

Medbourne Parish Council

MINUTES OF THE MEETING HELD IN MEDBOURNE VILLAGE HALL AT 19:45 ON MONDAY 4 JULY 2016

Councillors present: Pilkington (Chair), Easton, and Shaen-Carter.

Also present: 9 members of the public, and Graham Thomson (Clerk to the Council).

53.0 **TO ACCEPT, OR OTHERWISE, APOLOGIES FOR ABSENCE RECEIVED**

Apologies for absence were accepted from Cllrs Caffrey (holiday) and Gidley-Wright (holiday). An apology for absence was also received from District Cllr. Rickman.

54.0 **TO NOTE ANY REQUESTS FOR DISPENSATION GRANTED**

The Clerk reported that no requests had been granted.

55.0 **PUBLIC REPRESENTATIONS**

The Chair suspended the meeting at this point and invited comment from members of the community present.

55.1 **Main Street Drainage**

A member of the public commented on the drainage works outside the old ford. The Chair reported that the issues had been reported countless times but that work had been carried out earlier in the day. She added that she was pursuing the matter and also the manhole cover on Rectory Lane.

55.2 **Ashley Road Footpath**

In response to a member of the public, Cllr Easton undertook to pursue the matter of overgrown nettles and growth alongside the Ashley Road Footpath with the landowner.

55.3 **Planning Application 16/00967/FUL, 15 Hallaton Road Medbourne**

A member of the public expressed concern about the response of the architect to the comments by the Council suggesting incorrectly that the Council had not raised any objections. It was reported that the architect's drawing was not representative of the comments submitted, and that the current application would be considered having regard to the Council's original views.

55.4 **Resumption of the meeting**

The Chair resumed the meeting at this point.

56.0 **CONFIRMATION OF THE ACCURACY OF THE MINUTES OF THE MEETING HELD ON 6 JUNE 2016**

The minutes of the Meeting of the Parish Council held on 6 June 2016 having been previously circulated were approved subject the correction of minute numbers and the spelling of Mr Beaty's name, and the date of the launch of the website (Monday 13 June 2016). Cllr. Shaen-Carter MOVED and Cllr. Easton SECONDED and it was RESOLVED that the minutes as amended be confirmed and signed by the Chair.

57.0 **TO RECEIVE FACTUAL UPDATES OF MATTERS ARISING FROM THOSE MINUTES NOT MENTIONED ELSEWHERE ON THE AGENDA**

57.1 **Minute 39.0: To Consider The Request For The Parish Council's Consent As Landlord From The Bowls Club For Permission To Erect A Shed**

The Chair reported that the letter had been sent to the Bowls Club.

57.2 **Minute 41.0: To consider a proposal to address the security concerns on land adjacent to Riverside House by moving the metal fence to reduce the right of way to 4m wide**

The Chair reported that the letter had been sent to the owners.

57.3 **Minute 50.0 To Consider And Approve The Accounts For Year Ending 31st March 2016 And The Annual Return**

Cllr. Pilkington reported that owing to Mr Lee's absence, the accounts had not yet been audited.

58.0 **TO CONSIDER THE REQUEST TO HOLD FUNDS BY THE DEFIBRILLATOR FUNDRAISERS**

Extracted from the report of the Clerk:-

"Clarification has now been received about the precise nature of the request to the Council and a copy of the fundraisers' letter has been circulated to Councillors. The machine will initially be installed inside the Village Hall and if necessary consents are received it will be installed outside.

"The Defibrillator Committee is requesting that once installation of the machine at the Village Hall is complete, Medbourne Parish Council becomes the custodian of the remainder of the Fund (estimated at approximately £1,500). It is the Defibrillator Committee's wish that the Fund would be available to the Village Hall Committee as necessary for maintenance and ultimately replacement. The Defibrillator Committee is requesting that if possible the money remaining in the Fund be ring-fenced and only used for further costs related to the Defibrillator at the Village Hall and to cover any further First Aid training requested by the village.

"This is an ongoing potential liability to the Council. The major cost would be expected in a few years' time and it might be that the funds would be insufficient and would need to be supplemented by either the Council from the Council Tax precept or by public subscription.

"Notwithstanding the above, the advice from LRALC is that the Council has no power to hold such ring-fenced funds for others. However laudable the cause and however sympathetic the current Councillors, the current Council and no future Council would be under a legal duty to use any money raised and given to the Council for the purpose intended.

"To clarify, people may raise money and give it to the Council for the defibrillators but it is for the Council to decide how it should be used at any time. At best, there is only a moral obligation and the current Council cannot tie any succeeding Councillors to use the donated money for any specific purpose.

"If the Council is minded to accept the funds this would have to be on the express condition that the funds are donated to the Council for it to use as it sees fit. This might be at odds with the original fundraising which was to buy a defibrillator for the village. There may also be issues in future (from auditors and/or taxpayers) with the Council holding a large balance of funds whilst still seeking Council Tax precept.

"The Council is REQUESTED to consider the matter."

Following a full discussion, Cllr Easton MOVED, Cllr Shaen-Carter SECONDED and it was RESOLVED that:-

- i) the Chair seek clarification from Rebekah Budenberg about who should organize the first aid training and how it should be triggered; and,
- ii) the Clerk be requested to write to the Defibrillator Committee explaining the Council's legal position and seeking clear acceptance in writing from the Committee that:-
 - a. any money passed to it from the Defibrillator Committee would be for the Council to use at its sole discretion;
 - b. the Council cannot be bound in law or morally to use any such donation in any particular way.

59.0 **TO RECEIVE A REPORT OF THE MEETING ABOUT AGRICULTURAL VEHICLE MOVEMENTS**

Extracted from the report of the Clerk:-

"At the request of Richard Beaty, a meeting with residents in Manor Road and Main Street was convened to discuss issues revolving around tractors/trailers and agricultural traffic in the village. An oral report of the meeting should be presented."

The Chair reported on the meeting which had been held on 27 June 2016 at which over thirty residents had been in attendance. She explained that a wide range of issues had been discussed which she hoped would assist mutual understanding. She reported the requests that if walking along a road people should walk facing oncoming traffic, and that any incidents be reported to Mr Beaty or a Councillor in as much detail as possible about the vehicle. She concluded by stating that Mr Beaty had indicated a willingness to notify the village of busy times through the village website.

60.0 **TO RECEIVE REPORTS INCLUDING ON THE FOLLOWING MATTERS:-**

60.1 **Broadband**

In the absence of Mr Tuffs, no report was given.

60.2 **Parish Council and Village Websites**

The Chair reported that the launch of the websites had been well attended and expressed thanks to Mr Tuffs and the people who had helped in whatever way to produce the fantastic website.

60.3 **Lighting**

No report was given.

60.4 **Sports Club**

In the absence of Cllr. Caffrey no report was given.

60.5 **Village Hall**

Cllr. Easton reported that the activities to celebrate Her Majesty the Queen's birthday had been very successful. She also reported that a local tree surgeon had kindly offered to remove the trees in the grounds at no cost. She concluded by stating that there would be no meetings in July or August.

60.6 **Medbourne Educational Foundation Trust (MEFT)**

Cllr. Pilkington stated that the resurfacing of the playground had been completed and she paid tribute to those who had helped with fundraising over the last five years.

60.7 **The Hollow**

In the absence of Mr Price, no report on The Hollow was given. The Clerk reported that he was seeking competitive but reasonable quotations for the signs.

61.0 **NEIGHBOURHOOD PLAN ADVISORY COMMITTEE**

61.1 **To receive the minutes of the meeting of the Advisory Committee held on 18 May 2016**

The minutes of the meeting of the Neighbourhood Plan Advisory Committee held on 18 May 2016 having been circulated were accepted. Cllr Easton MOVED, Cllr Shaen-Carter SECONDED and it was RESOLVED that the minutes be accepted.

61.2 **To receive a report of the meeting of the Advisory Committee held on 15 June 2016**

The draft minutes of the meeting of the Neighbourhood Plan Advisory Committee held on 15 June 2016 had been circulated. Ms Lee reported that at the open event which took place in the Village Hall on 18 June 2016. She stated that about 50 residents had attended and eight people had expressed interest in the theme groups. She added that the consultant would conduct a formal analysis of the views expressed. The Chair congratulated Mrs Lee and the Advisory Committee and Cllr Easton MOVED, Cllr Shaen-Carter SECONDED and it was RESOLVED that the report be accepted.

61.3 **To consider, and if so resolved, to co-opt members onto the Advisory Committee.**

Extracted from the report of the Clerk:-

"The Council will be requested to appoint Mr Paul Griffiths to the Neighbourhood Plan Advisory Committee."

Cllr Easton MOVED, Cllr Shaen-Carter SECONDED and it was RESOLVED that Mr Paul Griffiths be appointed to the Neighbourhood Plan Advisory Committee.

62.0 **TO CONSIDER AND MAKE COMMENT ON PLANNING MATTERS**

62.1 16/00888/FUL Partial render to dwelling (retrospective) 35 Main Street Medbourne

Cllr Shaen-Carter outlined the application and stated that whilst she understood the owners wanting to unify a renovated house in a courtyard with render, she thought that it was a shame that they didn't leave the two buildings with gables fronting onto Main Street in brick, especially the front elevations. She added that these two buildings were very noticeable from Main Street and were part of Medbourne's history. She stated that the rendered corner to the left of the slate porch, and the period gable to the right of the porch, were particularly noticeable. With regard to the render, Cllr Shaen-Carter expressed the view that the grey colour was not very sympathetic adjacent to the period brickwork although it went well with the dark grey glazing bars on the linking unit. Cllr Shaen-Carter outlined four options:-

- a) asking for the render to be removed on the front elevation and side elevation of the lower building;
- b) asking for the render to be removed on the Main Street elevation, so that it is to be returned to brick;
- c) asking for the render on the front elevation be restricted to below the gutter level of the slate porch; or,
- d) making no comment.

Following a discussion it was RESOLVED that further consideration be given and a special meeting be convened if considered necessary.

RESOLVED that:-

the Council submits a comment as follows:-

"The Parish Council understands the desire of the owners to unify the different brick elevations on the renovated property, but the two buildings fronting on to Main Street are part of Medbourne's history and are very noticeable. The junction between the new render and the old brick gables on the front elevation has not been handled sympathetically and we ask that the rendered corners to the sides of the slate porch and the render above the slate porch be re-moved above the gutter line, and returned to the original brickwork."

62.2 16/00967/FUL Erection of a detached garage with habitable accommodation at first floor (revised scheme of 15/01429/FUL), 15 Hallaton Road Medbourne

Cllr Shaen-Carter referred to a letter of objection which had been submitted to the Planning Authority and the views previously expressed by the Council. Cllr Shaen-Carter MOVED, Councillor Easton SECONDED and it was RESOLVED that the Council submits a comment as follows:-

"The Parish Council objects to the application as it currently stands. In particular, the PC strongly objects to:

1. *the increase in the eaves height;*
2. *the overall size of the proposed garage;*
3. *the proposed change of use as indicated in the application name "Erection of a detached garage with habitable accommodation at first floor (revised scheme of 15/01429/FUL)";*
4. *the repositioning of the garage so that it sits alongside the boundary of the neighbouring property;*
5. *the number of windows in the roof and particularly on the side facing the neighbours.*

"Re-positioning of garage

"The PC objects to the new positioning of the proposed garage on the grounds that it is too close to, and overlooks the garden of the neighbouring property, adversely affecting their privacy.

"The new position also makes the building more visible to the public open areas of the village, the recreation grounds/playing fields and the children's playground.

"If the building is to be re-sited it should be a condition of planning that the windows in the roof facing the neighbour's property either be removed completely, or at least reduced in number, and that they must be of a glass which is opaque, letting in light but precluding those in the garage from seeing out - thus protecting the privacy of the neighbours.

"The roof height should also be reduced. It is usual in planning applications for outbuildings including garages, which are within 2 meters of a boundary, to be required to be quite significantly lower in height than those situated in the middle of a property or not on a boundary.

"In this instance the impact of such a large, imposing outbuilding/garage on the privacy of the neighbour is significant and as such, the height of the building should be reduced and certainly not increased in height as is sought by this application. The ridge height of 6.27m very high

"Size

"In terms of the original application, the PC objected to the overall size of the building proposed and the new application seeks to increase the size further by altering the roof pitch thus making the first floor area larger still.

"Our original objections as set out in the previous application still apply, but with the re-positioning of the building we consider that the arguments for reducing the height have increased significantly in terms of the impact such a building will have on the neighbours and the general public. The height of the ridge should be reduced to a maximum of 5 meters (particularly given that it is within 2 meters of the boundary) and certainly not increased.

"The Parish Council seeks a reduction in the size of the building with the width front to back internally being reduced to 6m, the length internally to 6m and the height externally to 5m.

"We ask that accurate levels should be supplied in terms of the slab level and the neighbouring land levels on

all boundaries.

“Residential use

“The proposed garage/studio is the same size as many smaller residential dwellings. With the amendment proposing to increase the eaves from 3100mm to 3848 (2.5 ft.) and with the addition in the application of the words “habitable”, the application is making provision for this building to also be used as an additional residence.

“We do not consider that the access to 15 Hallaton Road, or that part of the highway, can safely accommodate the extra traffic or parking generated by an additional residential unit. That section of road is already of great concern to the people in the village. The property is positioned between an almost blind corner to the right (when facing the road) and the access to the village playground, recreation ground and village nature reserve called “The Hollow”, two properties down on the left. This section of road is crossed regularly on a daily basis by young children and people wishing to access the playground, playing fields and the Hollow.

“An additional residence with additional vehicle movements will add to safety issues and concerns, and set an unwelcome precedent.

“The original application was for a detached garage with a studio. We request that it be a condition of planning that the building be restricted to domestic use ancillary to 15 Hallaton Road and that planning for habitable/residential accommodation in the building be refused.”

62.3 16/00799/FUL Installation of a defibrillator, Village Hall 8 Main Street Medbourne; and,

16/00800/LBC Installation of a defibrillator, Old Village Hall 8 Main Street Medbourne

Cllr Shaen-Carter expressed disquiet that the bright yellow defibrillator box would be intrusive and would reduce the visually amenity of the listed building. She added that it had been suggested that in future an extension to the building might enable the relocation of the box to a less detrimental position. Various suggestions for alternative locations were suggested and Cllr Shaen-Carter MOVED, Cllr Easton SECONDED and it was RESOLVED that the Council comment in the following terms:-

“The Council is concerned that the proposed location is visually intrusive, reducing the amenity of the listed building. The Council notes that proposals to extend the building might provide a more acceptable location and recommends that any approval given be temporary for up to twelve months.”

62.4 **32 Manor Road, Medbourne**

Cllr Shaen-Carter reported that the base of the garage had been laid 300 mm higher than was permitted in the approved consent. She stated that a member of the public had informed the Planning Officer who appeared to be unconcerned. She added that the Council had originally asked for the overall height to be reduced from that requested. Cllr Shaen-Carter MOVED and Cllr Easton SECONDED and it was RESOLVED that the Planning Authority be requested to reduce the pitch of the roof to retain the approved overall height.

63.0 **TO NOTE SIGNIFICANT CORRESPONDENCE RECEIVED**

No significant items were reported.

64.0 **QUESTIONS TO THE CHAIR**

No questions were asked of the Chair.

65.0 **TO NOTE ANY ITEMS OF REPAIRS AND MAINTENANCE IN THE PARISH IN NEED OF ATTENTION**

65.1 **Drainage – Rectory Lane**

The Chair noted that the problems appeared to have been addressed and resolved, and she undertook to speak to the contractors about Spring Bank.

65.2 **The Brook**

The Chair noted that she had been in touch with the Environment Agency about its contractor cutting the riparian vegetation during nesting time. She added that she had received assurances that the processes would be reviewed for future cuts but that a subsequent cut had been made on the remaining bank. She assured the meeting that she had pursued the matter further and received assurances about future cuts.

66.0 **COUNCIL TRAINING AND RESOURCES**

No new items of training or necessary resources were identified.

67.0 **TO CONSIDER AND APPROVE PAYMENTS**

The Clerk reported that as soon as is possible he proposed to make the payments of the BT hosting and domain name electronically. The Council is RECOMMENDED to approve these regular payments on an ongoing basis. Cllr. Shaen-Carter MOVED, Cllr. Easton SECONDED and it was RESOLVED that:-

- i) the following payments be approved, subject to clarification that the grant payment for Neighbourhood Planning had been received; and,
- ii) as soon as possible the payments of the BT hosting and domain name be made electronically on an ongoing basis.

Recipient	Purpose	Budget	VAT	Sub total	Amount
Medbourne Village Hall	Parish Council meetings – April to June 2016 – invoice B042	Administration	0	3 x £25.00	£75.00
Medbourne Village Hall	MNPAC meetings – April	Administration	0	3 x £25.00	£75.00

	to June 2016 – invoice B043				
YourLocale	Stakeholder identification; Socio-economic profiling; Visioning/policy work; Consultation	Neighbourhood Planning	£520	£3,120.00	£3,120.00
David Tuffs	BT hosting and domain name	Administration (Transparency)		£36.29	

The meeting closed at 20:50

Signed: _____

Date: _____