

Little Longstone Parish Meeting

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[DATE]

Derbyshire Dales District Council
Town Hall
Matlock
DE4 3NN

Application under Section 109 of the Local Government Act 1972

Request for an Order conferring functions of a Parish Council on Little Longstone Parish Meeting

Dear,

I am writing on behalf of Little Longstone Parish Meeting to make a formal application to Derbyshire Dales District Council for an Order under Section 109 of the Local Government Act 1972, conferring on the Parish Meeting the functions of a Parish Council specified in the Schedule attached to this letter as Appendix 1.

This application follows a resolution of the Parish Meeting passed at its extraordinary assembly held on 26th August 2026, at which the electors resolved to make this application and authorised the Chair to submit it to DDDC on the Parish Meeting's behalf. A certified extract of the relevant minutes is attached as Appendix 2.

The application is structured in accordance with the process set out by the DDDC Monitoring Officer, covering: the functions sought; the purpose for which each function will be used; the Parish Meeting's resolution and the minutes supporting the request; and supporting information demonstrating local benefit.

1. Background: Little Longstone Parish Meeting

The Parish of Little Longstone has approximately 68 local government electors and 37 properties. It has no separate Parish Council. The Parish Meeting consists of all local government electors for the parish, who may speak and vote at assemblies. The Chair of the Parish Meeting and the proper officer of DDDC together form the Parish Trustees of Little Longstone, the body corporate through which the Parish Meeting holds property and enters into legal obligations.

The Parish Meeting owns freehold land at Monsal Head, one of the best-known viewpoints in the Peak District National Park, registered at the Land Registry as title DY457210. This land was gifted to the Parish Trustees in 1922 by the Duke of Devonshire for use as open space for the benefit of the inhabitants of the parish. The Parish Meeting derives its principal recurring income from a commercial licence granted over part of this land for an ice cream van pitch, currently producing approximately £15,000 per year. It holds reserves of approximately £127,000. In

2025/26 total expenditure exceeded £25,000, taking the Parish Meeting above the threshold for exemption from the external auditor's limited assurance review.

Little Longstone Parish Meeting is unusual among parish meetings in the scale of its financial and governance responsibilities. The s.109 order is needed to put future expenditure and governance arrangements on a clear statutory footing and to give it the governance tools appropriate to a body of its complexity.

Historical context: the 1922 Order

Little Longstone Parish Meeting has exercised powers beyond those of a standard parish meeting for over a century. On 6 October 1922, Derbyshire County Council made the County of Derby (Little Longstone Parish Meeting) Order 1922 under s.19(10) of the Local Government Act 1894, the direct predecessor to s.109 LGA 1972. That Order conferred on the Parish Meeting the powers of regulation and maintenance of the Monsal Head open space under s.8(1)(d) of the 1894 Act. The 1997 replacement byelaws for the Monsal Head Open Space, confirmed by the Home Office in December 1998, are the direct expression of those regulatory powers and remain in force today. The current application extends the regulatory powers conferred in 1922 to include the spending and governance functions of a parish council that the Parish Meeting needs to manage its assets and activities in the twenty-first century. The Parish Meeting understands that the 1922 Order remains in force. LLPM asks DDDC, when preparing the present Order, to confirm the position and, if necessary, to include equivalent regulatory and maintenance functions so that there is no gap in the statutory framework applying to the Monsal Head Open Space.

2. The Parish Meeting's resolution

At a properly convened assembly of Little Longstone Parish Meeting held on 26th August, with a quorum present, the following resolution was passed:

Resolution of Little Longstone Parish Meeting

That Little Longstone Parish Meeting approves the application to Derbyshire Dales District Council under section 109 of the Local Government Act 1972, including the Schedule of Functions at Appendix 1, and authorises the Chair to submit the application on behalf of the Parish Meeting, subject to any minor or consequential amendments which do not alter the substance of the application or the functions requested.

A copy of the minutes of that assembly, confirming the resolution and the attendance of the required quorum, is attached as Appendix 2.

3. The functions sought

Little Longstone Parish Meeting requests that DDDC make an Order conferring the functions set out in the Schedule at Appendix 1. For ease of reference, the Schedule is reproduced in summary form below.

Statute	Section	Function
LGA 1972	Section 111	Subsidiary powers: power to do anything reasonably incidental to any of the Parish Meeting's functions
LGA 1972	Section 112	Power to appoint officers and staff

Statute	Section	Function
LGA 1972	Section 124	Acquisition of land by agreement for the benefit, improvement or development of the parish area
LGA 1972	Section 133	Provision of parish and community buildings
LGA 1972	Section 137	Power to incur expenditure for certain purposes not otherwise authorised, subject to the statutory per-electoral limit
LGA 1972	Section 139	Acceptance of gifts of property
LGA 1972	Section 140A	Insurance of voluntary assistants
LGA 1972	Section 142	Power to provide information about local government functions
LGA 1972	Section 144	Power to encourage visitors and provide or improve facilities for the enjoyment of the parish area
LGA 1972	Section 145	Provision of entertainment and support for the arts
LGA 1972	Section 222	Power to prosecute or defend legal proceedings where expedient for the promotion or protection of the interests of inhabitants of the parish
LGMPA 1976	Section 19	Power to provide recreational facilities and to contribute to the expenses of another body providing such facilities, whether within or outside the parish boundary
Transport Act 1985	Section 106A	Power to make grants towards qualifying community bus services and bus services for elderly or disabled persons
Parish Councils Act 1957	Section 1	Provision and maintenance of public seats and shelters
Highways Act 1980	Section 43	Maintenance of public footpaths, bridleways and restricted byways
Highways Act 1980	Section 96	Power to plant trees, lay out grass verges and maintain them
Highways Act 1980	Section 274A	Power to contribute to traffic calming schemes
Open Spaces Act 1906	ss.9–10	Acquisition, care, management and maintenance of open spaces
Road Traffic Regulation Act 1984	Section 57 (subject to ss.58–59)	Provision and maintenance of parking places
TCPA 1990	Schedule 1, para 8	Parish council functions relating to notification of planning applications and alterations to applications affecting the parish.
LG&RA 1997	Section 31	Power to provide or contribute to the costs of crime prevention measures

4. Purpose for which each function will be used

The following table sets out, for each function requested, the purpose for which the Parish Meeting intends to use it and the local benefit it will deliver.

Function	Purpose	Local benefit
s.111 LGA 1972	To do anything reasonably incidental to the exercise of any of the other functions conferred by this order, avoiding the risk that a specific activity lacks a direct statutory basis even where it clearly supports a conferred function.	Ensures the parish meeting can take incidental steps in support of its activities without each step requiring a separate statutory power.
s.112 LGA 1972	To appoint the Clerk and any other officers needed for the proper discharge of the parish meeting's functions, including arrangements for shared or externally provided clerking and administrative support.	Puts the engagement of the Clerk on the clearest possible statutory footing.
s.124 LGA 1972	To acquire land by agreement where this is for the benefit, improvement or development of the parish area.	Protects community assets and enables the parish meeting to secure land for community benefit.
s.133 LGA 1972	To provide or assist in providing parish or community buildings for use of the inhabitants of the parish, should this be needed in the future.	Enables investment in community infrastructure from the parish meeting's reserves if needed.
s.137 LGA 1972	Residual discretionary expenditure power for community benefit purposes not covered by a specific power, including contributions to organisations outside the parish boundary that benefit Little Longstone inhabitants, subject to the statutory per-electors limit applicable for the relevant financial year.	Provides a legal basis for community benefit expenditure that does not fall within a specific statutory power.
s.139 LGA 1972	To accept gifts of land or other property for the benefit of the parish.	Enables the parish meeting to receive community assets by gift without needing separate authority.
s.140A LGA 1972	To insure voluntary assistants who assist the parish meeting in carrying out its functions.	Protects volunteers from financial exposure arising from their assistance to the parish meeting.
s.142 LGA 1972	To publish and distribute information about the parish meeting's functions and activities, including through the parish meeting's website.	Supports transparency and community engagement. Already exercisable but included to confirm scope.
s.144 LGA 1972	To encourage visitors to the parish and to provide or improve facilities for their reception and enjoyment. Relevant to the management of the Monsal Head viewpoint and car park and the ice cream van pitch.	The short-stay car park recorded 11,751 paid-for parking transactions between 1 April 2025 and 31 March 2026. It is an essential part of the tourism infrastructure for the Peak District. Section 144 provides the primary statutory basis for expenditure connected with the management and improvement of the site for visitors.
s.145 LGA 1972	To provide or support entertainment, cultural activities and the arts, including	Provides a specific statutory basis for supporting activities such as well

Function	Purpose	Local benefit
	activities which benefit inhabitants of Little Longstone.	dressing, village cultural events and appropriate arts and entertainment activities.
s.222 LGA 1972	To provide an express statutory basis for prosecuting or defending legal proceedings where the statutory test is met, including proceedings affecting the Parish Meeting's assets, functions or the interests of the inhabitants of the parish.	Provides a clear statutory basis for appropriate legal action to protect the interests of the parish and its inhabitants.
LGMPA 1976 s.19	To provide recreational facilities for the benefit of inhabitants of the parish, and to contribute to the expenses of another body providing such facilities, whether within or outside the parish boundary. Primary basis for contributions to the Longstone Area Sports and Recreation Association (LASRA) and the recreation ground at Great Longstone, both of which serve the inhabitants of Little Longstone.	LASRA and the recreation ground provide recreational facilities used directly by Little Longstone residents. Section 19 has no per-electoral spending cap, making it the appropriate power for significant recreational contributions.
Transport Act 1985 s.106A	To make grants towards qualifying community bus services and bus services for elderly or disabled persons benefiting people living in the parish, subject to the statutory requirements.	BECT provides a lifeline service to residents who cannot drive. The annual contribution supports continued operation of these services.
Parish Councils Act 1957 s.1	To provide and maintain public seats and, where appropriate, shelters.	Enables the Parish Meeting to maintain existing public seating and provide additional seating or shelters where these would benefit residents and visitors.
Highways Act 1980 s.43	To undertake, where appropriate, maintenance of publicly maintainable footpaths, bridleways and restricted byways within the parish.	Enables the Parish Meeting to support the maintenance of local rights of way for residents and visitors while leaving the highway authority's underlying responsibilities unaffected.
Highways Act 1980 s.96	To plant and maintain trees, shrubs and grass on highway land within the statutory scope of the provision, supporting biodiversity, landscape character and environmental quality within the parish.	Enables appropriate environmental enhancement of highway verges and other qualifying highway land, contributing to biodiversity and the appearance of the parish.
Highways Act 1980 s.274A	To contribute to traffic calming schemes in or near the parish area, should this be needed in connection with the management of visitor traffic at Monsal Head.	Enables the parish meeting to contribute to highway safety improvements relevant to its area.
Open Spaces Act 1906 ss.9–10	To acquire interests and rights in open spaces and undertake their care, management and maintenance, including where appropriate management for environmental and biodiversity purposes.	Enables the Parish Meeting to acquire and manage open spaces for public enjoyment, landscape and environmental benefit, including habitat creation and biodiversity enhancement

Function	Purpose	Local benefit
s.57 RTRA 1984 (subject to ss.58-59)	To provide and manage parking places, subject to the statutory consent and procedural requirements, where necessary to relieve or prevent traffic congestion or preserve local amenities.	Provides a clear statutory basis for appropriate future parking provision to help manage visitor pressure and protect local amenity, particularly in the Monsal Head area.
TCPA 1990 Schedule 1 para 8	To receive the statutory notifications relating to planning applications and alterations to applications affecting the parish which are provided to parish councils under the legislation.	Ensures that the Parish Meeting receives relevant planning notifications as a statutory function rather than relying upon local administrative practice.
s.31 LG&RA 1997	To provide or contribute to the costs of measures designed to prevent crime in the parish area.	Enables the parish meeting to contribute to community safety measures if needed.

5. Supporting information: local benefit

5.1 The Monsal Head Open Space

The Monsal Head viewpoint and short-stay car park is one of the most visited sites in the Peak District National Park. In the twelve months from 1 April 2025 to 31 March 2026, 11,751 paid-for parking transactions used the short-stay car park, making it an essential part of the tourism and visitor infrastructure for the area. The site has been under the regulatory stewardship of the Parish Meeting since the 1922 Order and has subsequently developed into an important short-stay parking and visitor facility.

The Parish Meeting currently leases the car park to DDDC for management at DDDC's cost. The Parish Meeting retains the ice cream van pitch, which generates approximately £15,000 per year and is its principal source of recurring income. The s.109 order will ensure that the management of this nationally significant visitor asset is supported by the full range of parish council powers, including the power to incur expenditure on tourism promotion, recreational facilities, and the legal defence of the Parish Meeting's position as landowner.

5.2 Community activities and organisations

The Parish Meeting uses its commercial income to support a range of community activities and organisations that directly benefit the inhabitants of Little Longstone and the wider Longstone area. These include:

- The Longstone Area Sports and Recreation Association (LASRA) and the recreation ground at Great Longstone, which provide recreational facilities used by Little Longstone residents. Section 19 of the Local Government (Miscellaneous Provisions) Act 1976 is the appropriate power for these contributions, with no per-electoral spending cap.
- Bakewell and Eyam Community Transport (BECT), which provides bus services for elderly and disabled residents of Little Longstone who have no access to a private car and limited public transport. Section 106A of the Transport Act 1985 is the appropriate power for this grant.
- Well dressing, village cultural activities and appropriate LEAP activities, supported under Section 145 of the Local Government Act 1972 where they involve entertainment, cultural activities or the arts.
- Tourism and visitor-related activities, supported under Section 144 of the Local Government Act 1972 where expenditure is genuinely directed towards encouraging visitors or providing or improving facilities for their enjoyment.
- Local publications and information services, supported under Section 142 of the Local Government Act 1972.

- Biodiversity and environmental enhancement, including management of open space and other land for biodiversity, landscape and environmental benefit. The Parish Meeting recognises its biodiversity duty under s.40 of the Natural Environment and Rural Communities Act 2006, as amended, and seeks appropriate parish-council functions to enable practical action in support of that duty. Potential activities include wildflower areas, habitat creation, bird and bat boxes, appropriate planting and management of highway verges, and acquiring or managing open space for environmental and public benefit.

The Parish Meeting has supported a range of activities benefiting its inhabitants over many years. The s.109 Order would provide clear statutory powers for appropriate future expenditure of this kind.

5.3 Reserves and financial position

The Parish Meeting holds reserves of approximately £127,000, accumulated from commercial licence income over many years. These reserves represent a significant community asset. The Parish Meeting has a plan for their use, including future investment in the Monsal Head site and in community facilities. The s.109 Order will ensure that future use of reserves is supported by appropriate statutory functions, including land acquisition, open-space and biodiversity enhancement, community facilities, recreation, visitor management and, where appropriate, measures to address parking and traffic pressures.

5.4 Succession and governance

The current Clerk is retiring in late 2026 and the current Chair is also expected to step down later this year. Great Longstone Parish Council has agreed in principle to provide clerking services to Little Longstone Parish Meeting through a shared services arrangement. The s.109 Order, and in particular the power under Section 112 to appoint officers, will put the engagement of the Clerk under such an arrangement on the clearest possible statutory footing. The additional functions would also increase the range of matters which, where appropriate and subject to s.108 LGA 1972 and the Parish Meeting's Standing Orders, could be dealt with through a committee arrangement.

5.5 Planning

Little Longstone is currently engaged in joint neighbourhood plan preparation with Great Longstone Parish Council, with the neighbourhood area designation approved by the Peak District National Park Authority. The planning function sought in this application concerns the statutory notification of planning applications affecting the parish. The Parish Meeting will separately clarify with the relevant planning authority the arrangements applying to its participation in neighbourhood planning.

6. Proper Officer appointment and indemnity

The Parish Meeting notes that, in other s.109 order cases, the district council has formally appointed its Monitoring Officer as Proper Officer for the purposes of Section 13(3) of the Local Government Act 1972 to act as Parish Trustee for parish meetings within its area, and has agreed to provide an indemnity to that officer in relation to the discharge of those duties.

The Parish Meeting respectfully asks DDDC to confirm whether such an appointment and indemnity are currently in place in relation to Little Longstone, and if not, to include these arrangements in the Council report dealing with this application. This would put the Parish Trustees structure on the clearest possible legal footing, protect DDDC's officer from personal exposure, and ensure continuity as office-holders change.

7. Note on local government reorganisation

The Parish Meeting is conscious of the proposed reorganisation of local government in Derbyshire and would welcome determination of this application while the present district arrangements remain in place, particularly given the governance and succession matters described above.

8. Request

For the reasons set out above, Little Longstone Parish Meeting respectfully requests that Derbyshire Dales District Council make an Order under Section 109 of the Local Government Act 1972 conferring on the Parish Meeting the functions of a Parish Council set out in the Schedule attached as Appendix 1, with effect from the date the Order is made.

The Parish Meeting would be grateful if this application could be considered at the earliest available DDDC full Council meeting. Given the governance and succession pressures described in this application, together with forthcoming decisions concerning the management of the Monsal Head Open Space and the ice cream van pitch licence, the Parish Meeting would welcome confirmation of the likely timescale for consideration of the application.

Please do not hesitate to contact me if you require any further information.

Yours sincerely,

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[NAME]

Chair, Little Longstone Parish Meeting
On behalf of Little Longstone Parish Meeting

Appendices

Appendix 1: Schedule of Functions

Appendix 2: Extract from the minutes of the Little Longstone Parish Meeting assembly held on 26th August 2026, confirming the resolution to make this application

Appendix 1

Schedule of Functions

To be requested by Little Longstone Parish Meeting under Section 109 of the Local Government Act 1972

Important note on the 1922 Order

This schedule assumes that the County of Derby (Little Longstone Parish Meeting) Order 1922, made under s.19(10) of the Local Government Act 1894, remains in force. That Order conferred powers of regulation and maintenance of the Monsal Head Open Space on the Parish Meeting and is the legal basis for the 1997 byelaws confirmed by the Home Office. If the 1922 Order has lapsed, the regulatory and maintenance powers it conferred should be included in the present Order so that the byelaw framework and the management of the Monsal Head Open Space continue to have a clear statutory basis.

Statute	Section	Functions to be conferred
LGA 1972	Section 111	Subsidiary powers: power to do anything reasonably incidental to any of the Parish Meeting's functions
LGA 1972	Section 112	Power to appoint officers and staff
LGA 1972	Section 124	Acquisition of land by agreement for the benefit, improvement or development of the parish area
LGA 1972	Section 133	Provision of parish and community buildings
LGA 1972	Section 137	Power to incur expenditure for certain purposes not otherwise authorised, subject to the statutory per-electoral limit
LGA 1972	Section 139	Acceptance of gifts of property
LGA 1972	Section 140A	Insurance of voluntary assistants
LGA 1972	Section 142	Power to provide information about local government functions
LGA 1972	Section 144	Power to encourage visitors and provide or improve facilities for the enjoyment of the parish area
LGA 1972	Section 145	Power to provide entertainment and facilities for entertainment and dancing, and to support the development and practice of the arts, whether inside or outside the parish area
LGA 1972	Section 222	Power to prosecute or defend legal proceedings where expedient for the promotion or protection of the interests of inhabitants of the parish
LGMPA 1976	Section 19	Power to provide recreational facilities and to contribute to the expenses of another body providing such facilities, whether within or outside the parish boundary
Transport Act 1985	Section 106A	Power to make grants towards qualifying community bus services and bus services for elderly or disabled persons

Statute	Section	Functions to be conferred
Highways Act 1980	Section 43	Power to maintain public footpaths, bridleways and restricted byways
Highways Act 1980	Section 96	Power to plant trees, lay out grass verges and maintain them
Highways Act 1980	Section 274A	Power to contribute to traffic calming schemes
TCPA 1990	Schedule 1, para 8	Parish council functions relating to notification of planning applications and alterations to applications affecting the parish.
Parish Councils Act 1957	Section 1	Power to provide and maintain public seats and shelters in or on land abutting roads within the parish
Open Spaces Act 1906	SS.9-10	Power to acquire, care for, manage and maintain open spaces
RTRA 1984	Section 57 (Subject to ss.58-59)	Provision and maintenance of parking places
LG&RA 1997	Section 31	Power to provide or contribute to the costs of crime prevention measures

As at [DATE]

Appendix 2

Extract from Minutes of the Little Longstone Parish Assembly held on 26th August 2026

Instructions for completion

Insert here a certified extract from the minutes of the August meeting, covering the agenda item on the s.109 application. The extract should confirm: the date and place of the meeting; the names of the electors present; that a quorum was present; the agenda item number and heading; and the exact wording of the resolution passed. The extract should be signed by the Chair as a true copy of the minutes.

[INSERT CERTIFIED MINUTES EXTRACT HERE]

DRAFT