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# CHESTERFIELD & DISTRICT CIVIC SOCIETY

# NEWSLETTER

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No 24

[www.chesterfieldcivicsociety.org.uk](http://www.chesterfieldcivicsociety.org.uk)

October 2021

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## Campaigning to make Chesterfield a better place to live

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### LET'S STOP THIS ARROGANT, UNDEMOCRATIC IDIOCY

**T**HE Civic Society's work this month has been dominated by attempts to halt Derbyshire county council's arrogant and undemocratic determination to press ahead with its scheme to extend the Hipper Trail through Chesterfield at its eastern and western ends, against the declared wishes of large numbers of residents.

This issue dominated the society's AGM on 21 October, which attracted a much larger attendance than in previous years. Several visitors joined the society at the meeting, whose support we warmly welcome.

Since then, the situation has been changing almost daily, but it is fair to say that opposition to the scheme has grown rather than abated over the last few weeks.

At its meeting on 14 October the county council's cabinet, to no-one's surprise, accepted the recommendation of officers to go ahead with the scheme and brushed aside the substantial opposition expressed by a large number of residents of Brookside who had written to the cabinet member responsible.

Neither the cabinet member nor officers made any attempt to reply to the criticisms made. Instead taxpayers who had sent carefully argued and courteously expressed emails to the cabinet member received a common form email from an officer which continued to insist that there was nothing wrong with the scheme to

build a two-lane, high-speed cycle track along the north side of Chatsworth Road, that there had been no defects in the consultation process conducted earlier this year, and that there was no alternative to the county council's plans.

This response to legitimate criticism is an example of the arrogance of the county council at both member and officer level at its worst. In particular, it confirms the widely held view that, of all senior local government officers, highway engineers are the worst to deal with. It appears to be instilled in them from early in their career that they can never be wrong, simply because they are highway engineers, and no notice need ever be taken of the views of the taxpayers who pay their salaries, because they are too stupid to understand what is good for them.

This endemic problem is made worse in Derbyshire by the Conservatives' large majority on the county council, whose leading figures clearly believe that they can do what they like because they face no serious opposition. Moreover, in the case of any policy relating to Chesterfield, there are no votes to be lost, since the Conservatives long ago ceased to have any members on the borough council and, since the last election, have no county councillors from the borough.

The problem is further aggravated by the way in which a small but vocal pressure group, the Chesterfield Cycle Campaign, has captured the ear of the county council. Both appear to be determined to ignore the wishes of the vast majority of local residents, who do not cycle but choose to travel

locally on foot or by public or private motor transport. This attitude also ignores the needs of the road transport industry, on which (as many people have recently grasped for the first time) the country depends for its day-to-day survival.

The Cycle Campaign is entitled to press for the adoption of its ideas, just as others are entitled to oppose them, but has made itself look ridiculous by issuing a 'briefing' claiming that the new cycle route will 'save' £6.2m. thanks to improved public health and reduced congestion. Every figure in this document is open to question and some are clearly impossible to calculate or even estimate. The weakness of the data is such as to make the end result meaningless.

Finally, there is the old problem of the 'phlogiston theory of money' so beloved of local government. This is the deeply held belief that if local authorities do not spend taxpayers' money it somehow disappears on 31 March every year, never to be seen again.

The cabinet report explicitly states that 'doing nothing is not an option' for that very reason. This is, of course, nonsense, as anyone who has tried to make a living in the real world knows. Taxpayers' money that is not spent by their elected representatives does not disappear into thin air: it stays in taxpayers' pockets for them to spend as they wish, not as other people think it should be spent. Nor is money given by the Government to local authorities (in the case of the cycle route the sum of £1.68m.) 'free' money for the residents of Derbyshire, since it comes from the taxes they pay to central government.

## A FATALLY FLAWED CONSULTATION

ONE of the Civic Society's strongest objections to the proposed cycle route concerns the flawed and bogus 'consultation' conducted by contractors on behalf of the county council in March this year, from which summary statistics were included in the cabinet paper of 14 October that appeared to show wide-

spread support for the scheme.

A crucial aspect of this consultation was the delivery of 4,041 circulars to residents of 117 streets on or near the route of the cycle path, inviting them to answer an online questionnaire.

As soon as it became clear anecdotally that some people living on the route had not received this circular, the Civic Society obtained (under the Freedom of Information Act) a list of the 117 streets. We then collected more systematic information concerning non-delivery and have assembled a list of twenty streets, at both the eastern and western ends of the route, where residents have stated in writing, emails or telephone calls that they did not receive the circular.

The most serious omissions concern the western end of the route, where we have established beyond reasonable doubt that the circular was not delivered to residents of Chatsworth Road between Holymoore Road and Storrs Road, or any of the roads leading off it between those points, or any roads leading off Queen Mary Road. These are the streets which will be most seriously affected.

A list of all the streets on which the circular was not delivered, with the names and addresses of residents who have stated that they did not receive it, was submitted to the county council in a paper setting out the Civic Society's opposition to the scheme. The county council have ignored this evidence and have insisted, in the press and elsewhere, that 4,041 circulars were delivered.

Since officers of the county council continue to make statements that are not true, the Civic Society has laid a complaint before the Ombudsman for Local Government & Social Care, alleging that the county council has failed to do what it has stated it has done to consult taxpayers on the merits of the cycle route. We have asked the Ombudsman to prevent the county council going ahead with the scheme, since its decision to do so was based, at least in part, on the results of a flawed and bogus consultation.

The Ombudsman has stated that he cannot consider our complaint until the county council has had the opportunity to respond to it, for which

twelve weeks must be allowed.

We have accordingly submitted our complaint (yet again) to the county council and at the same time asked the Ombudsman to caution the authority against taking any action that would prejudice a ruling he may make upholding our complaint. We are well aware that over the next twelve weeks the county council could begin building operations on the Brookside section of the route and then claim that it was impossible to stop such works.

We have also sought, under the Freedom of Information Act, a statement of how much taxpayers' money was spent on the consultation. The county council claims to be unable to cost its own officers' time spent on the exercise but has supplied what it describes as 'minimum' figures paid to outside contractors.

Including VAT and round pound, these total £26,557, made up of £13,402 paid to a consultant, £11,940 for the use of a website, and £1,192 paid to Letterbox Distribution of Unit 65, Industrial Estate, Lancaster Rd, Barnet EN4 8AS for the printing and delivery of 4,041 circulars.

The last of these figures, although by far the smallest, is perhaps of most interest, given the evidence the Civic Society has collected for the widespread non-delivery of this circular. To anyone familiar with the cost of colour printing a single-sided A4 sheet and distributing 4,041 copies door-to-door, the figure will seem improbably small, especially for a company based in north London operating in Chesterfield. This alone suggests that the distribution was not done in accordance with the county council's instructions.

Another serious aspect of this matter is that an officer of the county council authorised the payment of an invoice in the sum of £993.00 plus VAT to Letterbox Distribution without checking that the service being invoiced for had been satisfactorily performed. This means that the officer concerned has wasted £1,192 of public money. It also means that Derbyshire County Council employs at least one officer who is incapable of correctly certifying an invoice for payment. How many other inaccurate invoices has that officer passed for payment from public funds?

## BOGUS SURVEYS PRODUCE BOGUS STATISTICS

**W**HAT can be said of the figures produced by the county council's consultation? The cabinet paper of 14 October stated that 71 per cent of 1,182 responses received to the online consultation were in favour of the cycle route. This figure is grossly misleading, since it includes responses concerning the existing central section of the route, over which there is little or no controversy.

In the case of the eastern section (which involves the closure of Crow Lane), out of 389 responses, 237 were in favour and 128 were opposed, a majority of less than two-to-one. The number in favour is precisely one third of the number of signatories (711) to a petition opposing the closure of Crow Lane, and the result is quite different from that of a survey by Toby Perkins MP, which found that 78 per cent of local residents were opposed.

In the case of the western section (which involves the building of a two-way cycle 'super highway' along Chatsworth Road), 180 were in favour and 90 opposed, a majority of exactly two-to-one. This is very different from canvass returns collected by John Boulton during the county council elections earlier this year, when (as the sitting member for the division) he found that 64 out of 71 households he approached were opposed and only five in favour.

The explanation for these wide discrepancies is simple. Residents of a large number of streets directly affected by the scheme never received the circular announcing the online consultation and so were effectively denied the opportunity to respond to it. Even those who did receive it were effectively barred from taking part if they did not have access to the internet.

What this means is that the statistics given in the cabinet paper claiming to show that about two thirds of local residents are in favour of the cycle route are at best grossly misleading and at worst simply wrong. They are certainly an unsafe basis on which to make a decision to

go ahead with a scheme that is clearly very unpopular in Chesterfield. The western section of the route will do huge damage to a very busy section of Chatsworth Road, while the eastern section, involving the closure to motor traffic of Crow Lane, will cause great inconvenience to residents of Brimington Common and Calow. There is no reason to believe that the new route will be greatly used by cyclists, since few appear to use the existing Hipper Trail.

The Civic Society's view remains that what is now called the Chesterfield East-West Cycling and Walking Route (previously a cycle 'super highway') is a gross waste of public money and is being foisted on the people of Chesterfield against the wishes of the vast majority of residents, many of whom will be adversely affected by it.

A full statement of our reasons for objecting to the scheme can be found on the Civic Society website, together with our submissions to the Ombudsman and the Department for Transport.

We have also made available on the website the county council's cabinet paper of 14 October (which includes their consultant's report on the bogus consultation) and the county council's application for funding to the Department for Transport, in which the scheme is clearly called a 'Cycle Super Highway' (not a 'walking and cycling route'). We suspect that few people will want to walk along a path on which cyclists are travelling in both directions at speeds of up to 30 mph.

## THE FIGHT CONTINUES

**D**ESPITE the entirely predictable approval of the scheme by the county council's cabinet on 14 October, the Civic Society and other interested parties are not giving up in their opposition to this scheme.

In association with the Liberal Democrats, who hold both the borough and county council seats for the part of the town through which the western section of the route will pass, we are organising a petition (which can be signed both online and on paper), to be presented to the county council at its meeting on 2 December. This we hope will be widely supported by residents

of Brookside.

We have enlisted the support of Toby Perkins MP, who we hope will take up the matter with the Department for Transport (which did not reply to a letter from the Civic Society) and the Ombudsman.

We have arranged a public meeting on 11 November, to be addressed by Mr Perkins, when residents opposed to both the eastern and western sections of the route can express their views.

**Please see enclosed handbill advertising this meeting and make it as widely known as possible.**

We continue to support the organisers of the petition opposing the permanent closure of Crow Lane, which we assume will also be considered by the county council at its next meeting.

We have done our utmost to secure press publicity for our campaign. The *Derbyshire Times* has been excellent in this respect, publishing several full, accurate and balanced reports on the issue. We have had coverage in the Chesterfield Live on-line edition of the *Derby Telegraph* and Radio Sheffield has indicated that it may run a story about the cycle route. We have as yet had no success in placing stories in the national press, despite repeated efforts.

## ANOTHER VIEW

*The following thoughts about the proposed cycle route are from the Civic Society's previous chairman, Bryan Thompson. The piece was written before the county council cabinet decision of 14 October.*

So, despite its failure to consult the many households which are directly affected by the cycle route proposals, the officers are recommending that the county council cabinet approves the scheme. That has not come as a surprise as it is difficult for cash-strapped councils to resist the lure of a grant, even for a scheme that in part has merits but includes highly questionable elements.

The anticipated approval is evident on the ground as the western end of Chatsworth Road has been allowed to become even more run down – white lines are disappearing, bent poles at



bus stops, dirty signs, a keep left bollard on its side and now even barley competing with the thistles around kerbs beneath the bollards. The summer spate of cycles along the road is much reduced.

Relevant government advice emphasises the importance of engaging with the public to get them on board with an 'attractive alternative to the status quo'. The committee report claims support, but a very significant element is missing: *those who should have been consulted*. Notwithstanding the bias of the questionnaire to garner support, the county council website did allow access to the draft plans, but only members of the public who were aware of them could comment. It is highly likely that others who should have been notified would have strong opinions.

If the county council embarks on a round of public consultation, then, whether it is statutory or not, public expectations have been raised by a responsible public body that it would be undertaken properly. Therefore the county council should have ensured the notification was complete and thereafter taken into account responses in reaching its decision. This scheme also deviates from published plans for the cycle network, and so it is unlikely that either the Ombudsman or a Judge would find the current situation acceptable.

This serious issue is also being reported to Grant Shapps, Secretary of State for Transport, with a request that he stops the scheme from going ahead in the current form.

I have seen a group of cycles cut across Somersall Lane to ride along the footpath next to the gatehouse to reach the Chatsworth Road pedestrian crossing, and been driven at on that corner by a motorist making space for an ambulance coming past standing traffic on the lane. This brought home some of the potential failings at this end of the scheme, now renamed the Chesterfield East–West Walking and Cycling Route. Adding 'walking' to the title would imply at least pedestrian safeguards and probably improvements to the pedestrian experience. That is government advice.

Here are specific comments on the Chatsworth Road cycle superhighway that really cast doubt on whether that

guidance has been followed, as they directly and indirectly compromise pedestrian safety and amenity to the point that some people will be dissuaded from walking along sections:

1. Directing cycles along a 1m x 20m long section of the well-used footway just back from the Somersall Lane/Chatsworth Road junction. It is signed as the route to the park and users include parents with pushchairs and the elderly, both of whom are statistically vulnerable in a collision with cycles. There is a similar situation at the end of the trail in Somersall Park and there someone has to walk on the grass or mud to pass. Here stepping onto the road near a blind corner is dangerous.
2. The loss of the medians (central reservation) to create space for the superhighway reduces space for vehicles to move away from groups of pedestrians on the footway; overtaking parked vehicles; or allowing emergency vehicles to pass when there is oncoming traffic. The scheme will cause and more extensive pavement parking on the south side footway which is the most walked and some overrunning by lorries as well as cars, as this is a main route for emergency vehicles.
3. As was the case before the medians were introduced, right turns on a busy road generate more pressure on the driver to the disadvantage of those on the footway.
4. Little account has been taken of the footways around the Storrs Road/Chatsworth Road junction. Sections are too narrow and can become slippery at times. Here is an opportunity to create a sense of place at the entrance to the Conservation Area which suits all. Instead, it is to be yet more tarmac.
5. The shared surface section down from the Holymoore Road junction to the toucan lights is likely to continue to lure occasional cyclists along the footway down to Brookside Bar because it is more convenient.

Cycle superhighways are intended to offer easy gradient direct routes

which reduce traffic congestion as cycles take up less space than cars. Greendale Avenue to Somersall Lane is the obvious route as it offers a shorter, much flatter, safer more direct route into Holymoorside village. That would fit in with the original travel plan for cycling from Brookfield School which included directing students over the pedestrian crossing via Linden Avenue.

Putting these issues in a wider context still begs the question why we need a superhighway to serve a green-belt village, whereas a toucan crossing at the Storrs Road junction is warranted for students and to serve the planned cycle network, which is to run along Storrs Road and down to the Hipper Valley Trail and beyond.

Beyond the superhighway, the infrastructure changes are not significant. Their absence through the narrow, embanked section next to the leat and river is telling for it will not have the capacity or speed of the superhighway but there could be conflict with walkers. Thereafter a separate trail down to Walton Road seems more policy compliant than the steep slope from the dam. Scruffy Goytside needs to be better, a point made in the response in the committee report.

The uncompromising approach to the section up to Brimington Common fails to take into account the strength of local opinion, even when there was a lack of consultation. The views of particular interest groups (stakeholders) are important but seeking balanced decisions on public projects will be needlessly difficult if there is no genuine community involvement and its views not given proper weight.

Securing trust and integrity are essential for local governance and in this instance the county council has underperformed because enabling the project matters more than the public interest it is supposed to serve. We need well planned, attractive, credible integrated transportation that is not hostile to sections of the local community. It would be nice to think these issues could be resolved so eventually we can all celebrate a positive outcome.

## A DIGITAL TOWN TRAIL

WE have followed up the suggestion discussed at our last committee meeting to create a 'digital town trail' for Chesterfield, with good results. Our new committee member Howard Borrell has located a similar scheme in Welwyn Garden City, whose civic society has been extremely helpful in passing on their knowledge. We now have details of where to obtain labels with QR codes and how to link these to a website, so that visitors to the town (or indeed residents) can scan the code on their mobile phone and find information about a particular building or other feature.

We will follow this up as soon as we have chance and then decide which buildings might be included in a similar project in Chesterfield. For almost all buildings in the town centre there is a nucleus of historical information readily available in the Derbyshire Victoria County History Trust book, *Chesterfield Streets and Houses*.

We also feel that a new printed town trail would be useful. Since the Visitor Centre apparently does not have the funds to produce one, this is something else the Civic Society could look at producing.

## LET'S NOT SPOIL ABERCROMBIE STREET

A PLANNING application has recently been submitted to the Borough Council concerning 20–22 Abercrombie Street, a pair of semi-detached houses dating from when the road was built c.1840. Abercrombie Street was the first venture by the 6th Duke of Devonshire's officials to develop his estate on Newbold Road into a high-status residential suburb.

The scheme was a success and Abercrombie Street retains much of its original character. It is lined with well designed houses in a generally uniform Italianate style, standing in what are now mature gardens. It is rightly designated as a conservation



area.

The application seeks to demolish a derelict building at the back of the garden of 20 Abercrombie Street, previously occupied as what must have been very squalid bedsitters.

There can be no objection to this, but there is every objection to the applicant's wish to build a pair of small semi-detached houses of exceptionally undistinguished appearance in their place. Including parking spaces, these would take up almost all the garden at the side of no. 20 and adversely affect the appearance of the building. They would also be out of character with the other houses on Abercrombie Street.

The application also seeks permission to combine nos. 20 and 22 into a single dwelling. This again is an unobjectionable proposal, but the application has been very badly prepared and is clearly inadequate in its present form. Both properties are in poor condition and have suffered from alterations that should never have been allowed in a conservation area, notably to the windows and roof-covering.

The application provides no details of what is proposed to be done to improve the appearance of the two houses. It is accompanied by some very crude hand-drawn sketches, evidently the work of a jobbing draughtsman, not an architect, and a brief, barely literate, statement concerning the materials to be used for the new houses. There is no heritage statement, as there should be for work on a property of this class in a conservation area.

We believe that the application in its present form should be rejected. It should be resubmitted with proper drawings and a clear statement of what is proposed to be done to the existing houses. It is possible that a single detached house could be built in the grounds of no. 20, comparable to no. 22A next door, without damag-

ing the street picture, but there is no place on Abercrombie Street for small starter homes.

A general conclusion to be drawn from this application is that it seems very regrettable that local planning authorities have no power to insist that those applying to do work on listed buildings, or unlisted buildings in a conservation area, must employ a registered architect, so that the design work is done to a reasonable standard.



## ... OR WHAT REMAINS OF WINGERWORTH HALL

NOW that the dust has settled on the decision to allow a bungalow to be built next to Cedar End, adjoining the surviving south range of Wingerworth Hall, attention has turned to what is happening at Cedar End (which dates from the 1920s but may incorporate stonework from the demolished Hall) and Estate House, which stood to the rear of the Hall. Both are grade II listed. The picture above shows the two buildings, with Cedar End on the left.

One bay of Estate House appears to have been incorporated into Cedar End, which is understood to be in more or less habitable condition. The rest of Estate House is basically a row of derelict rooms that require complete refurbishment. Dividing Estate House in this way will spoil the unity of the main elevation.

We understand that North East Derbyshire District Council gave the owner permission to carry out emergency roof repairs without listed building consent, but were not pleased to find that he had interpreted this to mean that he could insert uPVC framed windows in place of wooden sashes.

We have been assured by an officer that the council will take enforcement action if it detects any further offences under the Listed Building Regulations. The owner has not as yet made a listed building application to carry out any work on either Cedar End or Estate House, and so anything other than emergency roof repairs would constitute an offence. We hope that this policy will indeed be followed.



## PERHAPS NO HOMES BY HOLMES

ACCORDING to a report in the *Derbyshire Times* (21 October) plans by the colourful figure of James ('We pay investors 8 per cent') Holmes to convert Saltergate House into flats have run into possibly predictable problems.

Although he has planning permission to convert the building into 59 flats (some of which the local authority has pointed out are either smaller than the permitted minimum floor area, or have no natural light, or are overlooked), he seems to have forgotten that he would have to pay £250,000 Community Infrastructure Levy charged on all developments in the borough. Protestations that he has not been asked to pay this by more 'enlightened' local authorities (Barnsley and Mansfield are mentioned) have been met by a simple statement of the law by the borough council.

Despite what appeared to be a promising start, it is possible that the scheme for Saltergate House will collapse. That may put the older part of the building, which the Civic Society feels is worth saving, at risk. Or it

may be a case of 'Come back, McCarthy Stone, all is forgiven', and the building of 1938 will have to be sacrificed.

We understand that McCarthy Stone abandoned their project to build an assisted living complex on Saltergate because they were unable to agree a price for the site with the vendor, a company then controlled by a local businessman who has featured more than once in recent Civic Society Newsletters.

If Mr Holmes has to sell Saltergate House at a rather lower figure than was asked for it a few years ago, it is possible that McCarthy Stone will be able to buy the site and go ahead with their project. From the drawing the company produced at the time (see above) this appeared to be a striking and well designed building. An assisted living complex from the market leader in this type of accommodation would also fill a gap in provision in Chesterfield.

What we do not want to happen is for the present building to remain empty and an eyesore.



## BIRCHILL LODGE DEMOLISHED AT LAST

WE are pleased that this conspicuous eyesore (formerly a pub called the Telmere Lodge) at Winsick is currently being demolished. North East Derbyshire have given conditional permission for the construction of three detached four-bedroom houses and two four-bedroom bungalows, all with garages, in a landscaped setting. Part of the site is later to be devel-

oped with 'affordable' (i.e. cheaper) housing. This will improve the appearance of Winsick, possibly bring more custom to the surviving pub opposite, and provide a number of families with attractive new homes.

## SUCCESSFUL A G M

Our first annual general meeting for two years, held at St Thomas's church centre on 21 October, was well-attended and successful, mainly because both members and visitors wished to discuss the cycle route scheme. That is all well and good: civic society meetings should be about the issues of the day, not about preserving the past.

We welcomed two new committee members, Howard Borrell and Diana Allan, and thanked two retiring members, David Botham and Ian Thomson. Ian, who has sadly had to give up because of serious ill-health, has done a tremendous amount of work to revive and sustain the society's website, without which we could simply not operate. David's retirement, after several years' valuable contribution, unfortunately leaves us without a registered architect on the committee, a gap we would like to fill.

We are very grateful to Philip Cousins, who is also joining the committee, for agreeing to take over the IT work from Ian.

## NOW ON FACEBOOK

WHILE on the subject of matters digital, we should also record that, thanks to the combined efforts of Philip and Howard, the Civic Society is now on Facebook, where we will be posting information about the society and its activities. We will not be running down the website as a result, but will continue to use it as a vehicle for longer documents, such as planning submissions, which we can only summarise in the Newsletter.



**Chesterfield and District Civic Society**

**Public Meeting**  
**to discuss the proposed**  
**Chesterfield–East West Walking**  
**and Cycling Route**

**Brookfield Community School Hall**

**Thursday 11 November 2021**

**7.30–9.00 p.m.**

**To be addressed by**

**Toby Perkins MP**

**All local residents are invited to come along and  
express their views to their Member  
of Parliament about this scheme.**

**All County Council and Borough Council elected  
members representing divisions and wards on  
the route have been invited.**