

MINUTES of a MEETING of WHITWICK PARISH COUNCIL held on THURSDAY 17 OCTOBER 2013 at the St John the Baptist C of E School, Parsonwood Hill, Whitwick.

Present: Councillor R Woodward (Chairman) (In the Chair)

Cllrs A Barker, S Colledge, E Easom, D Everitt, D Howe and J Straw

Apologies for Absence were received from Councillors T Gillard, N Pearson, L Spence and L Weaver

In Attendance:

Mr P Ellis, Clerk and Mrs L Ellis, Assistant Clerk

One member of the public

Declarations of Interest:

Councillor S Colledge declared a non-pecuniary interest in Minute No 309(d) (Green Wedge – Judicial Review) as a member of Whitwick Action Group

Councillor D Everitt declared a non-pecuniary interest in Minute No 309 (Planning Matters) as a district councillor

Councillor D Howe declared a non-pecuniary interest in Minute No 309 (Planning Matters) as a member of NWLDC's Planning Committee

Councillor J Straw declared a non-pecuniary interest in Minute No 309(d) (Green Wedge – Judicial Review) as a member of Whitwick Action Group

Councillor R Woodward declared a non-pecuniary interest in Minute No 309 (Planning Matters) as a district councillor

306. PUBLIC QUESTION AND ANSWER SESSION

A member of the public congratulated both the Council and Whitwick Action Group on the success of the recent Judicial Review in continuing to protect the Green Wedge.

307. MINUTES

(a) Arising from the minutes, the Clerk reported that the Government had introduced new controls on mobile scrap metal collectors. These dealers will now have to apply for a licence to the District Council. They will have to display this license in their vehicle similar to a tax disc. As they are transporting waste, they also require to register as a waste carrier with the Environment Agency. It will be the duty of the householder to ensure that if they give or pay for waste to be removed, the person removing it holds the license and registration.

(b) With regard to litter in the vicinity of the kebab shop, NWLDC had offered to contact the proprietor direct.

.....Chairman's initials/signature

Resolved: That the minutes of the previous meeting held on 29 August 2013 as previously circulated be approved as a correct record

308. COMMUNITY POLICING

The Chairman welcomed PC 2925 Broomfield to the meeting. PC Broomfield reported that as previously requested, covert speed monitoring had recently been placed on Brooks Lane. This was in place between 18 and 25 September and recorded 2112 vehicles movements. The speed limit was 30mp and the mean recorded speed was 26.2mph. 28.3% vehicles were above the 30mph limit with 5.2% above the limit of 30mph of +10% +2mph (35mph). In terms of speed recording levels in Leicestershire it was deemed no further action was necessary at the present time, although the matter would be kept under review.

Over the past 30 days, crime statistics for Whitwick showed 3 common assaults, 1 shed burglary, 3 damage to motor vehicles, 5 thefts, and 3 thefts from motor vehicles. There had also been several instances of criminal damage including one involving arson to bins and fencing at Hermitage Leisure Centre.

There had also been an increase in thefts of catalytic converters from 4x4 vehicles in the County and a case was also being investigated in Thringstone involving the death of a number of cats. Talks would be given in local schools ahead of Halloween and he also circulated a leaflet regarding the latest bank card/PIN scam.

In reply to questions, he agreed to investigate the possibility of setting up a number plate securing initiative at a local garage. The Chairman thanked PC Broomfield for attending the meeting.

309. PLANNING MATTERS

(a) Applications

The Council had been consulted by NWLDC on the following applications:

12/01094/FUL – Erection of 4 no two-storey (with habitable accommodation in roof space) dwellings and associated garaging (revised scheme) – 191 Loughborough Road, Whitwick

13/00668/FUL – Demolition of dwelling and garage and erection of two detached dwellings with associated garages (revised scheme) – 12 Stinson Way, Whitwick

13/00669/FUL – Single Storey side extension – 35 Temple Hill, Whitwick

13/00790/FUL – Garage conversion and single storey side/front extension – 14 Dumps Road, Whitwick

13/00800/TPO – Felling of 1 no. Silver Birch protected by TPO – Birch House, 25 Silver Street, Whitwick

Resolved: That no objections be made to these applications

(b) Decisions

NWLDC had now permitted the following applications:

.....Chairman's initials/signature

2013/VOC/0210/LCC - Leicestershire County Council - retention of double classroom mobile (block E, UPRN 518) - Whitwick Church of England Primary School, Parsonwood Hill, Whitwick

13/00440/FUL – Erection of metal steps (retrospective) – 20 Talbot Street, Whitwick

13/00571/FUL – Demolition of builders store and erection of one single storey detached dwelling and one detached 2 storey dwelling – 110 Silver Street, Whitwick

13/00627/FUL – Erection of single storey rear extension – 17 Lakeshore Crescent, Whitwick

13/00645/FUL – Single storey extension to provide new kitchen and dining area – 133 Church Lane, Whitwick

13/00753/NMA – Non-material amendment to planning permission 12/00381/FUL to allow changes to external appearance of approved dwelling – 203-205 Leicester Road, Whitwick

Resolved: That the report be received

(c) Strategic Housing Land Availability Assessment (SHLAA) and Employment Land Availability Assessment (ELAA) – Call for Sites

Consideration was given to an email from NWLDC (copy previously circulated and attached to the official copy of the minutes).

Resolved: That no sites be put forward

(d) Green Wedge – Judicial Review

The case of William Davis Limited v Secretary Of State for Communities and Local Government had been heard at the Royal Courts of Justice on 2 and 3 October (CO/10359/2012). The Honourable Mrs Justice Lang DBE had subsequently dismissed the developers' case against the Secretary of State.

Concern was expressed that NWLDC's draft Core Strategy was likely to be withdrawn in the light of criticism from the appointed Inspector. It was not clear what would then happen and how this would affect the Green Wedge land. Local people had already put in a huge effort and it was hoped that this would not need to be repeated.

There was debate as to whether to seek 'green wedge' designation in any subsequent re-consultation instead of 'area of separation' and 'countryside'. Advice would be required on the technicalities of what would best serve Whitwick's interests.

The Clerk reported that the issue was on the agenda for NWLDC's Parish Liaison Meeting on 30 October which might clarify where we go from here. It was also understood the matter would be considered at NWLDC's Council meeting to be held on 29 October.

Resolved: That consideration of the implications of withdrawal of the draft Core Strategy be deferred for further information.

.....Chairman's initials/signature

310. COUNTY COUNCILLOR'S REPORT

Councillor Spence was not in attendance and had indicated that he would submit a full report to the next meeting.

311. DISTRICT COUNCILLORS' REPORTS

Councillor Howe congratulated the County Council on recent footway improvements in Market Place and hoped that repairs to the wall in Castle Street would soon be effected.

In response to a question regarding furniture left on the highway following an eviction from private rented premises, the Chairman indicated that such instances should be reported as fly-tips either direct to NWLDC or via the Clerk.

There was debate on the advisability, practicality and level of NWLDC's proposed charge for green waste collection.

The Chairman reported that the latest indications from Midland Co-op were that the current Market Place premises were likely to be demolished relatively soon and that plans for the proposed supermarket were being reconsidered to ensure the project was affordable.

312. ELECTORAL REVIEW OF NW LEICS: DRAFT RECOMMENDATIONS

The Clerk reported that the Local Government Boundary Commission for England had published its draft recommendations.

As requested by NWLDC, the Commission had based its recommendations on a pattern of single member wards at District level. This had the effect of introducing warding at parish level. The Parish Council had previously objected to this.

The draft recommendation for Whitwick was that the Parish Council should continue to comprise 11 councillors representing 4 wards: Broom Leys Ward - 2 councillors; Holly Hayes Ward - 3 councillors; Market Ward - 3 councillors and Thornborough Ward - 3 councillors. The proposed Broom Leys Ward would comprise part of Whitwick Parish together with part of the adjoining unparished area.

The Clerk expressed concern that warding of the Parish Council could make it harder to meet the electoral criteria to adopt the General Power of Competence. Some wards could have more candidates than seats resulting in an election with all the associated costs, while other wards might have insufficient candidates with unfilled vacancies being co-opted.

Resolved: That the Council reiterates its objections to warding of the parish.

313. COMMUNITY SURVEY

(a) RCC Final Report

Consideration was given to the final report from the Rural Community Council together with a supplementary report by the Clerk (copies previously circulated and attached to the official copy of the minutes).

.....Chairman's initials/signature

The Clerk advised that in statistical terms, the size of the sample gave a margin of error of +/- 10% which should be born in mind when considering the results. His supplementary report applied weightings to put the 'what priority' answers into order.

Members were also reminded of the availability of Section 106 funding for play equipment and an objection to the placing of any equipment on Parsonwood Hill Recreation Ground which had been submitted by the local Neighbourhood Watch Co-ordinator.

Some members felt that with respect to the Parsonwood Hill Recreation Ground, the wishes of the residents should be adhered to; others pointed out that this was the only large recreation area in the village without equipment and that the children who would benefit from it would be drawn from a wider area. It was noted that the adjacent primary school made use of the recreation ground. It was suggested that a consultation be undertaken with residents if and when the Council had any firm proposals.

Despite being a low public priority, a member felt that some form of Christmas lighting should be investigated for 2014, possibly involving businesses in Market Place.

After extensive debate on various aspects of the survey results, it was:

Resolved:

(i) That St John the Baptist and Holy Cross Schools be contacted for suggestions regarding the use of the Section 106 monies

(ii) That an indication as to what sort of equipment could be purchased with the Section 106 monies be obtained

(iii) That the practicality and cost of relocating the skate park or small children's play area in Whitwick Park be investigated to provide greater separation between the two facilities

(iv) That Councillor Barker and his wife be commended for the voluntary bulb planting they had already carried out around the village

(v) That the costs of hanging flower baskets be investigated

(vi) That the costs of bench seats be investigated

(vii) That the cost of providing and emptying additional litter bins be investigated

(viii) That the Clerk contact potential volunteers to explore their interest in further detail

(b) Matters arising from the Survey

Consideration was given to the report of the Clerk (copy previously circulated and attached to the official copy of the minutes). An additional request for a grit bin had been received in respect of the turning area at Crusader Close.

The Clerk reported that the County Council's position with regard to new grit bins was that the Parish should ensure that locations were on a steep slope or sharp bend; identify an

.....Chairman's initials/signature

exact location, consult local residents and agree to pay a £200 contribution. No requests for new bins were to be considered before 1 April 2014.

Resolved:

(i) That the Clerk assesses all outstanding requests for new grit bins against the County Council's criteria and report back

(ii) That the replacement of the damaged grit bin at Loughborough Road/Cademan Street at a cost of £200 be approved

(iii) That the possibility of creating a community orchard on the George Street allotment site be investigated

(iv) That the costs of Christmas lights both in the existing trees on the City of Dan highway land adjoining the Winding Wheel Memorial and affixed to premises in Market Place be investigated with a view to making provision for Christmas 2014.

314. FUTURE LOCAL SERVICE DELIVERY

Consideration was given to a request from the Leicestershire and Rutland Association of Local Councils for all town and parish councils to take a formal position on this issue.

The LRALC stated "like all councils, Leicestershire County Council has had to make savings over the last few years, including major efficiency savings which has limited the impact on key services, as part of the Government's drive to reduce public debt. But the reality is that Leicestershire County Council needs to save £100 million over the next 5 years and therefore some services will cease, and others will be drastically be reduced. It will also need to look at new and different ways of delivering services, including even closer working with, or devolving to, other public agencies including parish and town councils. This change to the public service landscape is unlike anything experienced in living memory and there is a need for parish and town councils to take a formal position on whether they feel they have a role to play in becoming more involved in local service delivery, and assuming some responsibilities devolved from principal councils, or not....many now feel that the time for sitting on the fence on these issues has passed.

Unlike the higher tiers of local government, local council precepts are not subject to capping; as Eric Pickles recently said "you mentioned that you wanted to remain free from capping. There are now no restrictions." Government also tells us that the localism agenda, new powers given by the Localism Act and specifically the new General Power of Competence are intended to give local councils the confidence, power and ambition to deliver for their communities, taking on additional services where appropriate, including where County and District/Borough Councils have to reduce provision as a result of required efficiency savings. However, LRALC recognises that these things are often complex and time-consuming to undertake.

*Whilst LRALC strongly defends the autonomy of local councils to set their own priorities, make their own decisions, and agree their own precepts, we are keen to increase their confidence and ambition to make use of the powers and possibilities open to them to provide new, expanded, and/or devolved services to their parishioners, **if they wish to.***

.....Chairman's initials/signature

The Clerk reported receipt of an email in similar terms earlier that day from NWLDC who also needed to save an additional £2.84m by 2018. The issue would be on the agenda for NWLDC's Parish Liaison Meeting on 30 October.

The Clerk sounded a note of caution. While it might appear an attractive option to transfer responsibilities down to parish councils whose expenditure was not capped and who enjoyed wide freedom to spend on what they chose using the General Power of Competence, if the electoral criteria was not met at the next elections then parishes would have to revert to the Section 137 'free resource' if no other spending powers were available. This power was not as wide and was also limited by a Government-specified formula.

Resolved: That the potential for this Council to take on additional services be investigated with caution

315. ACCOUNTS FOR PAYMENT

Members were asked to approve the following payments:

P J Ellis – Mileage, 2nd quarter - £23.85

P J Ellis – Postages and petty cash, 2nd quarter - £69.39

Resolved: That these payments be approved

316. LAND TRANSFER FROM NWLDC

(a) Progress Report

Consideration was given to a progress schedule which had been supplied by NWLDC (copy previously circulated and attached to the official copy of the minutes). A similar update had also been received from the Council's solicitor which indicated that progress was being made and completion in time for the next meeting might be an achievable target.

Revised plans had also been prepared for several sites taking account of the Parish Council's previous requests.

NWLDC had now also suggested the inclusion of an additional site – the former railway station premises currently occupied by the Whitwick Historical Group who had held a licence since 1987 at a nominal rent of £1 per annum.

Resolved:

(a) That the signing and sealing as appropriate of the necessary transfer documentation be authorised subject to the Parish Council's previously expressed conditions being adhered to

(b) That the Council agree to the former railway station premises being transferred to the Parish Council subject to previously identified remedial works to the premises having been completed

(b) Land 'Historically Maintained'

.....Chairman's initials/signature

Consideration was given to the report of the Clerk (copy previously circulated and attached to the official copy of the minutes). It was noted that the Council's legal representative had identified that a commuted sum was due in respect of the site at The Elms.

Resolved:

(a) That the Parish Council continue to maintain these sites following the land transfer

(b) That the powers to do so be determined in the light of future staffing arrangements

317. BANK RECONCILIATION AND RECEIPTS & PAYMENTS TO 30 SEPTEMBER 2013

The Clerk submitted an update of the Council's accounts (copies previously circulated and attached to the official copy of the minutes). Members also noted that the Receipts and Payments Summary for the second quarter has been scrutinised and approved by the Chairman in accordance with the Council's internal financial control procedures.

Resolved: That the report be received

Councillor D Everitt entered the meeting at 7.05pm during debate on Minute No 306 (Public Question and Answer Session)

Councillor E Easom left the meeting at 8.32pm during debate on Minute No 313 (Community Survey)

The meeting terminated at 9.02pm

.....Chairman's initials/signature