

# OVERSEAL PARISH COUNCIL

MINUTES of the Meeting of the Council held at the Village Hall, Overseal on Thursday 2 July 2015.

**Present:** Mrs C M Knight - Chairman  
Mr A W Cook, Mr R Cox, Mrs J Cunningham-Gardner, Mrs S Jones, Mr M A Knight, Mrs R O'Brien, Mr M S Patrick and Mr S C Sharpe.

**In attendance:** Cllr Mrs K Lauro (Derbyshire County Council) and Mr D McMillan, PCSO.

**Apologies for absence** were received from Mrs M Elton, Cllr Mrs M E Hall and Cllr P Murray (South Derbyshire District Council).

## 23 DECLARATIONS OF INTERESTS

Mrs J Cunningham-Gardner declared an interest in planning application 0211 (erection of a building to provide residential accommodation, associated parking and amenity areas, 2 Woodville Road).

## 24 PUBLIC QUESTIONS AND ANSWERS

Several members of the public spoke about planning application 0496, erection of up to 60 dwellings on land at Acresford Road. They were opposed to the application for a number of reasons and the Council agreed to submit relevant representations to the District Council concerning this application, as set out in minute no 29 below.

## 25 MINUTES

The minutes of the meeting held on 4 June 2015, copies of which had been previously circulated, were approved as a true record, subject to substituting 'birds' for 'bids' in the third line of minute no 19.4 (Obstruction of footpath no. 1, Woodlands Road).

## 26 COUNTY, DISTRICT AND POLICE MATTERS

**26.1 District Council.** Members were concerned about the poor state of the car park at Woodville Road. Some of the recycling bins were unusable because they were overgrown with brambles, there was a large pothole in the exit, the barriers were rusty and the whole site was untidy and unkempt. The bins were now used almost exclusively for disposing of commercial waste as domestic waste could be recycled at home.

It was agreed to ask the District Council to remove the recycling bins, clean and repair the car park and ensure that it could be used for that purpose, especially as this would free up additional parking spaces which were much needed by parents when taking children to or from school.

The District Council would also be asked to make additional collections from the litter bin at the church corner, as it was often overflowing.

**26.2 Police.** Mr D McMillan presented crime statistics for June, which continued to below. He was asked to look into local matters involving young people using a nearby woodland and trees and a footpath direction sign being sawn in half.

Mr McMillan also reported that PC Cassidy was now the Beat Officer for the area and that Inspector K Bateman had been appointed to the Swadlincote office.

- 26.3 County Council.** Investigations into the smells at Stanleigh Road had proved inconclusive and the County Council thought that they could be emanating from the tip at the end of the road. The gullies in Moira Road had now been cleaned and the cause had been that they had been blocked with garden waste over the outlet.

Cllr Mrs Lauro would press for the dead cherry tree in Woodville Road to be felled and the lime trees pruned; the pothole in Moira Road required urgent further repair; a near accident at Rickman's Corner resulted from an overgrown hedge restricting visibility at the dropped kerb crossing point, which was also badly sited. The exit from Coronation Street was again becoming dangerous through parking close to the junction; traffic calming was needed at the junction of Valley Road and Lullington Road and this was not related to the traffic lights sequence but to increasing use of Valley Road as a short cut and increased traffic speeds on Lullington Road.

## **27 CLERK'S REPORT**

- 27.1 Progress report.** A progress report on various matters previously raised was considered (copy attached to the official copy of the Minutes).

- 27.2 Derbyshire Law Centre.** The Centre had accepted the Council as an organisational member. It would provide information about the AGM and the Council had the right to appoint a representative to the management committee. Noted.

- 27.3 Government discussions regarding Parish Councils.** At a recent Society of Local Council Clerks meeting, the representative of the Leicestershire version of DALC reported on discussions which they had held with the Department of Communities and Local Government regarding Government thinking on matters involving Parish Councils. During the next five years, matters under consideration included:

- (a) encouraging the formation of new Parish Councils;
- (b) Sharing best practice and devolvement of powers;
- (c) Helping Parishes to do more - community rights to run services or administer property. In this context, Civil Servants will be visiting Parish Councils, probably in county-wide meetings, to obtain feedback on government initiatives affecting Parishes. For example, the Local Tax Support Grant was introduced as a measure to deal with the unforeseen impact on Parish finances resulting from the changes to District Council finances.
- (d) Financial measures e.g. should Parishes have a share of business rates (likely to apply only to larger councils), capping of precepts to be decided (again, larger councils at least initially), making it mandatory for Districts to pass on the Support Grant, and the possible extension of the Power of General Competence.
- (e) The extension of the Ombudsman service to larger Parish Councils.

- 27.4 Email addresses.** Advice had been received that if members were to use their personal email addresses to conduct Council business, they would become subject to the Freedom of Information and Data Protection laws. Conversely, if a member used their council email address for personal business, there was a possibility that the council could become responsible if questions of libel etc should arise.

**27.5 Street lighting.** Derbyshire County Council had a limited amount of money available for provision of new or improved street lighting aimed at reducing the impact of crime. They invited applications for schemes, but pointed out that the lead-in time can be protracted. They had also obtained funding for LED lanterns throughout the county, introducing whiter light to all areas. The program dates for the installation of the LED lighting had not yet been finalised and it would take a period of approximately three years to complete. The planned installation for Overseal would be at the beginning of the third year. Noted.

**27.6 Football pitch improvement.** South Derbyshire District Council had confirmed that they would provide the remaining £10,000 contribution towards this project from S.106 funds. This completed the funding package and Sport England had been informed accordingly. The topographical survey had been completed and the Consultant was now calculating the cut and fill, with a view to eliminating removal of soil from the site. The contract would be fixed price and Sport England had agreed to a negotiated contract with the contractor which had done similar work at Woodville.

The Council agreed to appoint Wainwright Landscape Architecture as Principal Designer for the contract, including the CDM duties.

It was pointed out that the whole recreation ground would be needed for a pre-booked event on 22 August, which could affect the start of the contract.

**27.7 Footpath maintenance.** Resulting from the non-availability of the former contractor, a local contractor had been asked to strim and spray footpaths 16 (Lullington Road/Valley Road), 18 (Daisy Lane/Moira Road) and 19 (Daisy Lane/Main Street). Footpath 1 (Woodlands Road) was to be done by the County Council but not until late June/early July and there would be no further cuts this year.

The open space at Daisy Lane had been fully cut because of the amount of growth and limited areas would then be cut monthly until the District Council cleared the whole area in September. The Clerk was asked to check with the contractor that footpath 19 had in fact been dealt with and to arrange for the clearance of the short extension of footpath 19 to Woodville Road.

**27.8 Auto-enrolment - pensions.** The training course on 23 June proved very helpful and it was clear that, whether or not any member of staff wished to contribute to a pension scheme, the Council would have to set up a scheme with one of the providers. There were three 'public service' providers - NEST, Now! and Public Service Pensions. Of these, NEST was government backed, but was operated by an independent body; there would be no charge to the Council and charges to the members (if any) were very low. There would be considerable administrative involvement in operating the scheme, which must be in operation by 1 March 2016.

RESOLVED: That the Clerk make enquiries of NEST with a view to setting up a scheme with them.

## **28 GOVERNANCE**

The Council considered the report of the Clerk (copy attached to the official copy of the minutes). The report was approved.

## 29 PLANNING APPLICATIONS

### Applications for decision:

0400 Extensions, 227 Burton Road (amended plans). No objection, following consultation with members.

0496 Erection of up to 60 dwellings on land at Acresford Road.

The Council strongly objects to this proposal.

The site is outside the village boundaries and it is a large development which would affect the character of the village.

The school cannot cope with the inevitable numbers of children who would seek to attend and, even if there were space at the school for a further classroom, which there is not, it would not be sufficient as the children are likely to be of differing ages. The secondary schools are also unable to cope with such increased demand. The medical facilities in the village are over-stretched at present and could not cope with the additional demand. Other public services are being reduced e.g. the fire service is being cut back at present.

The exit from the site would be directly onto the A.444 main road, which is already badly congested. Local residents who live near to the site have said that at the peak periods when they are going to work, it can take up to 6 minutes to be able to cross the traffic stream and proceed towards Burton. The diagram of a similar entrance which the developers provided shows a very narrow roadway unable to deal with commercial vehicles such as refuse collection vehicles and a car exiting the site at the same time. There are no footpaths on that side of Acresford Road, meaning that children going towards the village on foot or on bicycles would have to cross the traffic streams to the path on the far side. Traffic leaving the village often exceeds the 40 mph limit as there is no speed camera monitoring traffic in that direction.

There is only one entrance or exit at the site and for safety it would be necessary to construct a roundabout or install traffic lights.

It is unlikely that children going to school would use the public rights of way across the fields as they are boggy even in the summer time. They also emerge into Moira Road and the users would have to cross that road at a dangerous place, where traffic (often at speeds well above the limit) has reduced visibility due to the bend in the road.

There are Listed Buildings directly opposite the site and at the rear (the farmhouse) and this type of development in this locality would adversely affect the character of the vicinity. Local publicity provided by the applicants says that there would be retail premises and public parking within the site and yet these are expressly excluded in the application form.

Mining subsidence is still active in this part of the village surrounds and great care would need to be taken in the construction of any buildings or roadways. Indeed the balancing pond to be provided is where there has been subsidence and where it is understood that water drains into the former workings beneath.

There is a further field on the Moira Road side of the site which would become 'landlocked' and it is considered probable that a further application would be made for developing that land in the future.

Finally, the Council ask that this application be considered by Committee and that there be a site visit. This should take place at a suitable time near to the

peak hours when the traffic problems can be properly assessed and that should include Moira Road where the applicant says that children would go to get to school.

0510 New dwelling at 3 Acresford Road. It was pointed out that there had been a previous approval of a dwelling on this site in 2008. No objection.

0211 Erection of a building to provide residential accommodation with associated parking and amenity areas, 2 Woodville Road. (amended plans).

The Parish Council objects to the amended plans for all the reasons previously submitted, namely:

*The height of the building at 2 storeys high would affect the privacy of some neighbouring properties, including the listed buildings at Church Farm and 1 Lullington Road. There were only 24 parking spaces for 21 flats, [now changed] which would undoubtedly result in cars being parked on the road, thereby creating potential conflict with vehicles associated with the church and the Church Centre. Vehicles leaving the site would be close to the traffic lights and those entering the site could be impeded by stationary vehicles waiting at the lights. There were insufficient school places available and the development would increase the traffic problems on A.444. The development was too dense for this site.*

*On the positive side, such development was to be preferred to a green-field site and if it were reduced to single storey development with fewer dwellings it could be acceptable.*

The amended plans do reduce the number of dwellings from 21 to 16 and there is a maximum height of 2 storeys, which are improvements. However, the number of parking spaces has been reduced from 24 to 16, which assumes that none of the dwellings will house people with more than one car and makes no provision for visitors. It is also worthy of note that a congregation of refuse bins on the Moira Road frontage would form a considerable obstruction, and the refuse collection vehicle would also have to stop for some time very close to the traffic lights. If cars from the A.444 direction needed to enter the site at the same time, there would be serious traffic dangers. Also, it is difficult to assess the impact of the building without elevations; it is appreciated that the application is in outline and that such details would be available later, but if permission were granted now, it is very difficult to sustain objections at detail stage. The application should at least provide this important clarification so that the mass of the building and its impact on the locality can be properly assessed.

(Mrs J Cunningham-Gardner declared an interest in this application as an employee of the site owner and took no part in the discussion or voting thereon).

#### 00563/VCI (NWLDC)

Variation of condition no 11 (08/00693/FUL) to allow full residential occupation of the chalets/static caravans, Bridge House, Spring Cottage, Overseal.

Overseal Parish Council objects to this application.

The original purpose in allowing this development was in connection with the tourism aspirations of the National Forest. If permitted, the change of use is likely to alter the character of the locality.

The occupants are likely to use the services in Overseal, such as school and medical facilities, and add to the traffic problems of A.444. The primary school in Overseal is full and the medical practice is also unable to cope with more strain on its limited resources.

The Council therefore requests that the application be refused.

### 30 ACCOUNTS

#### 30.1 Accounts for payment

Payment of the following accounts was authorised:

Cheque	Supplier	Description	Net	VAT	Total
2173	L Baxter	Caretaker	415.08		415.08
2174	J M Summerfield	Litter	62.40		62.40
2175	T Stewart	Litter	195.00		195.00
2176	J Kirby	Cleaner	272.50		272.50
2177	J E White	Salary & expenses	1040.79		1040.79
2178	HM Revenue & Customs	PAYE	677.80		677.80
2179	DALC	Training course fee	25.00		25.00
2180	KH Packaging & Disposables Ltd	Toilet materials	78.00	15.60	93.60
2181	DSK Engineering Services (Midlands) Ltd	Fence at recreation ground	6250.00	1250.00	7500.00
2182	Roger Croxall	Mowing at Daisy Lane & strim footpaths	530.00		530.00
2183	South Derbyshire District Council	Green waste sacks	230.00		230.00
2184	Hawkins Pest Control	Bees' nest in Pavilion roof	40.00		40.00
D/D	South Derbyshire District Council	Rates	38.00		38.00
D/D	TalkTalk	Internet charges	18.50	3.70	22.20

#### 30.2 Receipts

The following amounts had been received since the last meeting:

Name	Description	Amount
L Baxter	Village Hall lettings	250.00
Overseal Memorial Bowls Club	Use of Pavilion & green	300.00

#### 30.3 Audit. The Council's financial documents were inspected.

### 31 COUNCILLORS' REPORTS

**31.1 Fence to recreation ground.** Members had received several compliments about the new fence.

**31.2 Play equipment inspections.** In response to a question, the Clerk reported that the District Council conducted safety inspections monthly and that he received periodic reports. The District Council would be asked to provide copies of all monthly inspection reports in future.

- 31.3 Education.** There was general criticism of the standards of secondary school provision throughout the county. A report published by the County Council showed that 40% of secondary schools in Spring 2014 and 43.2% in Spring 2015 were classed as 'good or better' schools. This compared to the national average of 87% as at 31 March 2014.

It appeared that the County Council was satisfied with the levels, but Members considered that they showed inadequacy and an urgent need for improvement. Primary school performance was much better at 77% (2014) and 80.1% (2015) compared to the national average of 81%. It was evident that local primary schools were sending pupils to inadequate secondary schools.

The Clerk was asked to write to the County Council on these lines, with copies to the District Council, neighbouring Parishes and the Member of Parliament.

- 31.4 Traffic using A.444.** Members asked that a further traffic count be requested from the County Council as traffic volumes continued to increase. A more accurate assessment would enable planning applications to be judged on a more realistic basis.
- 31.5 Football pitch.** A request had been received from a local team that they be allowed to have training sessions on the top pitch prior to its improvement works. They did not need to use the changing rooms. It was agreed that this be permitted at no charge, but that the previously booked sessions for another team be avoided.
- 31.6 Forward Planning.** This item would be reintroduced in the agenda for September.
- 31.7 Footpath no 1, Woodlands Road.** The overgrown hedge was now totally obstructing the footpath and as the bird-nesting season was drawing to a close, the District Council would be asked to remedy the obstruction. It was considered that the hedge had previously been located too far into the footpath and an anticipated change of tenancy would provide an opportunity to restore the correct position. Cllr P Murray had offered to assist in this matter and he would be advised of the Council's views.
- 31.8 Footpath crossings.** It was reported that there had been a near accident when a parent and child were using the dropped kerb crossing near to the junction of Park Road with Burton Road. A nearby hedge restricted visibility for approaching vehicles and a collision had only just been avoided. The County Council would be asked to secure an improvement by having the hedge cut back and also to consider re-siting the crossing point to a safer location.

A request had been received from a resident that a dropped kerb crossing be provided at Slackey Lane at the junction with Moira Road to allow mobility scooters to cross Slackey Lane. This was supported and would be referred to Ashby Woulds Town Council.

**32 DATE OF MEETING**

The September meeting was scheduled for 3 September, but as several Members would be unable to attend, it was agreed to re-schedule the meeting to 10 September.

The meeting ended at 9.30 pm

**Chairman**