

# OVERSEAL PARISH COUNCIL

MINUTES of the Meeting of the Council held at the Village Hall, Overseal on Thursday 2 June 2016.

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

**In attendance:** Cllr P Murray (South Derbyshire District Council) and Mr D McMillan, PCSO.

**Apologies for absence** were received from Mr M S Patrick, Mr R Cox, Mrs J Cunningham-Gardner, Mrs M Elton, Cllr Mrs K Lauro (Derbyshire County Council) and Cllr Mrs M E Hall (South Derbyshire District Council).

## 15 DECLARATIONS OF INTERESTS

Mr A W Cook declared an interest in item 27.1 (staff pensions) as a relative of the staff member concerned.

## 16 PUBLIC QUESTIONS AND ANSWERS

**Land at Manor School View.** A local resident attended the meeting following the recent agreement to install a gate at the Daisy Lane end of the land. He pointed out that the entrance to the land from Manor School View was owned by certain local residents, subject to a right of way for maintenance purposes; it was not a public right of way. Consequently, he wished to ensure that unauthorised access was prevented and, after some discussion, it was considered that taller gates at the Manor School View end would be the best which could be achieved.

The developers had installed a gate at the Daisy Lane end as agreed at a site meeting, but this was inadequate as it was small and there were large gaps on either side. While the land was still in the ownership of the developers, it would in due course be transferred to the District Council's ownership. It was agreed to approach the District Council and to suggest that they replace the existing gates at Manor School View with gates which were at least as tall as the adjoining fences and either re-erect them at the Daisy Lane end or replace the new gate there with a taller gate and suitable fences on either side to prevent access. It was also agreed to erect signs on both entrances saying that this was not a public right of way and that access should only be with the landowners' permission.

## 17 MINUTES

**17.1** The minutes of the Annual Meeting held on 5 May 2016, copies of which had been previously circulated, were approved as a true record subject to correction of the last paragraph of minute no. 9.4 (Provision of defibrillator) to read 'It was agreed to decline the offer of relocating the equipment from the surgery to the Village Hall'.

**17.2** The minutes of the Annual Parish Meeting held on 5 May 2016 were received.

## 18 COUNTY, DISTRICT AND POLICE MATTERS

### 18.1 District Council.

**Local Plan ratification.** Cllr P Murray reported that the meeting to ratify the Local Plan had been re-scheduled to 13 June and that it included the first part of Phase 2.

**Pavement, Acresford Road.** While the grass verge in Acresford Road had been cut, the pavement was partly overgrown and narrowed to a single person width. The District Council would be asked to cut back the growth to restore the path to the proper width.

**Car park, Woodville Road.** Cllr Murray was asked when the pothole in the exit was to be properly repaired; he had reported this several times. Also, the bin intended for carrier bags had been replaced with one which did not have the lid secured and was being filled with general rubbish. Cllr Murray would report this and have it replaced.

**18.2 Police.** The PCSO reported the May crime statistics, which showed a reduction in reported crimes. The Chairman had reported a burnt-out car on the section of Moira Road in Leicestershire, and it appeared that Leicestershire Police thought that it was in Derbyshire. Leicestershire county highways would deal with the removal.

### 18.3 County Council.

**Grass verge, Hallcroft Avenue.** The contractors installing the supply cables for the new solar farm were excavating the verge in Hallcroft Avenue, part of which was Parish Council land. Members were concerned that the verge should be reinstated in such a way as to prevent parking, as had happened nearby.

**Moira Road surfacing.** Repairs prior to top dressing had been completed and further repairs had been carried out in Hallcroft Avenue. However, some additional potholes in Hallcroft Avenue still required attention.

**Drains, Burton Road.** All four drains at the traffic lights were blocked.

## 19 COUNCILLORS' INSPECTION REPORTS

Inspections of the Council's grounds had not yet taken place. However, an inspection would be scheduled shortly and a rota system established.

## 20 CLERK'S REPORT

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

**20.2 Forward Planning.** The Council received the report on Forward Planning issues (copy attached to the official copy of the minutes).

**20.3 Play/fitness equipment for teenagers.** The Council wished to consider how to progress this matter; it had been added to the Forward Planning list. Several requests for swings had been received and the Clerk would ascertain the cost.

The Council had previously accepted an offer from the District Council to install a table tennis table at the recreation ground. A site had been identified near to the basketball hoop, but a concrete hardstanding was required. The suppliers of the table could install this at a cost of £850. This was agreed.

**20.4 Risk Assessment.** The Chairman and the Clerk reviewed the Risk Assessment schedule referred to at the April meeting and had included the dates of inspections of services - electrical and gas, alarms, fire extinguishers etc.) - in the schedule. Most of the arrangements already in place were considered satisfactory and effective and it was agreed that the following items should be brought to Members' notice:

- A business Continuity Plan was in course of preparation; this would cover such things as loss of meeting place, Clerk's non-availability etc.
- Members' interests - it was the responsibility of each Member to ensure that the register of interests forms were kept up to date and amended if necessary;
- Fidelity guarantee insurance - DALC were to be asked to clarify what compliance measures should be in place;
- Regular inspections of the recreation ground etc should be implemented - this was approved at the last meeting and trial arrangements had been introduced;
- Council records - paper records are kept in the Village Hall and also at the Clerk's home. A fire-proof cabinet for the latter was being investigated;
- Electronic records were backed up to two external hard drives weekly; the use of automatic backups to the Cloud was being investigated.

It was agreed to purchase a fire-proof cabinet for the Council's paper records at the Clerk's home at an approximate cost of £750.

**20.5 Changing rooms floor.** Harvey & Clark have been asked for a quotation for the restoration work and a Building Control notice had been submitted to the District Council. The fee for this was £220.00 plus VAT. A Structural Engineer's report to confirm that the building was in sound condition apart from the floor was required by potential funders and had been obtained from a company used by SDDC, at a cost of £425.00 plus VAT; the report confirmed that the other team room floor was sound. Copies of these had been provided to the Consultant seeking funding for the project.

**20.6 Rights of Way maintenance.** The County Council had again offered participation in the minor maintenance scheme, with an allocation of £430. The offer had been accepted.

The Clerk had been advised that certain footpaths needed clearance and instructions had been given to Schoolgrounds.

The path at the rear of the school had been referred to the County Council.

Path no 1 (Woodlands Road) was virtually impassable. The Clerk would contact the Housing Officer of the District Council to get the hedge replanted in the correct place, or replaced with a fence. The land at Daisy Lane had now been mown by the District Council but the 'ride' across the land and the edges now needed mowing to a shorter length. Ian Stone Gardening Services would be asked to carry out this work and to clear and spray around the trees.

**20.7 Football pitch.** The contractors would re-position the fence near to the embankment in time for the Gala; maintenance of that area would then become the Council's responsibility. The other areas outside the fences were already the Council's responsibility. Water draining from the bowling green was causing potential problems and the Club had been asked to find out whether there was a drain which could be blocked. A remaining wet area near

to the changing rooms would be supplied with a short gravel drain to link in with the drainage system. Holes left in the ground when the fence to the training area was re-positioned were to be filled in by the Contractors.

The contractors would be asked to ensure that the holes which would be left when the fence was re-sited were filled in prior to Gala Day.

- 20.8 Sale of electricity sub-station.** The legal documents had been prepared for the sale of the sub-station to Western Power Distribution. However, the documents needed alteration before they could be signed. The consent of Sport England had been sought in accordance with a restriction placed on the land when the grant for the football pitch improvement was obtained.

As part of the terms, the Council would replace the wooden fence between the sub-station site and the car park with metal railings. It was agreed to proceed with this now and to replace the short length of fence fronting the pavement with a similar fence.

- 20.9 Development, Land off Acresford Road.** The Council asked that the District Council require footpaths 24 and 18, which would be the probable route to school, to be surfaced in a similar manner to the paths at Daisy Lane. As the permission had been issued and the S.106 Agreement finalised, there was no opportunity for them to do this.

- 20.10 Nuisance on recreation ground.** A group of people - mainly teenagers but also older people - had regularly been causing a nuisance at the corner of the recreation ground near to Hallcroft Avenue, giving rise to complaints. This was reported to the PCSO and had now been reported to the Neighbourhood Warden. Powers existed for a Public Spaces Protection Order to be made which would ban drinking and other anti-social behaviour, though this needed to show a continuing problem and had to be renewed after 3 years.

The complainants also requested re-siting of the newly installed fitness equipment at this point as it was acting as a convenient seat and encouraging the people concerned to congregate there.

A quotation had been obtained from the contractors for the football pitch, but this was considered high and a second quotation would be obtained.

- 20.11 New entrance from Hallcroft Avenue.** The County Council required an application to be made to them for permission to install a dropped kerb where the access met the road and for them to supervise the work or alternatively install the dropped kerb themselves. It was agreed that the contractors submitting tenders be required to deal with this aspect. However, these requirements needed to take account of the fact that the land in question was all belonging to the Parish Council and was not highway land and they had been asked to review their requirements in the light of this. The District Council had been asked to confirm that planning permission was not required as the development was wholly on Parish Council and was for their own purposes.

- 20.12 Notice board near to the church.** A quotation had been obtained from DSK Engineering Services (Midlands) Ltd for the renovation of the notice board, in the sum of £495.00 plus VAT. The Council had received £166.97 from the Over 50s Group. It was agreed to accept the quotation.

**21 PLANNING APPLICATIONS****The following application had been refused:**

0268 Detached dwelling with garage, parking & garden, Land adj. Middle Hayes Farm, Green Lane.

**Applications for decision:**

0437 Single storey extension for preparations/storage and relocation of bin store, Admiral Fish Bar, 5/7 Main Street. No objection.

0346 Change of use to provide 5 gypsy pitches, including erection of amenity building, laying of hardstanding and construction of access road, land adj. 137-149 Woodville Road.

The Parish Council strongly objects to this application.

1. The access to the site is totally inadequate for caravans;
2. The application contains a number of incorrect statements, which give a false impression, namely:
  - The width and visibility splays are not factual;
  - At least 8 additional pitches have been provided in the Parish recently;
  - There are existing parking problems opposite the entrance to the site, which would make access and exit for caravans extremely difficult as well as causing difficulties for people parking legitimately on the road;
  - Work has already started on the development before this application had even been submitted.
- 3 The development and proposed use would be out of keeping with this densely populated residential area and is situated immediately behind several houses;
- 4 The applicant has not complied with several legal requirements; in particular, no notice was served on the County Council before opening the highway and no traffic controls were put in place during those works, thereby causing potential danger to traffic and pedestrians; it is understood that an electrical connection was made without prior approval and the large hardstanding was created without building regulation approval;
- 5 Bottled gas is stored on site without the necessary security measures being in place;
- 6 The ditch on the site is the main surface water drain from Forest View and the applicant is filling it in with building rubble and now household rubbish;
- 7 The pavement at the entrance to the site is still in a dangerous condition despite the applicant being required to remedy this;
- 8 Drainage from the hardstanding has no means of escape other than by flooding neighbouring gardens;
- 9 The applicant has shown a blatant disregard for the rights and feelings of his neighbours by:
  - Having high luminance flood lights on at night, causing disturbance and nuisance;
  - Taking out a hedge owned by a neighbour without permission;
  - Building in such a way that the hard surface will be above dpc in a neighbouring wall;

- Knocking down two walls belonging to neighbours in order to allow him to move his van onto the site.

10 Finally, the Parish Council consider that both the County Council and the District Council had the opportunity to take action to prevent and remedy actions being taken without permission by the applicant but failed to do so. Had they done so, much illegal work would have been prevented and major inconvenience and disturbance to neighbours would have been prevented.

## 22 VILLAGE HALL MATTERS.

Members remarked that the Caretaker had coped very well with the additional requirements of the Overload Festival and that the premises had been prepared and cleaned afterwards in an exemplary manner.

Members also thanked the Gala Committee for their work in providing this entertainment for the village and for tidying the land afterwards.

## 23 WEBSITE.

No matters were raised.

## 24 ACCOUNTS

### 24.1 Accounts for payment

Payment of the following accounts was authorised:

Cheque	Supplier	Description	Net	VAT	Total
2293	A & J Bartlett Ltd	Repairs to emergency lighting	112.00	22.40	134.40
*2294	South Derbyshire District Council	Building control fee, changing rooms floor	220.00	44.00	264.00
2295	KH Packaging & Disposables Ltd	Cleaning materials	77.40	15.48	92.88
2296	S Ruddle	Caretaker	658.42		658.42
2297	J M Summerfield	Litter	79.40		79.40
2298	E Evans	Litter	111.40		111.40
2299	Structural Design Associates	Survey of changing rooms	425.00	85.00	510.00
2300	PHS Group	Sanitary disposal service	258.70	51.74	310.44
2301	Ian Stone Gardening Services	Replanting planters	903.24		903.24
2302	G Williamson	Memorial footway marker	450.00		450.00
D/D	South Derbyshire District Council	Rates	38.00		38.00
D/D	TalkTalk	Internet charges	18.00	3.60	21.60
D/D	Southern Electricity	Electricity to Village Hall	554.82	110.96	665.78
D/D	NEST	Pension contributions	20.56		20.56

\* This account had been paid between meetings as it was urgent.

### 24.2 Receipts

The following amounts had been received since the last meeting:

Name	Description	Amount
S Ruddle	Village Hall lettings	900.00
D Savage	Allotment rent	15.00

**24.3 Audit.** The Council's financial documents were inspected.

## **25 COUNCILLORS' REPORTS**

**25.1 Former Robinson & Dowler site.** It was reported that the Police, North West Leicestershire District Council and Natural England had all intervened in the works being carried out on this land and that work had been stopped until certain environmental measures had been undertaken.

**25.2 Telephone kiosk, Shortheath.** This item would be included in the agenda for the next meeting.

**25.3 New Albion Site.** A report from Mr G S Knight, the Council's representative on the Liaison Committee, was read.

The two parts of the site - the tip and the lake - would be separated with a solid clay wall or bund. Work had already started on this but had had to stop because of the sighting of great crested newts at the base of the tip. A licence to trap the newts had been obtained and this was proceeding at present.

Meanwhile, the operators were planning to extend the tipping licence beyond July 2016 for a period of 6-12 months, but this should not delay completion of the site restoration, which was due at the end of 2017. Restoration would require movement of 1.7 million cubic metres of sub-soil and topsoil within the site and the operators were confident of completing this on time.

When restoration had been completed, there would be methane drainage continuing on the tip side of the bund for up to 20 years. Most would be used to generate electricity for the National Grid. There was a gas turbine generating set currently working on the site.

The remainder of the tip - the vacant part - would be re-modelled to form a lake/water feature with footpaths and bridle-ways over the whole site.

Veolia were responsible for what goes on under the surface for the next 80 years, but the surface would most probably be handed over to the National Forest Charitable Trust, a separate body from the National Forest Company.

## **26 EXCLUSION OF PRESS AND PUBLIC**

RESOLVED: That the Press and public be excluded from the meeting during consideration of the following items in pursuance of the Public Bodies (Admission to Meetings) Act 1960 as publicity would be prejudicial to the public interest by reason of the confidential nature of the business.

## **27 STAFF MATTERS**

**27.1 Staff pensions.** The Clerk reported on certain staff pensions arrangements.

RESOLVED: That the Council's contributions be based on actual earnings.

(Mr A W Cook declared an interest in this matter as a relative of the staff member concerned.)

**27.2 National salary award.**

RESOLVED: That the award for 2016 and 2017 be implemented in respect of the Clerk's salary scale.

The meeting ended at 8.50 pm

**Chairman**