

**North Somercotes Parish Council**  
**Minutes of the meeting of North Somercotes Parish Council held on**  
**Monday 28<sup>th</sup> January 2019 at 7.00 pm in the Luke Walmsley Pavilion**

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There were 3 members of the public present; the Chairman welcomed everyone and opened the public session at

**Public Session**

- a. Any Comments from members of the Public on agenda items or issues for consideration for future agenda**
- i. N132/00057/19 - Outline erection of 5 dwellings and garages, land opposite Pigeon Cottage, Conisholme Road** – a member of the public spoke in support of the outline application which has now been submitted for 3 detached market housing dwellings and a pair of Affordable semi-detached houses on the site. Some 40 signatures of support have been submitted, 18 of those within the vicinity of the proposed development. The application will be going to committee, and a request for continued support for the principle of sustainable development embodied in this application was made. Councillors queried how the Affordable housing proposal would be achieved, whether by Affordable sale, joint ownership, or rent, and how it would then work in principle, as development in the village was not in the ELDC Local Plan. It was somewhat unclear how this would be achieved but Councillors noted that the application must be legally ‘watertight’ to guarantee that the properties were, and would remain Affordable in perpetuity, whether sold or tenanted, and with a Local Connection Criteria agreed with the parish council to ensure the properties would benefit those who live/work in the locality in perpetuity. It was suggested the developer provide further information to the Clerk to clarify the situation and the Chairman thanked the member of the public for the information provided. Two members of the public then left the public session.
- ii. Noise Nuisance from Dog Barking** – the Clerk reported that a member of the public wished it to be noted that he was surprised and concerned about the inconsistent treatment being received by the Ark in relation to noise nuisance, as when the Kennels on Piccathorpe Road had been complained about regarding noise from barking dogs at all hours of the day and night, no such action had been taken by ELDC on that matter. Councillors commented that the irony of the situation was also apparent to them, although it was understood that the site on Piccathorpe Road was now up for sale, and any future noise nuisance there would have to be dealt with afresh.

*The Clerk left the meeting at 7.10 pm.*

- iii. N/132/02507/18 - OASIS LAKES - Change of use of land for the siting of 5no. camping pods and the provision of car parking area.** A member of the public outlined the reasons he would be objecting to the application and asked the Council to take the matters referred to into account when deciding whether to support or object to the application. He thanked councillors for their attention and left the meeting.

*The Clerk returned to the meeting at 7.20 pm*

**b. District Councillor/County Councillor McNally update on District Council and County Council Matters**

- i. ELDC changes to staffing arrangements** - details will be forwarded on to the Clerk/Councillors.
- ii. Request for School Crossing at the Primary School** - A survey had been taken on 13 November between 3.10 and 4.50pm which registered 3 accompanied children walking (with 3 adults), 3 unaccompanied children and 194 cars. It was unclear what the weather had been, or if all 194 cars were parked or just passing, but the figures were not felt to be representative of what happens most days as seen by those who live close by. There was no information on where the proposed crossing would be located and the impact on parking spaces, and without a better way of eliciting how many would use a crossing, the survey numbers did not meet the minimum requirements for a crossing to be considered.

*The Chairman closed the public session and opened the meeting at 7.25pm*

**Monthly Meeting**

**28/1/19-1 a. Present: Cllr Stephen Brooks (Chairman), Cllr Neil Drewery (Vice Chairman), Cllr Stuart Arundel, Cllr Martine Hopper, Cllr John Kennedy, Cllr Danny McNally (also District and County Cllr), Cllr Roger Maidens, Cllr Trisha Newman, Cllr Ros Webster, Mrs Sheila Pearce – Parish Clerk & Responsible Financial Officer.**

**b. Apologies for Absence** – it was RESOLVED to accept councillor absence and the reasons given for Cllr Zoe Dowson and Cllr Paul Walmsley.

## North Somercotes Parish Council

### **28/1/19-2 To receive any declarations of pecuniary or non-pecuniary interest on any item on the agenda in accordance with the Localism Act and the Council's Code of Conduct and Standing Orders:**

Cllr Maidens declared a non-pecuniary interest in the Budget/Youth Club Agenda Item 8, Cllr McNally declared an interest in all Planning Matters Agenda item 6, Cllrs Arundel and Kennedy declared a personal interest in the Coastal Path Agenda item 7c, which were all entered in the Declaration of Interests Book, at the time declared.

**28/1/19-3 Minutes of 17<sup>th</sup> December 2018 Meeting** – it was RESOLVED to adopt and sign the notes as accurate minutes, and they were signed and dated by the Chairman.

### **28/1/19-4 Clerk's Report on matters outstanding – The Clerk updated on the following for information only:**

**a. Coastal Path** – complaint letter authorised by Chairman and sent, meeting with Victoria Atkins office arranged, meeting with Landowners held; letter to Natural England (NE) from landowners and reply received, Barrister consulted, Parish Council to respond to NE see agenda item 7c **b. Chapel Fields** – land valuation obtained see Agenda item 13, meeting with LRHA rearranged for 22 February, meeting held with Lincs CLHT to take forward NS CLT. **c. Cemetery Actions** –mower sale still pending, Quinquennial inspection in hand **d. War Memorial** – letter replacement outstanding **e. Crime Prevention/Awareness session** – held on 21 January 2019 in Village Hall. **f. Highways** – invoice submitted to recoup partial costs of highways verge cutting 2018/19 and credit received **g. Anglian Water** – changed meter at Toilets, now can't read it and cant get them to respond as to why **h. Youth Club** – information received from both LCC and Youth Club member regarding financial set up **i. Meeting dates** – 2019 dates emailed, copies available if required.

### **28/1/19-5 To receive reports from councillors who are representatives on Village Organisations/Committees**

**a. Playing Fields Association** - Cllr Dowson – Stolen Fridays event 16 Feb.  
**b. Police Panel/Speedwatch** – Cllr Newman – Police Panel Meeting notes circulated, Speedwatch volunteers requested, otherwise no change, Burglary activity had increased prior to Christmas but no recent incident, and the ATM at Co-op Manby had an attempted but unsuccessful removal.  
**c. Emergency/Flood Planning** – Cllr Newman/Clerk – nothing to Report  
**d. Village Hall Committee** – no one present to report  
**e. DTE Wildlife Group** – Cllr Newman/Clerk – next meeting Tuesday 23 April 2019 at 1330 hours at RAF camp.

### **28/1/19-6 Planning - To consider any Planning applications received and RESOLVE the way forward on these and other Planning matters**

**a. TPO Request Tree Preservation Order: North Somercotes 1980 (132.01), Tree(s): G5 Application Reference Number: 0126/18/TPA – LOCATION:** Home View, Bank End - **PROPOSALS:** G5 - 7 Sycamore - T1 - reduce in height from 18m to 12.5m and spread from 14m to 9.5m, T2 - reduce in height from 18m to 12.5m and spread from 15m to 9.5m, T3 - reduce in height from 18m to 12.5m and spread from 10m to 8m, T4 - reduce in height from 19m to 12.5m and spread from 12m to 9m. **REASON(S):** G5 - T1 - overhanging cabling, road and street light, T2 - overhanging roof and blocking light, T3 - blocking light to house and garden, T4- blocking light to house and garden. Following discussion, although it was noted that the deadline for comment had been 11 January, it was RESOLVED to support the application.

*The Clerk left the meeting at 7.38pm.*

**b. N/132/02507/18 - OASIS LAKES - Change of use of land for the siting of 5no. camping pods and the provision of car parking area.** Following discussion it was RESOLVED to object to the application owing to lack of detail on: potential occupancy numbers and therefore adequacy of toilet/washing/washing up/car parking facilities, cumulative negative impact on Biodiversity of site and the Warren, which is a Designated Local Wildlife Area (DLWA), negative impact on visual amenity – visual impact for users of the DLWA, potential for noise disturbance and noise nuisance to the adjacent neighbours and DLWA, loss of landscaping/screening and no proposals to compensate for loss of biodiversity - compounded by previously agreed screening/landscaping not implemented, over development of the site/too commercialised for its location, no indication of impact of the development on protected trees and ecology.

**c. N/132/02508/18 - OASIS LAKES SHOP AND CAFÉ** - Change of use of part of existing shop/office building to provide additional ground floor living accommodation to existing dwelling. Following discussion it was RESOLVED to support this application.

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*The Clerk rejoined the meeting at this point.*

**d. N/132/00057/19 - Outline erection of 5 dwellings and garages.** LAND OPPOSITE PIGEON COTTAGE, CONISHOLME ROAD Following discussion it was RESOLVED to support this application. In the absence of essential detail on how the Affordable housing element would work – whether for sale or rented, freehold or leasehold, which Registered Provider, etc, the Clerk was asked to make sure that the comment of support for the application included the need for a watertight S106 or other Legal Agreement for the Affordable housing to be Affordable in perpetuity, with a Local Connection Criteria agreed with the Parish Council and to ensure that this also applied in perpetuity.

**e. Any other Planning matters/applications - none**

## **28/1/19-7 Highways, Paths and Lighting:**

**a. verbal update** - An update on the list for the walkabout at 11.30 on Tuesday 29<sup>th</sup> was noted, and Cllr McNally and the Clerk will meet with Cllr Davies' deputy at 11.30 am at the Primary School.

**b. FP18 – Public Enquiry** – Secretary of State decision now expected later this week.

*Cllrs Arundel and Kennedy left the meeting at 8.10 owing to a non-pecuniary interest in the next item.*

**c. English Coastal Path** – The Clerk noted that the Chairman had authorised the Council's letter of complaint regarding the way the DIO/RAF have dealt with the matter so far, and this has been sent to the Head of the MoD and DIO, copied to Victoria Atkins MP, Natural England, Lincs County Council, Landowners and other interested parties. The historic evidence of unrestricted public use of the walked beach path along the foreshore/dunes had previously been recognised and its continuance supported by the written undertaking in 1973 from the Under Secretary of State for Defence for the Royal Airforce. Various items of correspondence, draft byelaws and maps clearly show how the Range Danger Area was moved seaward to provide a safe corridor for continued public use, and the Parish Council believe that the DIO stance of not allowing the long used safe corridor route to be dedicated for the English Coastal Path is unreasonable in the circumstances.

A response is still awaited and in the meantime the Landowners have also written to Natural England (NE) explaining that in their, and the Parish Council's, view NE's proposal to recommend the ECP route to be cut through the buckthorn, at great cost and unnecessarily destroying protected habitat is completely unnecessary, particularly in the light of the evidence of the long-standing safe public use of the walked beach path. The response from NE to the Landowners' letter was discussed, particularly the inaccurate description of the use of the walked path through the safe corridor, as laid out in the Under Secretary of State's letter, as a 'tolerated' use, and comments regarding increasing the amount of Byelawed land, which had previously been decreased, and an application for Section 28 status for the area. Discussion also took place on the Council's proposed response to NE's letter and it was RESOLVED that the Clerk should prepare a draft reply along the lines discussed for the Chairman to authorise on behalf of the Council.

The Clerk reported on her further preliminary consultations with the Barrister over the matter of both a. the Public Right of Way claim and b. the 'threat' from the DIO to increase the amount of Bye-lawed land and apply for a Section 28 Direction. The Council unanimously RESOLVED the proposed expenditure for Legal Counsel taking forward the PROW claim as required, and for rigorously challenging attempts to change the status quo of public access by the application for Section 28 Exemption and/or increase of Byelawed land which do not appear to be justified on safety grounds and seem solely designed to prevent the historic unrestricted public use of the walked path being honoured, reneging on the previous written undertakings, and the approved decrease of Byelawed land in 1973 which were agreed at Ministerial level. The Clerk has previously agreed with the Chairman and Vice Chairman that a Freedom of Information Request regarding the current and any proposed changes to Section 28 Assessment of Donna Nook and the Byelaws should be made, and this will also be actioned.

*Cllrs Arundel and Kennedy returned to the meeting at 8.28*

**d. standing water on Warren Road** and outside the Primary school – this problem is included in the walkabout with the County Council to look at all outstanding issues.

**e. any other urgent highways issues - none**

## North Somercotes Parish Council

**28/1/19-8 2019/20 Budgets** – following confirmation that business rates will not be payable on the public toilets and number of band D properties is now 553 up from 549, councillors took the opportunity to consider if they wanted to make any changes to the precept amount provisionally agreed in November. Discussion took place on the position of Youth Club funding and the Council's belief that the voluntary workers and organisers could benefit from some financial support from the community to recognise their work and enable them to continue to provide the Youth Club facility. It was RESOLVED to include an amount of £1,000 in the Precept request, making a total of £32,315, with the £1,000 being earmarked specifically in the Council's accounts in a Youth Club Reserve, which they can then apply for funds from, for example for the weekly Pavilion hire.

### **28/1/19-9 Finance**

- a) the bank reconciliation for January 2019 was received and checked and signed by the Chairman.
- b) the schedule of payments and receipts for January 2019 were checked and it was RESOLVED to approve and sign the payments and cheques.
- c) It was RESOLVED to set up a standing order for the Clerk's wages payments.
- d) The Clerk noted that the Grant of £1,300 paid to the North Somercotes Study Group from the original Don Amott grant monies has now been repaid and will therefore be available for future Grant applicants.
- e) any urgent/other Financial matters – none.

**28/1/19-10 2019 Election Timetable and advertising** – the Clerk distributed the timetable for information.

**28/1/19-11 General Correspondence for January, Website Updates and Communication** have already been distributed, including the notification of Consultation for the Lincs County Council draft statement of community for Minerals and Waste department.

**28/1/19-12 To note/agree items for Discussion/inclusion at next meeting – Monday 25 February 2019 at 7pm**

- Chapel Fields Housing Development
- Coastal Footpath Complaint
- FP18 Outcome

**28/1/19-13 Confidential Matters – it was RESOLVED that the Council move into closed session by reason of the confidential property matters to be transacted – there were no members of the public/press remaining in the meeting at this point.**

#### **a. Chapel Field Housing Development**

- i. the Clerk provided an update on the valuation of the land at Chapel Field as required for the purposes of Circular 06/03 Local government Act 1972 General Disposal Consent (England 20013) which was noted for references.
- ii. The Clerk had met with John Mather/Martin Field from the Community Land Trust and looked at the Options for taking forward the development, as outlined in the draft report previously circulated on email. Further discussion with Lincs Rural Housing Association is required as soon as practicable, but in the meantime, it was RESOLVED to set up a Strategic Working Group to take forward the establishment of a Community Land Trust, along the lines and parameters described in the Clerk's Report. This would consist of Cllr Walmsley and Cllr Brooks, together with the Clerk, and any other Councillors who wish to participate. The Clerk will make a request in the Communication magazine for any members of the community who wish to be part of the Strategic Working Group, and the future Community Land Trust, to come forward.



**Parish Clerk and Responsible Financial Officer**

The Chairman thanked everyone for attending and closed the meeting at 9.13pm