

EVERTON PARISH COUNCIL

Minutes of a Meeting of the Council held in the Village Hall on Monday 3rd December, 2007

Present: Councillor D. J. Bardsley (Chairman). Councillors Bacon, de Bel, Dunn, Ferrar, Jefferies, Maclagan, Martin and Woods

07/08/249 DECLARATIONS OF INTEREST

Councillor Bardsley declared a prejudicial interest at agenda item 5 (Public Discussion – Corner Farm Planning Application), being a close neighbour, and left the meeting during consideration of that item.

Councillor Jefferies declared a personal interest at agenda item 11 (NALC Northern Area Committee Reports), being a member of the Committee.

Councillor Bardsley declared a personal interest at agenda item 6 (Parish Plan – Presentation by the Metcalfe Recreation Committee on the Play Park), being a member of the Metcalfe Recreation Committee.

Councillor Martin declared a personal interest at agenda item 27 (Planning Applications – Corner Farm, High Street, Everton), being an acquaintance of the architect.

07/08/250 MINUTES OF A MEETING OF THE COUNCIL

The Minutes of a meeting of the Council, held on 12th November, 2007, were approved as a correct record.

07/08/251 MATTERS ARISING

- (a) The Clerk raised a query relating to the new bank mandate at Minute No. 07/08/216 (Banking), which was answered by the Parish Council.
- (b) Councillor Bardsley referred to Minute No. 07/08/237 (Rural Net 2007), and enquired whether a response had been received from the National Association of Local Councils. The Clerk replied that it had not, and he would follow the matter up.

07/08/252 PUBLIC DISCUSSION

Councillor Bardsley vacated the chair at this point in favour of Councillor Maclagan, and left the meeting.

Mr. R. J. Troop referred to Planning Application 19/07/32 (Erection of 7 new dwellings, garages and associated driveways along with alterations and extensions to the two dwellinghouses arising from the approved consent of the former farmhouse at Corner Farm, High Street, Everton). He asked that, in future, if the Parish Council was pre-consulted regarding a planning application, it would inform the applicant of the date of the meeting at which the application would be considered. Members confirmed that it would.

07/08/253 PARISH PLAN

Councillor Bardsley once more assumed the chair at this point.

- (a) Mr. R. Scott gave presentation on the consultation exercise involved in the proposal to improve the play park. Discussions were continuing with stakeholders and providers with regard to a final agreed plan and funding arrangements.

Discussion followed, after which Mr. Scott was thanked for a very interesting and informative presentation. The school was also congratulated on its part in the exercise. Members expressed general support for the emerging proposals.

- (b) Pursuant to Minute No. 07/08/239(b) of November, 2007, the Clerk reported that he was awaiting a response from Miss J. Lane, Head Teacher at Everton Primary School, regarding a date for a public meeting regarding the Everton School Vision.

07/08/254 ACCOUNTS

Resolved: That the December Accounts be approved for payment.

07/08/255 BANK RECONCILIATION

Members received the bank reconciliation statement to 31st October, 2007, which showed a balance of £13,011.85 (before deduction of un-presented cheques of £20.00).

07/08/256 BUDGET MONITORING

The Clerk submitted the December budget monitoring statement, which showed a projected year-end balance in line with the target balance, assuming budgeted expenditure (including the P3 earmarked reserve) was spent.

07/08/257 RISK REVIEW AND ASSET INSPECTION

There were no matters to report.

07/08/258 NALC NORTHERN AREA COMMITTEE

Councillor Jefferies submitted a report on the meeting held on 19th November, 2007. The main points covered included:

- Section 106 planning agreements and their application
- The fact that the vast majority of planning applications were determined under delegated powers
- Difficulties with the Bassetlaw Planning Enforcement function, owing to staff sickness
- Community Speedwatch
- Daneshill Household Waste and Recycling Centre
- Mapping of dykes
- Double Taxation.

Formal minutes would be available in due course.

07/08/259 SAFER NEIGHBOURHOOD GROUP

The minutes of the meeting held on 13th November, 2007 were considered. Councillor Maclagan expanded briefly on them.

Councillor Bardsley referred to media coverage of remarks made at the last meeting by PCSO Stephanie Jones relating to certain restrictions on the work of PCSOs generally, and the public response generated.

07/08/260 PARISH COUNCIL EMERGENCY PLAN

Pursuant to Minute No. 07/08/225 of November, 2007, the Clerk reported that he would arrange the agreed meeting once he had a firm date for the Everton School Vision public meeting.

07/08/261 BASSETLAW PARISH LIAISON GROUP

Councillor Bardsley gave a comprehensive report on the meeting held on 14th November, 2007, which covered:

- Safer Neighbourhoods
- Section 106 agreements
- Speaking at Planning Committee
- Planning Enforcement difficulties
- Support for Daneshill Household Waste and Recycling Centre
- Older People in Nottinghamshire – Opposition to closure of local authority homes.

07/08/262 COMMUNITY SPEEDWATCH

Pursuant to Minute No. 07/08/223 of November, 2007, the Clerk submitted email correspondence from Nottinghamshire Police, which indicated that volunteers activities would be covered for public liability purposes. The position regarding personal insurance for volunteers remained unclear.

The Clerk would make further enquiries.

07/08/263 PROPOSED FLOWERBED AT CARR VIEW

Pursuant to Minute No. 07/08/224 of November, 2007, Councillor Maclagan reported that there would be a meeting of the Garden Holders the following week. The Garden Holders required details of the Parish Council's proposal

Resolved:

- (a) That the Garden Holders be informed that the preference was for a small flowerbed, approximately 2m x 1m, which could be enlarged in the future. It would comprise low maintenance planting, i.e. shrubs, perennials and/or bulbs to be provided by the Parish Council including possible sponsorship. The Parish Council had two volunteers willing to do initial digging and preparation. Support from the Garden Holders and any sponsors would be acknowledged on a small notice near the flowerbed.
- (b) That the Clerk contact a local business to enquire as to whether it might be interested in sponsorship.

07/08/264 AFFORDABLE HOUSING IN EVERTON

Pursuant to Minute No. 07/08/226 of November, 2007, email correspondence was submitted from Ms. Jayne Wilson, of ACIS Group Ltd., giving details of meetings she had set up with relevant organisations.

07/08/265 PARISH PATHS PARTNERSHIP

Pursuant to Minute No. 07/08/228 of November, 2007, Councillor Dunn reported that he was in discussion with BTCV regarding the possibility of a team carrying out essential repairs to bridleway 4.

07/08/266 VILLAGE CHARITIES

Councillor de Bel still had nothing to report. Councillor Bardsley observed that new charity legislation might make the process easier, and Councillor de Bel agreed.

07/08/267 HIGHWAY MATTERS

- (a) Pursuant to Minute No. 07/08/230(e) of November, 2007, an email was submitted from the County Council, stating that footway work was to be undertaken shortly on High Street, funded from the Local Transport Plan budget. Mattersey Road, from its junction with Broomfield Lane to Mattersey, was to be inspected.
- (b) Pursuant to Minute No. 07/08/187 of October, 2007, Councillor Bardsley reported that there was some confusion at County Highways over the request emanating from the Everton Primary School Travel Plan for a school crossing point on Chapel Lane. The Head Teacher, Miss Jenny Lane, was endeavouring to resolve the matter.
- (c) Consideration was given to the possibility of the Parish Council entering into an agency agreement with the County Council with regard to maintenance of roadside verges.

Resolved: That no action be taken.

07/08/268 TUNNEL TECH NORTH

In order to make progress on this issue, Councillor Bardsley had informed the District Council that he would escalate the matter if a satisfactory response was not received as a matter of urgency. A response was received earlier in the day, from Mr. J. Proudman, Principal Environmental Health Manager:

“Mr. J. Rhodes, Scientific Officer, visited the Tunnel Tech site on Friday 26 October 2007 to review the following:

- *The current site status in relation to overall permit compliance*
- *Detailed follow up on specific complaints*
- *General complaints*
- *An update on progress regarding the forced aeration developments.*
- *Liaison Meeting.*

The current site status in relation to overall permit compliance
[Not including the issues relating to the forced aeration of the prewet.]

The overall compliance with the conditions of the permit is good i.e. monitoring, reporting and general operational aspects of the permit.

Detailed follow up on specific complaints

The specific complaints discussed in detail related to properties near to the site, rather than to those from the specific Everton area. However, for your information the points of discussion related to noise (vehicle reversing alarms) and to deposition of straw along the highway from delivery vehicles. Neither issues are ones that the permit covers but Tunnel Tech has actioned measures to address both.

General complaints

With regards general odour complaints an increase in the incidence of odour problems in the autumn may be attributed to the change over to new straw. I believe that problems associated with changing over to new straw have been discussed in a previous liaison meeting. The changeover has increased gradually from August with a peak in early October.

An update on progress regarding the forced aeration developments.

With regards progress on forced aeration Tunnel Tech reconfirmed their intentions to construct the aerated bunkers from the start, rather than the basic aerated floor - as previously discussed. Actual progress on site was not as advanced as I would have expected. I would have expected that the stone for the foundation of the concrete area would have been in the process of being installed. Geotechnical site investigation works have indicated that part of the proposed building footprint (near to the site boundary) may not have sufficient bearing capacity, as such the building may need to be rotated by 90 degrees - a minor amendment in planning, though from an environmental perspective I do not foresee any consequence of a change in layout.

Our concerns regarding the delay in commencing the main site works and the fact that Bassetlaw District Council would not accept a failure to fully comply with the requirements of the Enforcement Notice were given verbally and will be followed up in writing. Simon Middlebrook, General Manager, is fully aware of the Council's position and gave assurance that the company will fully comply with their obligations under the Enforcement Notice.

Liaison meeting

With regards a liaison meeting, Simon Middlebrook agreed to the proposals to hold a meeting at the site, open to representatives from all the surrounding parish councils. It is proposed to hold this meeting early in the new year. I will contact the Parish Council representatives next month to fix a date. A weekend is most likely to take advantage of daylight hours and to avoid clashing with work commitments."

07/08/269 CLERKS' SALARIES AND TRAVELLING EXPENSES

The Clerk submitted a report on the 2007/08 settlement. Salaries had generally been increased by 2.4%.

07/08/270 CODE OF CONDUCT

Letter was submitted from the District Council, reminding the Parish Council that all parish councillors should be suitably trained in the new Code of Conduct. A further course was to be arranged in late January or February.

07/08/271 DOG FOULING

A discussion took place about the dog-fouling problem in the Parish, which appeared to be worsening. The Clerk would write an article in HEDS Together, drawing the attention of readers to their obligations.

07/08/272 GAINSBOROUGH DRIVING TEST CENTRE

A letter from Gainsborough Driving Instructors Association, expressing concerns about the planned closure of Gainsborough Driving Test Centre, would be circulated.

07/08/273 ANNUAL PARISH COUNCIL DINNER

The Clerk would arrange the dinner in accordance with wishes now expressed.

07/08/274 PLANNING APPLICATIONS

19/07/32

R. Troop & Son

Erection of 7 new dwellings, garages and associated driveways along with alterations and extensions to the two dwellinghouses arising from the approved consent of the former farmhouse, at Corner Farm, High Street, Everton

Mrs. D. M. Troop had requested that the Parish Council reconsider this application on the basis of information submitted.

The Clerk had earlier given notice to Members that, for the previous decision to be reversed, written notice bearing the names of at least five Members must be received by the start of the meeting. No such notice had been received, and the matter was not further considered.

19/07/34

Mr. & Mrs. G. Fairclough

Retain detached dwelling and triple garage at Barrow Cragg, Nutcroft Way, Harwell

Councillor Bardsley reported that he had attended the meeting of Bassetlaw Planning Committee the previous week, when the application was refused, seemingly on the basis that the proposed triple garage was unacceptable.

Resolved: That the District Council be informed as follows:

The Parish Council had an overriding concern that the inspector's report appeared to have been completely disregarded by the Planning Committee.

Specifically:

1. It appeared to Councillor Bardsley that, despite a request for legal advice at the previous meeting, no written legal advice was requested in advance of the meeting. It seemed that Mr. Yates had come "cold" to the subject at the meeting, and Councillor Bardsley believed there was still a lack of clarity surrounding the legal position. Mr. Yates advised that the District Council could not issue an enforcement order relating to the inspector's conditions, as, under the inspector's edict, the permission he had granted for the development "as is" had lapsed. This seemed quite reasonable. However, Mr. Yates was not asked to give an opinion on the pros and cons of implementing the inspector's edict that the building should be reduced to its original dimensions, as specified in the original planning application, approved by the District Council, dispatched on 14/11/2003 and stated on the Planning web site to be valid for 5 years - which should therefore still be current. The Parish Council wished to know what this advice would be.

2. The decision to reject the application was apparently made on the basis of the proposed new triple garage. This left the way open for the applicant to reduce this to (say) a double garage and submit yet another application, presumably with a good change of acceptance, although the inspector's conditions would not, in the Parish Council's opinion, have been met.

3. Councillor Bardsley was concerned that the Planning Officer present at the meeting provided the wrong advice to members: "Harwell is not rural, it is semi urban". Harwell was a small hamlet set in farmland and woodland, including an SSSI. Housing was scattered with many gaps between houses. Nutcroft Lane on which Barrow Crag was situated was an unadopted road, which terminated in woodland shortly beyond Barrow Crag. It was mainly bounded by farmland on its southern side, with views across open countryside.

4. The Planning Officer also inferred that the inspector's conditions had been met. The Planning Department would be asked to explain:

- how the proposed garage could support the banking on the eastern side of the bank, when it was some distance horizontally from the top of the bank and only ran for a fraction of the length of the bank?
- what supporting work had actually been completed on the western side of the bank? At the meeting when the application was deferred, the Planning Officer, in his briefing before the item was deferred, said that the western bank was only partially supported, yet at the subsequent meeting the (different) Planning Officer said it was supported along all of its length.
- whether plans had been submitted of the drainage of the proposed turning area, as recommended by the inspector?
- how the Planning Department equated the sub ground level works carried out to support the banking with the inspector's requirement for "retaining walls", particularly in light of the fact that erosion had already started to take place to soil at the top of the banking?

19/07/43

Mr. & Mrs. S. Campbell

Extension to the side on 2 storeys, extension to the rear and alterations to dormer windows at Dalric, Nutcroft Lane, Harwell

Resolved: That no adverse comment be made.

1/46/06/14

Lafarge Aggregates Ltd.

Sand and gravel quarry at Sturton le Steeple

Councillor Bardsley reported that he had represented the Parish Council at the meeting of the County Council Planning and Licensing Committee when the above application was determined.

Despite his best efforts, together with those of other speakers, including District Councillor Simpson, County Councillor Bullivant and Councillor John Hargreaves, Chairman of Gringley on the Hill Parish Council, planning permission was granted.

07/08/275 PLANNING DETERMINATIONS

19/07/37R

Mr. & Mrs. R. Sleight

Erect detached garage at The Lodge, Pinfold Lane, Harwell – resubmission of 19/07/28

Permission Granted

19/07/38

Mr. & Mrs. M. R. Kelly

Erect detached house and garage and construct new access at site adjacent to 2 Chapel Lane and 1 Long Meadows, Everton

Permission Granted

07/08/276 PLANNING APPEAL

APP/A3010/A/07/2058031/WF

19/07/8

Mr. J. D. Graham

Single storey dwelling on land next to Drakeholes Farm, Gainsborough Road, Drakeholes

Appeal Submitted

07/08/277 PUBLIC BODIES (ADMISSION TO MEETINGS) ACT 1960

Resolved: That, in view of the confidential nature of the business about to be transacted, it is advisable in the public interest that the public be excluded, and they are requested to withdraw.

07/08/278 CEMETERY MATTER

Consideration was given to a matter raised by the Clerk.

Resolved: That the Joint Burial Committee be advised of the view now taken and acted on.