

Minutes of the meeting of Newbold Verdon Parish Council

Held at the Pavilion Alan's Way, Newbold Verdon Monday 3rd September 2018.

Present: Cllr. J Crooks (Chairman), Cllr. C Petcher, Cllr, W Crooks, Cllr. E Walsh, Cllr. J Walsh, Cllr. J Finney, Cllr H Davidson, Cllr Julian Cartwright, Clerk – J.Day, R.Bell – RFO.

Also present: 3 Parishioners. Ruth Camamile – Borough councillor.

18.138	<p><u>APOLOGIES – To receive apologies and whether to approve for reasons given.</u> Cllr. Watson (holiday) Cllr Preston (Personal)</p>
18.139	<p><u>DECLARATION OF MEMBERS INTERESTS AND DISPENSATIONS – Pecuniary or Non – Pecuniary interests on agenda items, dispensation requests.</u> Julian Cartwright declared an interest in Newbold Verdon Cricket club. Joyce Crooks declared an interest in Newbold Verdon Community action group.</p>
18.140	<p><u>MINUTES – To approve and sign minutes from meetings of 30th July 2018</u> It was resolved to approve the minutes and authorise the chairman to sign them as a true and accurate record of the meeting.</p>
18.141	<p><u>Public participation session in respect of items on the agenda (max 20min)</u> A member of the public reported that footpaths on Arnold Crescent gets water logged/dips and bumps all the way along making unsafe.– Cllr B Crookes will look in to this and report to Highways. The Windmill footpath construction was updated by the Chair. Cllr B Crooks updated on problems and developments. There has been a request for an extension of 9 months which is likely to be granted. A grass fire was reported on DLRC over the weekend. Grass and some trees have been burnt. The old garages on Preston Drive are being used for bike riders. The Chair asked Borough councillor Ruth Camamile to speak to the council regarding making the site secure.</p>
18.142	<p><u>Borough and County Council reports.</u> Ruth Camamile Borough councillor – The Unitary council proposals were discussed and Ruth informed that this is being objected to strongly. Cllr B Crookes gave a verbal update –(Full report see Appendix 1)</p>
18.143	<p><u>Neighbourhood Plan Updates:</u> Roger King updated verbally on the Chairs report – see appendix 2 for full details.</p>
18.144	<p><u>Planning:</u></p> <ul style="list-style-type: none"> a) <u>30 Peters Drive – Single storey rear extension</u> No Comment. b) <u>43 Main street -Single storey outbuilding</u> No Comments.
18.145	<p><u>Finance reports for July and August:</u> It was resolved to approve the accounts and sign as a true record of accounts.</p>
18.146	<p><u>To approve the new standing orders/Risk assessment/Child protection policy/code of conduct/complaints procedure/freedom of information</u> It was resolved to approve all new policies.</p>

18.147	<u>To approve Clerk and RFO' new contract of employment and sign</u> It was resolved to sign and approve contracts.
18.148	<u>Cemetery land – update on progress and action plan to be agreed.</u> A discussion took place regarding various sites. The Clerk is to investigate options and report back to council.
18.149	<u>Newbold Verdon community action group – updates and plans for future.</u> Nothing to report.
18.150	<u>To consider improvements/updating to required specification of disabled toilet</u> It was resolved to approve Balls Of Barwell to carry out the work. Clerk to action.
18.151	<u>Discuss quotations for the car park extension.</u> It was resolved to approve Cookes of Kirby as they are existing maintenance contractors.
18.152	<u>To discuss and review quotations for a removeable ramp for Pavilion</u> It was resolved to purchase the removeable ramp from the Ramp people.
18.153	<u>To discuss Speed sign for Newbold Heath and decide which company to use</u> It was resolved to approve Westcotec speed cameras. Clerk to enquire if the speed can be limited.
18.154	<u>Clerks Report:</u> <ol style="list-style-type: none"> a) Update on DLRC damage surface/insurance – Clerk to action once insurance agrees. b) Update on flooring for Pavilion – to consider/approve quotation for the fitting – It was resolved to approve the quotation from Vestis flooring. It was decided to have a strip of tiles at the front from the start of the first door. c) Update on any correspondence received <ul style="list-style-type: none"> • Mr & Mrs Taaffe – 28 Dragon Lane – Access to DLRC to trim hedges back – Approved. • Request from Seller funeral directors (copy Herewith) – It was agreed not to allow this as is against Cemetery rules and regulations. – Clerk to inform. d) To discuss/approve Cookes of Kirby to tidy and cut back hedges in cemetery - Approved.
18.156	<u>Chairman's Question Time – for information and consideration for future agenda items.</u> <ol style="list-style-type: none"> 1. DLRC was discussed and Cllr Finny bought up the need for it not being called a park. This is to be an agenda item for October. 2. Goats gate farm gate post is falling down – Cllr. B Crooks is going to report this. 3. Cllr J Walsh would like an annual meeting for the Montague Trust. 4. Cllr B Crooks mentioned bus shelters – Preston drive has spray paint on it. The bus shelter opposite the Swan pubic house has trees from the house growing over it causing tiles to come off –Clerk to write to Mr De Freja asking them to cut trees back. 5. The Red telephone box was reported to be needing painting – Clerk to action. 6. The Library will be borrowing the silent soldier on the 15th September. 7. Cllr H Davidson was keen to start a monthly surgery. It was suggested this may take place at the Library. This needs to be added to October agenda for discussion.

	<ol style="list-style-type: none"> 8. Clerk to contact British leg to see if there is anybody from NV that was killed during the conflict in Korea, Falkland, Gulf or Afghanistan. The history group may also know. 9. The Chair has had a call from a resident who's dog was attacked by another dog on the Sports Pavilion playing fields. It was suggested that notices should go up to inform owner to keep dogs on the lead, this may also help with preventing the dog mess. Agenda for October and look at byelaws. 10. Write to BT to check what the position is about Newbold Verdon having fibre broadband – Clerk to action.
18.157	<p><u>Note the date of the next meeting.</u> Monday the 1st October 2018.</p>

Signed:

Dated:

Appendix 1

September 2018 Report from County Councillor Bill Crooks

The big issue still is the Leader of the County Council announcing that they (The leading Group) are proposing to do away with Borough and District Councils and forming a Unitary Authority! This is supposed to become active by December. All the District and Borough leaders have formally objected to this move, both on the timescale and the lack of evidence. MP's in Leicestershire have also raised concerns. District/Borough Leaders and Chief Executives are meeting to look at the issues, and members at HBBC have called for the subject to be placed on the agenda for the next Scrutiny Committee, with a proposal to remove the County Council. Some member suggested that we do nothing and ignore the County but we were advised that the county could still petition the Government based on their supposed evidence and then we would not have any input.

The only other item discussed was a report from the **Fire Authority**. County Councillors met the new Chief Fire Officer Rick Taylor and his assistant. They advised that they had 692 staff 80% of which were operational. These staff members manned 20 fire stations. Funding costs were £36.1m which equals £64.71 per band D properties (which works out as the 4th cheapest in the country.

They advised that they covered 80000 emergencies a year of which 8% were responding to medical issues. The service has achieved a score of 96% 10 minute response times.

Leicestershire Fire Authority has introduced 5 tactical response vehicles which use less man power and equipment for smaller incidents, and these vehicles are smaller and cheaper to run. Other Fire Authorities are looking to copy this initiative.

We were advised that the 'Gas Training Incident Unit' is to move from Loughborough to Caterpillar at Desford where the 'Burning Building Unit already is situated. Following a question from me concerning cut backs, I was advised that Market Bosworth Station was OK and was to have a face lift in the next five years.

Appendix 2

Newbold Verdon Neighbourhood Plan

Chairs Report: for Steering Committee and Parish Council 3rd September 2018

Introduction

This report is written for two audiences: the Advisory Steering Committee for the Neighbourhood Plan and for the Parish Council. It sets out to achieve the following:

1. To explain where we were expecting to be now with progressing the neighbourhood plan.
2. Describe our current position.
3. Outline why we are in this current position.
4. Describe what has been done to try and rectify this position
5. Clarify the implications of our current position and in achieving a referendum.

1. Where we were expecting to be.

The pre-submission consultation period ended on the 8th July 2018. We were expecting that by now we would have begun, if not completed, responding to the comments and made the necessary changes to the neighbourhood plan. The parish council would have then had the opportunity to respond to the revised neighbourhood plan and given its approval for the plan to be submitted to HBBC under Regulation 16.

2. Our current position.

We have now received HBBC Reg 14 submission and have had an initial meeting with them to discuss the Housing comments. A further meeting will be required to discuss the rest of the neighbourhood plan. It is anticipated that it will take until the end of October before this is completed and any necessary changes made to the full plan before submission to HBBC at Reg16. The absence of the Chairs of the subgroups due to other commitments may put this back even further. There will also need to be a special PC meeting to consider the final submission.

The SEA must be completed. HBBC advise us to undertake the following:

Hinckley and Bosworth Borough Council will not be able to carry out a full SEA Environmental Report. There are however two options for undertaking the work which can be explored:

- The parish council can undertake the SEA Environmental Report;
- Planning consultants can be commissioned by the parish council / neighbourhood plan group to undertake the work.

3. Why has this happened?

- a. **Why are we not as far on in responding to Reg 14 comments?**

The 1 month and 1-day delay in receiving comments from HBBC. Several reasons were given by HBBC but it can be summarised as, several regrettable staffing issues that occurred within a very short space of time leading to an inevitable delay in submission.

b. Why must we undertake a SEA.

In order for a neighbourhood plan to be accepted, 'made', it has to achieve certain basic legal conditions. One of these is that the plan can be shown to have demonstrated a high level of protection for the environment and this is achieved through the Environment Assessment of Plans and Programmes regulations, commonly known as the SEA.

A SEA is a potentially long and complex process and in the case of most neighbourhood plans, unnecessary because the environmental impact of such plans is deemed to be minimal. The way this decision is made is through a pre-screening process.

We had a SEA pre-screening report undertaken on our behalf by a qualified consultancy (Planit-X) earlier this year and it was submitted to HBBC in on the 6th June 2018. The report concluded that a full SEA was unnecessary.

HBBC then sent this on, together with the pre-submission neighbourhood plan to the three statutory bodies that must be consulted: Historic England, Natural England and the Environment Agency. They had 5 weeks in which to reply which meant a deadline of 31st July 2018.

Historic England replied on the 31st the July, rebutting the screening judgement, claiming that the close proximity of the conservation area including the heritage assets of the Grade 1 Newbold Verdon Hall and Moated Site south of the Hall, meant that there 'may be significant environmental effects upon the historic environment. Natural England and the Environment Agency has no concerns.

As a consequence of Historic England's judgement, HBBC believed it had no option but to immediately make a determination that a SEA should be undertaken by the neighbourhood plan group.

N.B. It has recently come to our attention that the determination letter sent to us on the 1st August had not been sent to Historic England. This did not happen until 28th August. In my opinion that could have allowed the time to explore the alternative approach to a SEA.

4. What has been done to rectify our current position?

The delay in receiving the pre-submission comments from HBBC and the need now to undertake a SEA is likely to set back the neighbourhood plan by several months. This has been further compounded by the announcement by HBBC (with no prior notice) that in the new year no neighbourhood plan referendums will take place until after the May District Elections. At our meeting on the 9th August with HBBC representatives we were told that this would be no earlier than mid-September 2019.

Parish Councillors, committee members and district councillors will be aware that we have tried to persuade HBBC to revoke the SEA determination on the following grounds:

- Historic England provided little evidence to back up their assertion;
- HBBC have evidence from the previous development (Heritage Walk) that house building on this plot of land is unlikely to impact significantly on the historic environment;
- The judgement made within the SEA Screening.
- There is precedent for Qualifying Bodies (local councils) to negotiate with Historic England in producing a heritage report that will address their concerns.
- This is an exhaustive, time consuming and financially burdensome process that that is not necessary.
- The determination was made in haste and with no consultation with the qualifying body (the PC) and therefore contrary to the advice given by Locality (Screening Neighbourhood Plans for Strategic Environmental Assessment).

HBBC has rejected all requests to reconsider because it agrees with Historic England's judgement.

The borough council's opinion does not conflict with that of Historic England and therefore in line with the regulations and National Planning Policy Guidance a SEA is necessary if a likely significant environmental effect is identified.

Kirstie Rae email 23.08.2018

5. Clarify the implications of our current position and in achieving a referendum.

Update: 31st August

We have been awaiting the answer to two crucial questions since our meeting with HBBC on the 9th August.

1. If HBBC is not going to retract the determination (which it has not) what would be the nature of the SEA and how long might it take?
2. What would be the latest a referendum could be held before the district elections took priority?

The answer to question 1 has been received: no time-frame was given but advice on how to conduct a SEA was provided. Historic England have told HBBC that it may be willing to accept a limited SEA but that the statutory scoping exercise would have to take place and then a conversation held with them. It is therefore not possible to say how long it will take but I would estimate several months, probably until Christmas and into the new year.

The answer to question 2 has not yet been received. Here is a section from an email from Kirstie Rae, Planning Manager (Policy). He Nicola referred to in the email is the head of Planning.

With regard to the Parish Council's desire to reach a referendum stage by the end of March 2019, as previously discussed, I can confirm that this would not be achievable in line with the prescribed and internal timescales for administering the statutory stages of the neighbourhood plan making process. Nicola has reviewed the timetable the Policy team prepared and the legislative advice we obtained from our Legal team and agrees that the timescales are appropriate and reasonable. However, as we understand and agree with your frustration that these timescales render the process overlong and complicated, we have committed to seek further advice from our Head of Legal in relation to concerns regarding the timescales demanded by our democratic process and also to clarify and confirm what is and isn't acceptable during the council's 'pre-election' period. We will get this information to you as soon as we are able.

Representations have been made to district councillors for their help in achieving a resolution to the situation we find ourselves in, and Mr Sutton and Mrs Surtees have agreed to meet with us. However, now that the SEA determination has been published they will not be able to have this rescinded.

Implications

The Steering Committee needs to consider and then advise the full Parish Council on the following.

- a. What further action, if any, it wishes to pursue in achieving a referendum by March 2019.
- b. If it decides to take no further action in pursuing the March 2019 deadline, how is it going to address achieving one by September 2019?
- c. Are there other options?

If it decides to carry on it will have to address the following.

- The structure of the Steering Committee to achieve this goal. (see Appendix A)
- Who will take on these responsibilities.

The Chair's Position

I do not intend to remain as Chair or on the committee in the new year and would prefer to step down sooner if possible. As I explained at the last meeting, this has been an exacting and exhausting position to have held for over two years and I have neither the will or energy to continue for much longer. In the meantime, I will continue to drive this forward in the way the Committee and Parish Council desires.

Newbold Verdon Neighbourhood Plan: Advisory Steering Committee Meeting 3rd September 2018

Appendix A

Possible Committee Structure Changes

Introduction

The existing committee structure is probably not suitable anymore for what needs to be done. Whilst there will need to be responses to Reg 14 from Housing, Environment and Infrastructure, it may be possible to reduce the number of meetings and to speed up the process by amalgamating the three groups into one but with no more than 6-8 people. There will need to be a sub-group formed to tackle the SEA question.

Here is a proposal for the next few months.

Form a SEA Sub-Committee

Objective: To achieve a SEA as soon as possible.

Membership: No more than 4 people

Actions:

- Work with HBBC/ Historic England on what is required (scope and scale)
- Commission the work on our behalf (find someone to do it for us) or do it ourselves
- Liaise with relevant bodies until SEA concluded
- Work with Reg 14 group to consider implications for the NP
- Seek additional funding if a consultant is to be employed

Form a Reg14 Sub-Committee:

Objective: To respond to Reg 14 comments and to advise on what changes will be required within the NP

Membership: No more than 8 people

Actions:

- Work alongside YourLocale to determine how the NP is affected by the Reg 14 comments.
- Make changes to the NP
- Bring the completed NP to Steering and then full PC for final approval
- Submit final copy to H&BBC under Reg 16.