the proposal will be re-considered.*

It is evident that this was not achieved; the Section 106 Agreement was signed and executed on 24<sup>th</sup> May 2016 (8 days beyond the deadline). The proposals do not appear to have been reconsidered by the Planning Board.

In effect this should invalidate the decision to grant outline planning consent in respect to AVA/2014/1154.

2. The Decision Notice TCP3 dated 24 May 2016 sets out a number of conditions.

AVA/2017/0963 is the first Reserved Matters application. The documents available on Amber Valley Planning portal under this reference number do not appear to comply with the requirements set out in the conditions. If these documents are available then they should be publically available to view and inform any comments/ objections.

3. The Masterplan initially included in Design & Access statement with Outline application AVA/2014/1154 has not been updated to include detailed Development Phasing as required by Condition 4 as stated:

**Condition 4.** *Prior to any works commencing (notwithstanding whether works constitute or not a material start of development) a detailed Development Phasing Programme, and plan, shall be submitted for approval and agreed in writing by the Local Planning Authority. The Phasing Programme shall include details of the proposed sequence of development across the development site, strategic drainage and SuDS infrastructure, the extent and location of individual development phases or sub-phases and the associated access arrangements from the existing highway (northern access and Sleetmoor Lane access), designed generally in accordance with the application drawings, and timescales for implementation of the off-site highway improvements and mitigation measures. The development at the site shall be implemented fully in accordance with any approved scheme, unless otherwise agreed in writing by the Local Planning Authority.*

4. Updated Masterplan has not accompanied Reserved Matters application for Phase 1 AVA/2017/0963 as required by Condition 5 of Outline permission AVA/2014/1154 as stated:

**Condition 5.** *All Reserved Matters applications for any phase, or part of a phase shall be accompanied by an updated phasing Masterplan for the approval of the Local Planning Authority. The development shall then be carried out in accordance with the Phasing Programme as approved and updated, unless otherwise agreed in writing by the Local Planning Authority.*

An updated phasing Masterplan has not been approved by the LPA. There is no phasing programme included in the documents available to public on AVBC website.

5. Similarly no documents are available for comment in respect of Condition 6 of Outline Permission AVA/2014/1154 as stated:

**Condition 6.** *Before development commences in each phase or sub-phase a scheme shall be submitted to and approved in writing for that phase or sub-phase indicating: -*

- Construction traffic routing plan;
- The proposed temporary means of construction access;
- Site accommodation;
- Storage of plant and materials;
- Areas for parking and manoeuvring of site operatives' and visitors' vehicles;
- Loading, unloading and manoeuvring of goods vehicles;
- Hours of operation;
- Method of prevention of debris being carried onto the highway.

*The approved scheme shall be fully implemented throughout the construction period and no other operations shall be commenced until the phase or sub-phase has been completed.*

The initial proposals separated the traffic for the industrial development from the residential traffic. The Northern access was intended exclusively for industrial/employment traffic whilst the Southern access was designated as

exclusively for residential. This distinction has not been carried forward and neither of these has been identified as potential routing for construction traffic.

6. No Residential Travel Plan has been included in the documents available for comment in respect of Condition 7 of Outline Permission AVA/2014/1154 as stated:

**Condition 7.** *Prior to or concurrent with the submission of the first Reserved Matters application, modified Residential Travel Plan including travel plan targets comprising immediate, continuing and long-term measures to promote and encourage alternatives to single occupancy car use, shall be submitted to and approved in writing by the Local Planning Authority. The approved Travel Plan shall be implemented, monitored and reviewed in accordance with the agreed Travel Plan Targets.*

No modified Residential Travel Plan has been submitted.

7. No Employment Travel Plan has been submitted in accordance with Condition 8 of Outline Permission AVA/2014/1154 as stated:

**Condition 8.** *Prior to or concurrent with the submission of the first Reserved Matters application a modified Framework Employment Travel Plan, including travel plan targets, shall be re-submitted to and be approved by the Local Planning Authority.*

No modified Framework Employment Travel Plan has been submitted.

8. In fact the whole outline planning application was predicated on the proposed mixed use development that would allow people to live and work in the same locality. Phase one does not include an iota of employment development; this is contrary to the basis of the promoted mixed development.

9. No Design Brief for the overall development has been submitted in accordance with Condition 15 of Outline Permission AVA/2014/1154 as stated:

**Condition 15.** *A Design Brief for the overall development including the scale and massing of buildings within the whole development site, shall be submitted to and approved in writing by the Local Planning Authority prior to the submission of any Reserved Matters application.*

For example, the relocation of the proposed primary school from the South east to the South west corner of the whole site is mentioned in brief in the Design and Access Statement in the key on page 11; however the master plan shown on page 3 still indicates the location to be adjacent to the southern entrance to the site. The Phase 1 Reserved Matters application shows the proposed school site to be for additional housing within Phase 1.

There is a growing concern that the relocation of the school site is not only an indication that the development of the school will be delayed further but possibly the start of a slippery slope leaving the development without the promised facilities.

Additionally this will place pressure on the existing schools that are already full to capacity.

It is clear that by moving the proposed school site, the developer has avoided having to comply with the terms set out in S106 Schedule 3

10. The same applies to the development of the convenience store in the south east corner of the site. There is no convenience store identified within AVA/2017/0963. Effectively this means that the developer does not have to comply with the requirements of S106 Schedule 8.

11. As part of the outline planning permission condition 15 requires the submission of a Design Brief and Design Code. The document on the website, prepared by WYG, suggests that it has been agreed with AVBC

***Condition 15.** A Design Brief for the overall development including the scale and massing of buildings within the whole development site, shall be submitted to and approved in writing by the Local Planning Authority prior to the submission of any Reserved Matters application.*

However the Masterplan on page 3 is identical to the Masterplan submitted with AVA/2014/1154. This still shows the position of the school, community / medical plot and convenience store in the south east corner of the site and within the area covered by Phase 1. This obviously has not been updated to reflect the relocation of the school or the removal of the other components.

The Masterplan is misleading and should provide a clearer indication of the massing of buildings within the whole development site – even if these will be revised in the future on the submission of reserved matters applications. This Masterplan does not address the requirements of a comprehensive visual amenity of the completed development in accordance with saved policies LS3 and H12.

12. Environmental Noise Assessment

***Condition 23** requires an environmental noise assessment and noise mitigation scheme shall be submitted to, and approved in writing by, the Local Planning Authority which specifies the provisions to be made for the protection of noise-sensitive dwellings on the site from road traffic noise.*

The amenity of Lily Cottage must be included in any assessment submitted; this is an existing property on the fringe of the development site and it must be accorded special attention during construction. There is no specific reference to protecting the amenity of Lily Cottage from any noise generated by the prolonged construction.

It is acknowledged that Condition 27 does address the requirement for a Construction Environmental Management Plan (CEMP) to protect Lily Cottage. However this does not appear to refer to road traffic noise contained within condition 23.

Finally, the AVBC documents page for this application contains a lot of detailed individual dwelling designs and layouts making it difficult to identify the more important documents without trawling through all the documents to clearly identify

these. Is there any way in which the detailed layouts can be separated into a specific folder? Or at least be more clearly grouped; possibly separate individual dwelling elevations and layout plans from other documents and comments.

G Soudah

George Soudah, Cllr  
Chair Swanwick Parish Council

Copies to  
Swanwick Parish Cllrs B Adams, M Barnett, R Briggs, P Davies, A King, B Payne,  
Cllr David Wilson  
Mrs R Harnan, Lily Cottage  
Mr J Briggs, Swanwick Residents Association

# 7.0 Clerk's Report to Swanwick Parish Council meeting 19<sup>th</sup> October 2017

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## 7.1 Village Hall Site – Intrusive Investigation

The Chair has review the quotations received, selected and commissioned the Site Intrusive Investigation works to be done by Groundsmiths (UK) Ltd.

## 7.2 Village Hall Site - Contamination Survey The Proposal

The Chair has review the quotations received, selected and commissioned the Site Intrusive Investigation works to be done by Groundsmiths (UK) Ltd.

## 7.3 Application to DoT for Stopping up Order

The Chair has applied for a SUO. Notices have been posted on either end of the boundary for the period of public consultation. Documents are available in the office.

## 7.4 Vacancies in the office of Parish Councillor

There are still four vacancies for parish councillors. The parish has not received any requests for co-option. I urge members to increase the effort to persuade any resident to consider applying to be a parish councillor.

## 7.5 Councillor Attendance Record

In an effort to be transparent, the record of member attendance will be included in the Clerk's report.

Members are reminded to notify the Clerk of any apologies (barring emergencies) well in advance of the morning of the council meeting.

## 7.6 Swanwick Recreation Grounds- Chapel Street

Cllr. Soudah has requested the following information from AVBC:

1. The Schedule attached to the Scheme identifies two parcels of land. These are not separately identified on the Plans received. Can you identify the separate parcels on the plan for purposes of clarity?
2. If the two parcels are not on the plan, where is the second parcel?
3. Are there any other parcels of land that have been donated/ bequeathed for the use of Swanwick Residents/inhabitants?
4. Are there any other Trusts on which AVBC is sole or joint trustee that specifically relate to Swanwick?
5. Are there any other Swanwick Miner Welfare properties? E.g the Social Club/ community building on High Street DE55 1AA
6. Is AVBC aware of who owns the Social Club/ Community Centre? If yes, are you able to share that information with Parish Council?
7. Can you provide copies of accounts for the last 6 years (Swanwick Recreation Grounds) detailing income and expenditure?
8. The play area in Chapel Street is included within the title plan. Did the trust lease the play area to AVBC? Is there a current lease document?



9. The play area is currently maintained by AVBC. New equipment was funded by S106 monies in the past. How will the play area be treated if the trusteeship is transferred to Swanwick PC? Will this be leased back to AVBC or will it revert to the responsibility of the Trust? Will the play area still attract S106 monies in the future?
  10. Part of the Chapel Street is included within the outline in the title plan (but not hatched). Who owns the road? Is this a private road or has it been adopted by Derbyshire Highways? If adopted, when did this take place and are there any documents available to indicate whether or not there is any continuing liability for the Trust?
  11. If private road, are any of the owners of adjoining properties party to any maintenance costs? When was the road last maintained?
  12. Are you able to provide utility maps for the site and road?
  13. Are there any easements or rights of way over any part of the land/ road?
  14. Is there a recent structural survey report available on the changing rooms? Has there been any legionella testing been completed recently? Did this require any remedial work? Has this been completed or is it still outstanding?
  15. Are the changing rooms currently insured under buildings or contents cover? What is the valuation for purposes of the insurance cover?
  16. Can we have copy of the lease on the Centenary Centre (Scout building) to examine?
  17. Why was Swanwick Recreation Grounds excluded at the last moment from the S106 agreement re Lily Street development in favour of the ADASC grounds which are owned by Derbyshire County Council? Is there any prospect of securing part of the S106 funding for the development and future maintenance of the Swanwick Recreation Grounds?
  18. Have Amber Valley Officers approached any other body about interest in accepting transfer of trusteeship of the Swanwick Recreation Grounds? We understand that ADASC has been approached. Can you confirm whether this is the case or not?
  19. There is obviously a projected financial saving for the Borough. Are you able to share information about this projection with the Parish Council at this stage?
  20. When is the issue of transfer of trusteeship of this and other trusts within Amber Valley to be considered by the Council or Executive?
- There is still outstanding the question of the reasonable cost of the transfer. You have not confirmed whether all reasonable costs (including the Parish Council's legal costs) will be met by AVBC. Have you taken instruction from the Authority on the matter?

The Clerk is awaiting AVBC's response to these questions.

### **7.7 Street lighting columns - Stress Testing**

The Clerk has received 2 quotes and we are awaiting further information before bringing these to the meeting for a decision.

### **The Proposal**

To authorise the Chair/ Clerk to review the quotations received and appoint an appropriate contractor to undertake the Street Lighting Column Testing.

### **7.8 DCC Snow Warden Scheme**

The Clerk has registered the Parish Council on the Snow Warden Scheme and will now be on standby to deal with snowfall between October 2017 and April 2018 help clear snow and ice from pavements and footpaths. DCC will provide grit for the Snow Wardens.

### **7.9 BT Poles on 76 – 80 Derby Road removal**

The Clerk has commenced enquiries regarding any way-leaves that BT may have on the site. BT Way-leaves have confirmed that there are no way-leaves. We have issued a 28 day notice to BT requesting the removal of the poles, referring to The Telecommunications Code, Schedule 2, Paragraph 21 of the Telecommunications Act 1984.

### **7.10 Swanwick Old peoples Welfare High Street**

The Council is in receipt of a letter from a debt recovery agency acting on behalf of British Gas with a formal demand for payment of £1567.77, although the Parish Council has no liability in respect of the club or the site, the Chair has started action to establish who owns the site. The Chair is now in possession of the keys to the property. Enquiries are ongoing.

### **7.11 Portable Appliance Testing**

The Caretaker has attended and completed a course provided by Rural Action Derbyshire. He is now competent to undertake testing of electrical equipment. The equipment required for him to undertake the testing can be purchased from Quick test for £252.00

#### **The Proposal**

To authorise the clerk to purchase the MicroPAT package at a cost of £252.00

### **7.12 Notice Board**

The current notice board outside the Parish Council Office on Derby Road is too costly to repair and a modern replacement has been found at a cost of £235.20; the board has been ordered.

#### **The Proposal**

To authorise the Clerk to pay £235.20 for purchase of the notice board

## Councillor Attendance Record May 2017 – April 2018

Name	May 25	June 22	July 20	Aug HOLS	Sept 15	Oct 19	Nov 23	Dec 21	Jan 18	Feb 15	Mar 15	Apr 19	%	2016-17
Adams	X	X	X		√								25%	75%
Barnett	X	X	X		√								25%	83%
Briggs	X	X	X		X								0%	25%
Davies	X	X	√		X								25%	75%
King	X	√	√		√								75%	83%
Payne	√	√	√		√								100%	100%
Soudah	√	√	√		√								100%	100%
Hayes	X	X	X		X								0%	0%
Wilson	√	X	X		√								50%	83%
Smith	X	X	X		X								0%	0%
Marshall-Clarke	X	X	X		X								0%	0%

Updated 25/09/2017

# Derbyshire Association of Local Councils



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## Circular No. 10/2017

To all Member Town and Parish Councils and Parish Meetings

### GENERAL CIRCULAR

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#### In this Circular:

- **DALC Survey**
- **Councillor from Derbyshire in the final 8 of NALC's Councillor of the Year Awards**
- **HR responsibilities and Appraisals**
- **Big Lottery Fund – Awards for All**
- **Win up to £40K match funding**
- **Heritage Lottery Fund**
- **General Data Protection Regulations**
- **Portable Appliance Testing (PAT) - Half-day workshop**
- **The Litter Innovation Fund**
- **Reminders – Events & Training Diary**

#### 1. **DALC SURVEY**

Councillors, Clerks .... We need your views! Please complete the DALC survey. We are looking at ways of improving the DALC offering to all our Councils. DALC is your Association – run by you and for you. We would really like to know how you make use of us now and what you would like us to be able to do for you in the future. Your opinions and ideas are important to us to ensure we provide the best possible service to you, our Councils. If you are willing to provide your contact details, you will be entered into a prize draw to win a free place on any of the DALC training courses in the next 6 months (with the exception of project management). To access the survey click [here](#).

#### 2. **COUNCILLOR FROM DERBYSHIRE IN THE FINAL 8 OF NALC'S COUNCILLOR OF THE YEAR AWARDS**

Cllr Thomas Aram, who was nominated for the award by one of his fellow councillors, has reached the final 8 in the category of 'Councillor of the Year' in NALC's annual awards. He was nominated, among other things, for his 'can do' approach and involvement in projects in the community, working well with his fellow councillors, staff and members of the community. Well done Tom! We are keeping our fingers crossed for you.

### **3. HR RESPONSIBILITIES AND APPRAISALS**

We have recently received a couple of requests about appraisals. DALC do provide a template for use by Councils which can be seen [here](#).

Chris Moses, our HR consultant will be running two training courses, firstly 27 September 2017, a course covering all aspects of HR – designed for Councillors, as the employers of staff, and clerks as the managers of staff. Please see the Events and Training Diary at the end of this Circular for detail.

He will also be running a training course on conducting staff appraisals on Tuesday 13 February 2018. (times to be confirmed) We will also be producing guidance material to support delivering appraisals following that training session.

Please contact the DALC office if you would like to attend either or both of these very useful sessions.

### **4. BIG LOTTERY FUND – AWARDS FOR ALL**

Following lobbying and joint work from the Hampshire ALC with the Big Lottery Fund 2005-7, parish and town councils have been eligible to apply to the Big Lottery Fund since 2007.

Now, new guidance and application materials for Awards For All have been launched as at August 2017. The link for more information is here:

<https://www.biglotteryfund.org.uk/global-content/programmes/england/awards-for-all-england>

Some of the changes you will experience:

- A shortened and simplified our application form, removing all but the most necessary questions to focus more on the project ideas rather than process
- Removal some of the more restrictive funding policies. One of these is the reduction of the number of people required on a governing body from three to two
- Removal of the conditional offer stage, which allows for quicker payments

### **5. WIN UP TO £40K MATCHED FUNDING**

Kompan UK has launched their annual matched funding competition for new play or fitness equipment. This year Kompan UK is offering the opportunity for local councils and local community groups to win 50%, 35% and 25% matched funding up to the maximum value of £40,000 each. The window of opportunity is very short; for more details check out their website [here](#).

### **6. HERITAGE LOTTERY FUND**

Have you considered accessing Heritage Lottery Fund monies for an asset transfer project? With the rise in asset transfers to the local council sector, HLF and Locality have analysed the funding provided thus far through HLF grants. To find out more, and how you could be eligible, read more [here](#).

## **7. GENERAL DATA PROTECTION REGULATIONS**

Legal briefing on General Data Protection Regulation - summary of main provisions has been published on our website. This new briefing provides a summary of the provisions in the Data Protection Act 1998 and the changes in law being introduced by General Data Protection Regulation which are relevant to councils.

NALC met with the senior servant leading on this matter at the Department for Digital, Culture, Media and Sport and impressed upon him the importance of understanding the challenges of implementing these new arrangements in a sector as diverse as ours. He noted that the sector had not featured prominently in discussion of these regulations and agreed to raise the issue with the Information Commissioner and to include the sector in the discussions of communications plans for public authorities. They will meet again in the Autumn and brief parliamentarians when the Bill enters Parliament. If you wish to sign up to DALC's training course that will cover the requirements being imposed by these regulations, please contact Glen in the DALC office. Detail in the Training & Events Diary.

## **8. PORTABLE APPLIANCE TESTING (PAT) – HALF-DAY WORKSHOP**

This training seminar is relevant to village and community managed halls, parish & town councils, schools, church organisations or any small rural business. Quick Test, working with RAD, to help keep your organisation safe with a Portable Appliance Testing workshop, held at The Post Mill Centre, South Normanton, DE55 2EJ on Tuesday 3<sup>rd</sup> October 2017 between 1.30pm – 4.30pm. Delegate fee - £98 + VAT (at a reduced rate). A Certificate of Competence in PAT testing will be awarded on successful completion of the course. All delegates will keep the fully illustrated training manual used on the course.

Details of how to book a place/s are explained on the Booking Form, and can also be downloaded from the [RAD website](#).

## **9. THE LITTER INNOVATION FUND**

New fund launched to reduce litter through innovative projects - Almost £500,000 will be awarded to community projects to tackle the blight of littering. The Litter Innovation Fund will support local areas to crack down and reduce littering in our communities by enabling local authorities, community groups, charities, educational institutions, and small and medium enterprises to apply for funding towards innovative and creative solutions to the problem. For more visit [here](#).

## **10. REMINDERS**

Please remember to check the Events & Training Diary at the end of this Circular. Those wishing to attend the DALC Annual General Meeting to be held at the Gothic Warehouse at Cromford Mill, who have not yet registered their interest should do so as soon as possible, detailing dietary requirements if relevant. Further details in DALC Circular 09/2017 previously circulated. Please contact Glen in the DALC office.

**Wendy Amis**  
Chief Officer

**September 2017**

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**TRAINING & EVENTS DIARY**

<b>DATE</b>	<b>SUBJECT</b>	<b>CIRCULAR/ REF</b>	<b>VENUE</b>	<b>COST</b>	<b>TRAINER</b>
11 Sept 2017 (10.00am – 3.30pm)	Finance for clerks/ RFO	06/2017	Cromford	£60 per delegate (to include a light buffet lunch)	Steve Parkinson 5+ hour session on budgeting and financial control, which goes into detail about using spreadsheets, how the council tax base affects the budget etc. Aimed mainly at clerks but is suitable for councillors who need to understand preparation and setting of budgets.
11 Sept 2017 (6.00pm – 8.00pm)	Finance for Councillors	06/2017	Cromford	Enhanced Sub Councils up to 3 free places/£40	Steve Parkinson 2 hour session outlining the essentials a councillor should be aware of.
12 Sept 2017 (9.30am – 12.30pm)	Health & Safety & Risk Assessments	05/2017	Whitworth Centre, Darley Dale	£40 per delegate	John Wayte – PDNPA
27 Sept 2017 (10.00am – 3.00pm)	HR Essentials	06/2017	Cromford	£60 per delegate	Chris Moses – HR Specialist
Sept/Oct 2017 (TBC)	CiLCA training (2 days)			£250#	Jo Taylor
3 Oct 2017 (10.00am – 1.00pm)	Planning – understanding the process and the role of local councils	06/2017	Cromford	£40 per delegate	Andrew Towlerton
11 Oct 2017 (11am)	Annual General Meeting of DALC	09/2017	The Gothic Warehouse, Cromford Mill	Free of charge	-

16 Oct 2017 (10am – 1pm)	FOI/Data Protection & new GDPR implications *	09/2017	Cromford	Enhanced Sub Councils up to 3 free places/£40	Michelle Sarginson, PDNPA
1 Nov 2017 (6pm – 8.30pm)	Cllr Essentials Training	10/2017	Cromford	Enhanced Sub Councils up to 3 free places/£40	Wendy Amis/Glen Ingham
6 Nov 2017 (10am – 3pm)	Grave Matters	09/2017	Cromford	£60 per delegate	Alan Fairchild Managing Memorials, Cemeteries & Closed Churchyards
7 Nov 2017 (10am – 12.30pm)	Clerk Essential Training	10/2017	Cromford	Enhanced Sub Councils up to 3 free places/£40	Wendy Amis/Glen Ingham
30 Nov 2017 (10am – 1pm)	Grants & Grant Funding	09/2017	Cromford	£60 per delegate	Steven Lugg
13 Feb 2018 (times tbc)	Conducting Staff Appraisals	10/2017	Cromford	TBC	Chris Moses – HR Specialist
Feb 2018 (TBC)	Law & Good Practice of Local Council Meetings	09/2017	Cromford	£40 per delegate	Alan Fairchild

**\* Up to 3 delegate places free per council on the enhanced subscription scheme  
# for both days and follow up support; a further £250 is payable to SLCC for the examination and certificate**



# Derbyshire Association of Local Councils



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## Circular No. 11/2017

To all Member Town and Parish Councils and Parish Meetings

### GENERAL CIRCULAR

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#### In this Circular:

- **DALC AGM**
- **Nominations for President & Vice Presidents 2017-2018**
- **DALC Survey**
- **Certificate in Local Council Administration (CiLCA) training days**
- **Councillor Essential Training Course**

#### 1. **DALC AGM**

A further reminder of DALC's AGM to be held on Wednesday 11 October 2017 at the Gothic Warehouse at Cromford Mills. The start time will be 11am. Our speaker will be Mary Murtagh who is a PR consultant and trainer and will be sharing her expertise to help you communicate effectively in your communities.

Lunch is provided and we will organise a guided tour of the Cromford Mills World Heritage Site and Buildings for all those interested. Please do register for your place at this event so that we can ensure we have adequate catering in place. Councillors and Clerks welcome. Please also let us know of any dietary requirements. We look forward to seeing you there.

#### 2. **NOMINATIONS FOR PRESIDENT AND VICE PRESIDENTS 2017-2018**

The President and Vice Presidents (2) of the Derbyshire Association of Local Councils are elected annually at the Annual General Meeting.

The DALC Constitution states "A President, and two Vice Presidents, who are serving Parish or Town Councillors, or Parish Meeting Chairs, in member parishes, ... Will be elected at the annual general meeting in each year and shall respectively be eligible for re-election". Councillors are able to self-nominate.

The current President is Councillor John Plant (Derbyshire Dales) and the current Vice Presidents are Councillor Kevin Miller (Erewash) and Councillor Guy Martin (High Peak)

Any **nominations** must be received at the DALC office, by post or email ( [admin@derbyshire.gov.uk](mailto:admin@derbyshire.gov.uk) ), **no later than Monday 2<sup>nd</sup> October 2017** on the nomination form attached found at the end of this circular.

### **3. DALC SURVEY**

Councillors, Clerks .... We need your views! Please complete the DALC survey. We are looking at ways of improving the DALC offering to all our Councils. DALC is your Association – run by you and for you. We would really like to know how you make use of us now and what you would like us to be able to do for you in the future. Your opinions and ideas are important to us to ensure we provide the best possible service to you, our Councils. If you are willing to provide your contact details, you will be entered into a prize draw to win a free place on any of the DALC training courses in the next 6 months (with the exception of project management). To access the survey click here.

### **4. CERTIFICATE IN LOCAL COUNCIL ADMINISTRATION TRAINING (CiLCA)**

For those persons who have expressed an interest in taking the CiLCA Training Course (2 days) please note the two training days as: 2 October and 13 November 2017 – both days 10am – 3.30pm with lunch included. Please confirm your availability and attendance to the DALC office as soon as possible giving any dietary requirements.

### **5. COUNCILLOR ESSENTIAL TRAINING**

Due to demand, we have arranged a further Councillor Essential Training course for 22 January 2018, 6.00pm – 8.30pm at the DALC Office, Cromford.

Please reserve delegate places via the DALC Office.

**Wendy Amis**  
**Chief Officer**

**September 2017**

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## TRAINING & EVENTS DIARY

DATE	SUBJECT	CIRCULAR/ REF	VENUE	COST	CPD POINT	TRAINER
2 Oct 2017 (10am – 3.30pm)	CiLCA training (day 1)	11/2017	Cromford	£250#	2.5	Jo Taylor
3 Oct 2017 (10.00am – 1.00pm)	Planning – understanding the process and the role of local councils	06/2017	Cromford	£40 per delegate	1.5	Andrew Towlerton
11 Oct 2017 (11am)	Annual General Meeting of DALC	09/2017	The Gothic Warehouse, Cromford Mill	Free of charge		-
16 Oct 2017 (10am – 1pm)	FOI/Data Protection & new GDPR implications *	09/2017	Whitworth Centre, Darley Dale	Enhanced Sub Councils up to 3 free places/£40	1.5	Michelle Sarginson, PDNPA
1 Nov 2017 (6pm – 8.30pm)	Cllr Essentials Training	10/2017	Cromford	Enhanced Sub Councils up to 3 free places/£40	1	Wendy Amis/Glen Ingham
6 Nov 2017 (10am – 3pm)	Grave Matters	09/2017	Cromford	£60 per delegate	2.5	Alan Fairchild Managing Memorials, Cemeteries & Closed Churchyards
7 Nov 2017 (10am – 12.30pm)	Clerk Essential Training	10/2017	Cromford	Enhanced Sub Councils up to 3 free places/£40	1	Wendy Amis/Glen Ingham
13 Nov 2017 (10am – 3.30pm)	CiLCA training (day 2)	11/2017	Cromford	£250#	2.5	Jo Taylor
30 Nov 2017 (10am – 1pm)	Grants & Grant Funding	09/2017	Cromford	£60 per delegate	1.5	Steven Lugg
22 Jan 2018 (6pm –	Cllr Essential Training	11/2017	Cromford	Enhanced Sub Councils	1	Wendy Amis/Glen Ingham

8.30pm)				up to 3 free places/£40		
13 Feb 2018 (times tbc)	Conducting Staff Appraisals	10/2017	Cromford	TBC		Chris Moses – HR Specialist
Feb 2018 (TBC)	Law & Good Practice of Local Council Meetings	09/2017	Cromford	£40 per delegate		Alan Fairchild

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examination and certificate**



**DERBYSHIRE ASSOCIATION OF LOCAL COUNCILS**

**NOMINATION FOR DALC PRESIDENT – 2017/2018  
NOMINATIONS FOR DALC VICE PRESIDENTS (2) – 2017/2018**

**NOMINATION FOR DALC PRESIDENT 2017/2018**

<b>NAME</b>	<b>NOMINATED BY</b>	<b>DATE</b>
	Parish/Town Council	

**NOMINATION FOR DALC VICE PRESIDENTS 2017/2018  
(maximum 2)**

<b>NAME</b>	<b>NOMINATED BY</b>	<b>DATE</b>
1.	Parish/Town Council	
2.	Parish/Town Council	

**PLEASE RETURN THIS COMPLETED FORM BY POST OR EMAIL (admin@derbyshirealc.gov.uk) TO THE DALC OFFICE BY NO LATER THAN MONDAY 2<sup>ND</sup> OCTOBER 2017.**