

BURTON ON THE WOLDS, COTES AND PRESTWOLD PARISH COUNCIL

Minutes of a meeting of Burton on the Wolds, Cotes and Prestwold Parish Council held virtually on 6th April 2021 at 7.30 p.m.

Present: Cllr A Carr (Chairman), Cllr R Shields (Vice Chairman), Cllr W Best, Cllr L Cooper, Cllr A Lawrence, Cllr E Wardle, Cllr M Windsor.

Apologies: Cllr K Hibbins, Borough Councillor Bokor.

In attendance: County Cllr Shepherd, Mrs S Massey (Clerk), 3 members of the public.

001/21 To receive apologies for absence.

Resolved: To accept the apologies of Cllr Hibbins and Borough Councillor Bokor.

002/21 Disclosures of interests, disclosable pecuniary interests, personal interests or personal interests that could lead to bias, by Parish Councillors to items on the agenda.

None.

The Chairman reminded everyone that it is important to adhere to the Code of Conduct and the Parish Council's Standing Orders. This is especially important at Zoom meetings. All remarks should be addressed to the Chairman and anyone who wishes to speak should raise their hand. Good etiquette should be followed and respect for others and their views should be maintained.

003/21 To approve the minutes of the Parish Council meetings (02/03/21 and 09/03/21).

Resolved: To approve the minutes which were signed as a true and accurate record.

004/21 Questions/comments from the floor (limited to 15 minutes).

A resident (A) reported that she still felt very strongly that pedestrian safety has been overlooked on the Melton Road proposed site and suggested that the parish council contact Leicestershire County Council to ask what they propose to do if this development is going ahead and if they are not asking the developer to make this area safe.

The Chairman invited resident (A) to speak as required under items 011/21d, e & f. Resident (A) stated that as the decision notice has not yet been published, the parish council still have time to request a call in of this application. Resident (A) reported that she has had communication with Cllr Bailey, the lead member for planning at Charnwood Borough Council why they were able to make a decision on the same application twice. In addition she was informed that the decision was made in accordance with CBC's standing orders, pointing out that a parish council could not do this under their standing orders.

005/21 Borough Councillor's report

None.

006/21 County Councillor's report

Cllr Shepherd had no particular parish matters to report on and asked that members

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raise matters.

Cllr Carr asked about Leicestershire County Council Highways (LCC) matters relating to the Melton Road development. Cllr Shepherd stated that both LCC and Charnwood Borough Council (CBC) are constrained by the National Planning Policy Framework (NPPF).

Resident (A) asked if local authorities have a responsibility to the safety of pedestrians. Cllr Shepherd stated that LCC's response is that it is a matter of balancing different factors. Resident (A) reported that pedestrian safety is a statutory duty and that should override the NPPF.

007/21 Police Report

There was no recorded crime in Burton on the Wolds, Cotes or Prestwold during February 2021. In March there was no recorded crime in Burton on the Wolds or Cotes and 1x criminal damage in Prestwold.

Sgt Bird & PCSO Bill undertook speed checks on 6th March 2021 with advisory letters being sent to offending drivers. Cllr Carr asked that the clerk contact Sgt Bird and ask that speed checks are carried out at specific times and locations to ensure that speeding traffic is recorded.

Sgt Bird personally undertook night time patrols on 19th March 2021 and PCSO Jade on 21st March 2021.

008/21 To make observations and agree any action on the following planning applications:

a) **P/21/0342/2 Holly Lodge Farm, 275 Narrow Lane, Burton on the Wolds LE12 6SD**

Resolved: Not to comment on this application.

b) **P/21/0440/2 7 Hubbard Road, Burton on the Wolds LE12 5AX**

Resolved: Not to comment on this application.

c) **P/21/0193/2 11 Hall Drive, Burton on the Wolds**

Resolved: Not to comment on this application.

d) **E/21/0084 Seymour House, Burton on the Wolds – breach of conditions**

The breach of conditions related to windows in plots 3 & 4. The enforcement officer confirmed that one window in question will be fixed shut and obscurity film will be installed. A resident has since reported that this dwelling is now occupied and that the windows have not been updated as notified. The resident has been given a copy of our response from CBC and advised to contact enforcement direct.

e) **Update P/19/0041/2 Land off Melton Rd, Burton on the Wolds LE12 5AL**

No update was available.

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f) **Update P/20/2322/2 Land off Melton Rd, Burton on the Wolds LE12 5AL**

This application was considered at plans committee. The planning officer recommended that the application be approved subject to a 106 agreement.

Cllr Carr stated that having watched the plans committee he was of the opinion that *“the members were intimidated into approving the recommendation of the planning officer. A vote was taken to accept the recommendation and was lost by 7 votes to 6. Then after discussion, with input from the planning officers and the CBC legal team, two committee members said they were going to change their vote and for reasons which were not clear, a second vote was taken on an identical motion. This resulted in the recommendation being accepted and to observers appeared to be completely undemocratic. In addition, upon comparing this to the next application on the agenda for a development at Queniborough which was refused, it appeared that the ‘trump card’ of lack of 5 year housing supply does not apply to all applications”*. Cllr Shields stated that the Queniborough application was refused in 2018 on several grounds unlike P/21/0041/2 which was refused purely on the lack of 106 agreement being in place. Cllr Shields stated that the plans committee asked if they could put forward more grounds for refusal based on the information available and they were told that they could not. Cllr Shields and Resident (A) have both asked CBC if this is legally and procedurally correct.

Cllr Windsor stated that being able to vote twice on essentially the same thing seems odd. In addition he thought the response from CBC to Resident (A)’s letter did not go far enough to explain why the points in her letter are not relevant. Cllr Windsor was disturbed that Resident (A) had written directly to Democratic Services to complain about the planning department, the response was then delegated to and written by the planning department.

Both Cllr Carr & Shields made comment regarding the current housing supply situation and asked why CBC had allowed this situation to arise given that they knew in November 2015 that in 5 years’ time they would be in this situation. Reasons cited in correspondence received were that the housing supply figures from Government had altered, lack of staff, too many applications and COVID. Cllr Carr pointed out that COVID had not affected the calculation of the housing figures.

Cllr Carr stated that not only have we been let down by CBC but by our councillors who we elect to represent us collectively and to ensure that CBC does a decent job of looking after our interests. Decisions may be taken lightly but this outcome will affect the future of Burton on the Wolds forevermore.

Cllr Shepherd suggested that we make a formal complaint to Charnwood Borough Council following their complaints procedure prior to making formal complaint to the ombudsman.

Resolved: To write a letter to the National Planning Casework Unit calling in this application

Resolved: To raise a formal complaint to Charnwood Borough Council.

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- Resolved: To write a letter of complaint to the Chief Executive.
Resolved: To write a letter of complaint to the Leader of the Council.
Resolved: To add an update to and signpost residents to the website.

Cllr Shepherd left the meeting 20.41

009/21 To receive the Clerk's report including the playground safety checks reports.
Cllr Shields asked if the clerk had received a response from enforcement regarding HillView.

Resolved: That the clerk will follow up and report the sited shipping container. An *Update* item will be added for this site under Planning on the May agenda.

The reports were noted and playground safety check reports were filed electronically.

010/21 To receive reports from councillors

a) **Plantation Management Committee**

Cllr Best reported that The felling work in the Plantation has now been completed, the disease-resistant elm has been planted and there will be a volunteer session on Sunday morning, 11th April. The next Plantation Management Committee meeting will take place on 18th May 2021 at 10.30 a.m.

Cllr Carr made observations that the footpaths are becoming wider and that 'unauthorised' footpaths are appearing. Cllr Cooper reported that chippings will be spread and logs installed to help to 'formalise' the footpaths.

b) **Playing Field Association**

Cllr Shields reported that various activities were opening up following lockdown.

Cllr Carr noted that a small pitch had been created with the mini goalposts near to the adult exercise equipment.

c) **Other Councillors' Reports – for information only.**

Cllr Shields reported that the Gardening Club are not requesting any funding during this financial year, the Parish Council thanked them for their hard work on this area. The clerk will write a letter of thanks.

011/21 Business

a) **To receive the schedule of external events for Prestwold Park and wedding and event schedule for Prestwold Hall, sent as a requirement of Prestwold Park Premises Licence PREM 142098.**

Resolved: To note the contents of this schedule.

b) **To receive the draft minutes of the Plantation Management Committee meeting held on 09/03/21.**

Resolved: To note the contents of these minutes.

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- c) **To confirm and approve the details of the Finding Fitness subsidised Summer Club, 19th July - 6th August 2021 (week days).**
The dates for the summer club are confirmed as week commencing 19th July, 26th July and 2nd August, week days from 9.30 a.m. – 3.30 p.m. Subsidised places will be offered at a cost of £10 per day.
Resolved: That the clerk will contact Finding Fitness to confirm details as above and to finalise administration and publicity of these sessions.
Resolved: That the clerk will inform the school of the dates for the forthcoming summer clubs.
- d) **To consider writing a formal letter of complaint specifically about the conduct of the Plans Committee when it dealt with application P/20/2322/2 on 25th March 2021.**
This item was discussed under minute reference 008/21e.
- e) **To consider what action to take regarding the current planning situation and to whom we should write letters of complaint.**
This item was discussed under minute reference 008/21e.
- f) **To consider writing to residents to explain just what is happening with planning applications in Burton on the Wolds.**
This item was discussed under minute reference 008/21e.
- g) **To consider a proposal to plant 3 cherry trees on the corner of Wymeswold Lane/Melton Road in memoriam to those who have passed away.**
Resolved: That the councillors agree in principle. The clerk will seek permission from Leicestershire County Council to plant on this area.
- h) **To agree the details of how to notify the public about The Wolds Neighbourhood Plan referendum which will take place on 6th May 2021 alongside the local elections.**
Resolved: That the clerk will add the following text to the press release: The referendum will take place on May 6, 2021 alongside the local elections and will ask the question: “Do you want Charnwood Borough Council to use the Neighbourhood Plan for the Wolds Villages to help it decide planning applications in the neighbourhood area?”. The Neighbourhood Area comprises the parishes of Burton on the Wolds, Cotes, Prestwold and Hoton. A copy of the referendum version of the plan can be downloaded from our website. A link to the referendum is:
https://www.charnwood.gov.uk/pages/the_wolds_neighbourhood_plan

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012/21 Finance

a) **Financial update:**

Account balance @	31/03/2021
Current	1,000.00
Reserve/General	14,088.00
Reserve/Bonus	5,617.11
Loughborough B/Society	42,598.81
TOTAL	63,303.92

Balance includes:	
Plantation funds	1,612.15
Lottery/Finding Fitness	4,680.00
Hubbard Rd Land Management	36,487.83

b) **To approve the schedule of payments totalling £2,628.88**

Payments		Apr			Month 1	
PAYEE	FOR	REFERENCE	AMOUNT	Type	COST CENTRE	
1 M&BG Ltd	Grounds maintenance	Invoice	£517.00	Direct	Split	
2 Martin Tree Care	Felling (Approved grant receipt pending)	Receipt	£1,200.00	Direct	Plantation	
3 Island Fire Protection	Fire protection service	Invoice	£207.11	Direct	Pavilion	
4 Pioneer Environment Group Ltd	Bat survey report for grant application	Invoice	£180.00	Direct	Plantation	
5 Springfield Property Services	Jet washing	Invoice	£380.88	Direct	Village Hall	
6 WaterPlus	Water supply	Invoice	£22.36	Direct	Burial Ground	
7 Viking	Stationery & toilet paper (Vhall)	Invoice	£121.53	Direct	Gen admin	
TOTAL			£2,628.88			

Resolved: To approve this expenditure.

c) **To update and approve standing orders and direct debits.**

Resolved: To update the standing order for the payment of the clerk's salary.

013/21 Correspondence for discussion

a) **Email from a resident requesting the siting of additional dog waste bins at 3 locations in Prestwold.**

The clerk has forwarded the response received from Charnwood Borough Council which read as follows: All new requests for litter/dog bins to be installed in the Borough are scored in accordance with our Litter Bin Policy. Unfortunately on this occasion these requests have not been successful as they did not meet our scoring criteria. When dealing with litter and dog bin requests, we have to consider the ongoing cost of emptying the bin, purchasing and installation costs and the need to replace it from time to time. Other factors include how many requests we have had in a 6 month period to de-litter the area as well as the number of requests we have received for litter/dog bins and the presence of existing bins in the area. These factors make up the scoring criteria mentioned in the Litter Bin Policy.

Resolved: No further action required.

b) **Email from residents x2 regarding maps posted on the Prestwold Estate detailing the public footpaths.**

The clerk responded as follows: The estate has confirmed that it is a public declaration of the existing footpaths across the estate which they are not closing, altering or amending. This declaration fixes the footpath routes for 20 years. So, it is simply a document publicising exactly where the official public footpaths are.

Resolved: No further action required.

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c) **Email from a resident as (b) with comments specific to the footpath on Wymeswold Lane.**

The clerk responded as 013/21b but included the following additional text: The route that you are referring to is not nor has ever been a public footpath, nor was it a permissive path. The 'border' that you are walking on is actually a field margin which has an agricultural and ecological function. Walking on this border disrupts the nesting hedgerow birds which the estate is trying to preserve. You should leave the field at the yellow marker and walk along the grass verge to the left of Wymeswold Lane to the next yellow marker where you can re-join the field.

Resolved: No further action required.

d) **Email from a resident regarding overhanging trees.**

Resolved: That the clerk will respond as follows; The Parish Council confirmed that trees in the parish are inspected regularly and it is not usual for tree work to be undertaken unless it is absolutely necessary, i.e. if it is dangerous. The Parish Council is happy for the resident to cut back the trees to their boundary in line with legislation.

e) **Email from LWA requesting a donation.**

Resolved: That the clerk will respond that the Parish Council is unable to donate at this time.

014/21 To agree items for inclusion in the press release
Referendum, Annual Parish meeting, planning issue, summer sports club

015/21 The next Parish Council meeting will take place on virtually on Tuesday 4th May 2021 at 7.30 p.m. unless advised otherwise. This will be preceded by the Annual Parish meeting at 7.00 p.m.

There being no further business the meeting closed at 21.31

These minutes are a true and accurate record _____ Date _____
Cllr A Carr, Chairman.