

Minutes of the Virtual Meeting of Kegworth Parish Council (KPC) held on Monday 2nd December 2020 at 7.30pm

Councillors (Cllrs) present: Chris Carter (CC), Martin Hawksworth (MH), Nick Hirst (NH), Emma Hogan (EH), Rod Pritchard (RP) and Ray Sutton (RS)

Parish Clerk: Vicky Roe (VR)

Ten Members of the Public (MoP) joined the meeting. County Councillor Trevor Pendleton was also present.

103/20 To elect a Chairperson

RESOLVED: NH was elected as Chairperson. RS & RP voted against.

104/20 Chairperson to sign Declaration of Acceptance of Office

RESOLVED: NH advised he would sign the Declaration of Acceptance of Office, once printed.

105/20 To elect a Vice Chairperson

RESOLVED: No Vice Chairperson elected. EH would consider the role over the next month.

106/20 Vice Chairperson to sign Declaration of Acceptance of Office

RESOLVED: See 105/20 above.

107/20 To note the resignation of Paul Forster

RESOLVED: Noted. NH remarked the resignation was acknowledged with particular sadness.

108/20 Apologies for absence

RESOLVED: Apologies received and accepted from Cllr Carol Sewell.

109/20 Declarations of interest with regard to items on the Agenda

RESOLVED: CC declared a non-pecuniary interest in planning matter 20/01706 at 13 Bridge Fields and a pecuniary interest in 20/01740/CLP at 121 Station Road.

110/20 Public Participation – *The period of time designated for public participation shall not exceed 15 minutes, unless directed by the Chairperson of the meeting.*

RESOLVED: MH paid tribute to John Pike who passed away on 10th November. John was for many years a Parish Councillor and also Chairman. He was a very active member and always doing good work for the village whether campaigning for the bypass, representing villagers on the airport committee or just painting play equipment and litter picking. John eventually resigned due to increasing deafness making it difficult to engage in meetings. John will be leaving Foxhills, his home for 46 years, at 11am on Thursday 3rd December travelling down Whatton Road and through the Market Place for the last time. Anyone wishing to pay their respects can stand safely on the route if they wish. A minutes silence was observed.

MoP1's questions had been put to KPC in writing. The planters on Market Place continued to block and obstruct the Co-op entrance which is clearly a right of way. What legal authority does KPC have to do this? Why is the road blocked off? NH advised legal advice is being sought to gain clarity and a definitive answer. MoP1 Who authorised this? VR explained re the ETRO and the understanding from LCC re the amended plan, which VR believes has been corrected.

MoP2 spoke on the legal position. KPC has made a financial outlay in relation to Market Place for well in excess of 100 years and legally can only spend money on land it owns. It is extremely difficult to gain access via the Co-op entrance and it should be noted that HGVs and large lorries regularly scrape their underside on the tarmac causing significant damage. VR thanked MoP2 for her hard work on the preparation of the Statutory Declaration. MoP2 advised of a letter from the Land

Registry which talked about KPC not being able to register the Title as the land is not fenced, but this does not mean that KPC does not own it.

MoP3 talked KPC through a Land Registry document re her property on The Croft which states the occupants have a legal right of way across Market Place which has now been obstructed for some months.

MoP4 said it was great to see KPC getting to grips with the matters discussed so far. The new buildings at Refresco are a cause for concern. The buildings are a very bright white, but the planning consent says they should be a darker grey which would make them a lot less offensive. VR advised that KPC had written to NWLDC Planning Enforcement who are investigating. Planning matter at 118 Station Road – there continues to be a risk of flooding. Request of CC Trevor Pendleton to clarify the history of Market Place / highway status?

CC Trevor Pendleton stated that Market Place is owned by KPC. The confusion re highway status and Market Place is perhaps a mix up as the A6 is also known as Market Place.

111/20 To approve and sign the Minutes of the Parish Council Meeting held on Monday 2nd November 2020

RESOLVED: Minutes were approved by Cllrs. RP voted against. RS abstained.

112/20 To receive a Police Report

RESOLVED: No Police were present. MH reported on crime and incidents for October as follows: Station Road, criminal damage; Moore Ave, 2x drugs, burglary; Kirk Avenue, burglary, theft other, public order; Dragwell, vehicle crime; Derby Road, criminal damage 2x public order; Whatton Road, violence, crime other; Kegworth Shooting Ground, criminal damage.

113/20 Financial matters

- **To approve payments**

RESOLVED: Payments were approved. RP & RS abstained

- **To agree repairs to Wicksteed play equipment totalling £142.80**

RESOLVED: Repairs were approved. RP abstained

114/20 To agree to instruct a Solicitor to advise on the legal position regarding ownership of Market Place, including rights of way

RESOLVED: RP advised he was not opposed to the idea of gaining advice, it is possible people could have acquired rights, but any advice received would only be an opinion. RS advised he would be abstaining on the item as he was not comfortable with the decision already having been taken and KPC was ratifying only. RS talked about access to advice from Tiers 1 & 2 of Local Government. NH advised following an informal meeting of KPC, he believed it had already been agreed that legal advice would be sought. Cllrs voted and agreed to seek advice on the legal position regarding ownership, including rights of way on Market Place. RP voted against. RS and MH abstained.

115/20 In relation to NWLDC's 'Kegworth Public Realm Project', to agree as separate motions:

NH advised that KPC had met informally and communicated on email in order to reach common ground on the wording of the motions. KPC needed to provide NWLDC with a framework to work within to allow the various professionals to do their job in relation to a new design. KPC would be agreeing to approaches to the key funder being the LLEP to gain an extension in time, which request was primarily driven by the fallout from COVID-19, but once granted, all parties will need to double down on efforts to make the project happen.

RS had asked NH to accept some amendments to the wording.

NH confirmed he was not prepared to do this as KPC had already spent considerable time clarifying, re-clarifying and compromising. Cllrs had agreed to a refinement of words, there were elements of common ground and so the motions had made their way on to the Agenda. NH advised KPC acknowledged learning going forward, including regarding engagement. NH deals with the Co-op on a daily basis in his professional life and this project reflects the core of their agenda. Kegworth Co-

op is doing extremely well and has a capable management team. It is a star performer in its portfolio.

RP advised he would find it difficult to vote for most of the motions.

MH queried the method of engagement versus consultation. VR explained that there are legal implications as far as the terminology is concerned and NWLDC as Project Sponsor would be engaging with the public and businesses.

CC advised he'd be voting in favour of all points. He doesn't agree with all of them, but KPC met recently and spent a long time reaching a consensus.

EH echoed what CC said. The motions reflect the lengthy discussions and debate which had taken place via virtual meeting and on email. EH will be voting in favour as KPC needs to move the project forward.

- The KPC Chairperson, in conjunction with NWLDC and its officers, seeks a twelve-month extension (to start 01 April 2021) to the public realm project from the LLEP and confirm details of any associated conditions
RESOLVED: CC, NH, MH & EH voted in favour. RP & RS voted against.
- The KPC Chairperson, in conjunction with NWLDC and its officers, to ask LLEP to explore the extension of the project's footprint to include traffic calming solutions in an appropriate area to be agreed
RESOLVED: CC, NH, MH & EH voted in favour. RP & RS voted against.
- The principle of the inclusion of between 17 and 20 car parking spaces on Market Place, with 2 disabled parking bays near the Co-op
RESOLVED: CC, NH & EH voted in favour. RP & RS voted against. MH abstained.
- To ask LCC / NWLDC to consider if a one way system on Market Place can be accommodated (with and without a southern exit/entrance), whilst ensuring the safety of motorists and pedestrians
RESOLVED: CC, NH, MH & EH voted in favour. RP & RS voted against.
- At the earliest opportunity local business partners be invited to a meeting (virtual) with KPC to view the latest designs and ask for their input, prior to publication
RESOLVED: CC, NH, MH & EH voted in favour. RP & RS voted against.
- At the earliest opportunity the latest designs are published for public engagement and feedback, prior to finalisation
RESOLVED: CC, NH, MH & EH voted in favour. RP voted against. RS abstained.

116/20 To agree a response to / note planning applications (PA), planning permissions (PP), planning consultations (PC) and listed building consent (LBC) from NWLDC including:

- **20/00688/REMM** Reserved matters application for the erection of 13 dwellings (outline permission 17/01576/OUTM) at 118 Station Road
RESOLVED: Cllrs agreed that **potential flooding at this site is the main issue.** KPC believes the plans are supposed to show compliance with the Environment Agency requirements, but they state for illustrative purposes only. NWLDC Planning Officer asked to confirm that the Engineer endorses the design and therefore this drawing is now final, and the finished external levels meet the EA criteria. Parts of the site are at risk of fluvial flooding. Surface drainage provision and drainage flood alleviation measures are not shown in any of the drawings. KPC asked for clarification on how will this scheme drain away fluvial flood water from the properties, and where will it go? Is there a pumped system to be installed? Will there be non-return valves in drains to prevent backflow into house toilets and sinks?
- **20/01740/CLP** Certificate of lawful proposed development for a single storey rear/side extension at 121 Station Road
RESOLVED: Cllrs were unable to consider the application as there are no documents uploaded on to the NWLDC Planning Portal. VR to request extension in time to 5th January so that Cllrs can comment at their meeting on Monday 4th January.

20/01518/FUL Retrospective application for external alterations (removal of timber faced gables to main house), retention of timber cladding to rear dormer window and retention of replacement windows to the side and rear elevations at 45 Mill Lane
RESOLVED: Cllrs agreed to make no comment.

- **20/01519/REM** Erection of 1 no. replacement agricultural dwelling (Reserved matters to outline planning permission 18/01532/OUT at Land adjoining 75 Ashby Road
RESOLVED: Cllrs agreed that this development is evidently not a replacement for the farmhouse that had to be knocked down due to the bypass. It is reasonable on planning grounds for the dwelling to be a like for like replacement for the lost farm building, and to have ongoing covenanted conditions on its sale or use that it must be for agricultural purposes.
- **20/01679/FUL** Erection of a first floor front extension and single storey front, side and rear extension at 47 Ashby Road
RESOLVED: No documents are uploaded to NWLDC's Planning Portal. VR to request an extension in time to 5th January so that Cllrs can comment at their meeting on Monday 4th January.
- **20/01706/FUL** Removal of existing rear conservatory and new single storey rear extension, new single storey front porch and glazed guarding to Juliet balcony at 13 Bridge Fields
RESOLVED: Cllrs agreed to make no comment.
- **20/01696/FUL** Formation of a vehicular access at 60 Station Road
RESOLVED: Cllrs agreed to make no comment.
- **20/01317/ADC** Free-standing post-mounted, non-illuminated signage board at Slack & Parr Limited, Long Lane
RESOLVED: Cllrs agreed to the response that RS had drafted as follows: Councillors are concerned about the impact of the new factory and housing development on an already dangerous junction for pedestrians and traffic which is little changed after many months of LCC refurbishment. KPC notes that the latest revision to this proposal is minimally altered from the original location and design which was unanimously opposed by the Parish Council at its meeting on October 5th 2020. KPC objects strongly to the revised proposal:-
 - a) Whether temporary or not, the proposed sign has the air of permanence. It is in close proximity to the resident cricket club's large banner and still dominates that banner visually
 - b) The location of the sign on the edge of a green space and village amenity is unchanged from the original application, it is out of character, and it sets a worrying precedent for commercial intrusion upon the integrity of village heritage
 - c) The sign dominates to the point of distraction any other signage near the junction.
 - d) The sign's height alone makes it a distraction for drivers at a dangerous junction and a further obstruction to the field of vision for drivers emerging from Nottingham Road and making either a left or right hand turn on what is already a blind bend for them.
 - e) The distraction value of the sign for motorists further reduces the safety levels at the busy junction for pedestrians and cyclists a junction which lacks any special provision for them. Walking and cycling routes are genuinely four-way in their popularity at this point and we currently see no additional measures for these users resulting from the new developments. If a temporary sign is needed, we suggest investigating a temporary two-sided sign in an alternative location parallel to and on the East side of Long Lane towards the corner with the North side of Station Road while taking care to keep an appropriate distance from the Long Lane Give Way line."
- **20/01743/AIR** Erection of two no. two storey portable buildings and one no. single storey portable building at Adjacent to Stand 125 DHL East Apron, Cargo West, Ashby Road
RESOLVED: Cllrs agreed to make no comment.

- To note planning permission at The Red Lion; 1 Queens Road; 28-30 Packington Hill, 27 Market Place & 2 London Road; Consent for advertisement at 27 Market Place; Consent for works to trees at 7 Whiteholmes Grove

RESOLVED: Noted by Cllrs.

117/20 To agree a way forward to ensure KPC website compliance under The Public Sector Bodies (Websites and Mobile Applications) Accessibility Regulations 2018

RESOLVED: Cllrs had considered a paper produced by VR. The Regulations mean that KPC has to make reasonable adjustments to their website to ensure it is accessible to people with disabilities. KPC's web provider could assist with compliance on three levels. Cllrs agreed to opt for an upgrade to a fully responsive template which is customised for accessibility costing £750.00 plus VAT. This is subject to assurances from the web provider that all content uploaded after the upgrade will be carried out on a fixed template to ensure future compliance.

118/20 Date of next meeting

RESOLVED: Monday 4th January 2021 at 7.30pm

119/20 To take a vote to discuss the next item in a closed session under Public Bodies (Admission to Meetings) Act 1960

RESOLVED: As per Standing Orders, KPC's meetings should be concluded after two hours. This meeting had overrun and so the vote to move into a closed session did not take place.

120/20 To discuss and agree matters relating to recruitment of a Deputy Clerk

RESOLVED: See 119/20. Matter to be placed on January's Agenda.

Close of meeting 9.44pm