

MISTERTON PARISH COUNCIL

Minutes of a Meeting of the Council held in the Church Room on Tuesday 31st July, 2007

Present: Councillor H. M. Brand, Chairman. Councillors Batty, Burton, Keat, Moffett, Shipley, Simmons, Stead, Wheewall and White

12 members of the public were present, together with District Councillor Simpson.

07/08/132 APOLOGIES

There were no apologies for absence.

07/08/133 DECLARATIONS OF INTEREST

The following standing declarations of personal interest were made:

Cllr. Batty	Charles Cooper Trust Joint Burial Committee MAP Ltd.	Parish Council Nominated Trustee Parish Council Representative Member
Cllr. Brand	Misterton Sport Social Club MAP Ltd. Joint Burial Committee North East Bassetlaw Forum Primary School Governors Poors Fund Standrings Charity	Member Chairman of Trustee Directors Parish Council Representative MAP Ltd. Representative/Chairman Governor Parish Council Nominated Trustee Parish Council Nominated Trustee/ Chairman
	Wells Charity Bassetlaw District Council Standards Committee	Parish Council Nominated Trustee Substitute Parish Council Member
Cllr. Burton	MAP Ltd. Misterton Sport Social Club South-east Misterton The Newells Terrace Mgt. Co.	Member Member Resident of the area Director
Cllr. Keat	Poors Fund Standrings Charity Wells Charity	Parish Council Nominated Trustee Parish Council Nominated Trustee Parish Council Nominated Trustee
Cllr. Moffett	North East Bassetlaw Forum Quality Councils	Parish Council Representative Managing Director of the Octagon Group of Companies which publish the Parish Council's 'Quality' Publications on a non profit-making Basis
Cllr. Shipley	Swimming Pool Committee Joint Burial Committee	Parish Council Representative Parish Council Representative

Cllr. Simmons	Charles Cooper Trust	Parish Council Nominated Trustee/ Chairman
	Joint Burial Committee	Parish Council Representative
	MAP Ltd.	Member
	Poors Fund	Parish Council Nominated Trustee
	Standrings Charity	Parish Council Nominated Trustee
Cllr. Wheewall	Misterton Sport Social Club	Member
	MAP Ltd.	Member
	South-east Misterton	Resident of the Area
	Misterton Sport Social Club	Member
	The Newells Terrace Mgt. Co.	Director
Cllr. White	Standrings Charity	Parish Council Nominated Trustee
	MAP Ltd.	Member

Councillors Burton and Wheewall also expanded on their above declarations at agenda items 17 (Flooding of 25th June, 2007) and 23 (Planning Applications – Land at Marsh Lane, Misterton), by pointing out that they were residents of Newells Terrace which was affected by the flooding and which was close to Marsh Lane.

07/08/134 MINUTES OF A MEETING OF THE COUNCIL

Resolved: That the minutes of a meeting of the Council, held on 10th July, 2007, be approved as a correct record.

07/08/135 MATTERS ARISING FROM THE MINUTES

- (a) The Clerk referred to Minute No. 07/08/130, and reported receipt of a letter from the County Council confirming that the Parish Council's request had received favourable consideration.
- (b) The Clerk referred to Minute No. 07/08/122(b) and reported that he was involved in continuing dialogue with the Deputy Monitoring Officer about an aspect of the matter.
- (c) Councillor White also referred to Minute No. 07/08/122(b), and produced a document which he said was a copy of his registration of interests form. He offered no further information, other than to say that he had had several discussions with the Monitoring Officer, and the matter was "sorted out".
- (d) Councillor Keat referred to Minute No. 07/08/101(b), and reported that designs and costings for a Chairman's and a Vice-Chairman's badge of office would be produced at the September meeting of the Parish Council.

07/08/136 POLICING

PCSO Mitchell introduced himself as the Police Community Support Officer for Misterton and West Stockwith, based at The Misterton Centre. He was accompanied at the meeting by P.c. Chris Gregson. PCSO Mitchell outlined his role, and pointed out that he was getting excellent feedback from young people.

Matters covered in the ensuing presentation by the two officers included:

- Safer Neighbourhoods
- A reduction in crime locally
- Scrap metal thefts
- Action against illegal motorcycles
- The function of the telephone on the exterior wall of The Misterton Centre
- Recent crime statistics
- Bike nights
- Speed cameras
- Interactive speeding signs
- Community Speedwatch
- Police holiday/sick leave cover arrangements
- The new Police base at The Misterton Centre

After a very interesting presentation, and dialogue with Members, the two officers were thanked for their attendance.

07/08/137 CASUAL VACANCY

Letter was submitted from the District Council, confirming that no request for an election had been received.

Resolved: That public notice be given, inviting suitably qualified persons to offer to serve as a co-opted member, with a deadline of 31st August, 2007.

07/08/138 ACCOUNTS

Resolved: That the Accounts be approved for payment.

07/08/139 BANK RECONCILIATION

Members received the bank reconciliation statement to 30th June, 2007.

07/08/140 CHAIRMAN'S REPORT

- (a) Councillor Brand reported that Misterton had been awarded the Central England Regional Business Award in the Calor English Village of the Year Competition. The Award, comprising a certificate and cheque for £500, would be presented at a village event to be organised.

Resolved: That approval be given to the organisation of an appropriate event once further details were available from Calor.

- (b) Councillor Brand referred to the recent illness of Mr. Ian Bower, of BCVS, and the Clerk announced the good news that Mr. Bower had returned to work that day.

As Mr. Bower managed the Parish Council's websites, the Clerk would discuss with BCVS contingency arrangements at times of staff absence.

07/08/141 THE MISTERTON CENTRE

- (a) The Clerk reported that West Stockwith Parish Council was to hold a monthly surgery at the Centre on the first Saturday of each month, commencing in September. In consultation with the Chairman, it had been agreed that use would be free of charge until 31st August, 2008, by when running costs would be clearer and an appropriate charge could be set.

Resolved: That approval be given to the above.

- (b) Councillor Stead reported that although he had received very favourable reports from residents about the facilities available at the Centre, public opinion of its rather bland exterior was more negative. He produced some draft designs of how the frontage might be improved and made more customer-friendly. Members made further suggestions.

Resolved: That it be agreed in principle that improvements to the frontage were appropriate, and the Clerk be instructed to discuss the matter with the Parish Council's partner tenants and Banks Long & Co., agents for the Lincolnshire Co-operative Society Ltd.

07/08/142 PACKET INN SITE AND COMMON LAND ADJOINING

There was nothing to report.

07/08/143 REVIEW OF POLLING ARRANGEMENTS

Letter was submitted from the District Council referring to a current review of polling arrangements.

Resolved:

- (a) That the District Council be informed that the Parish Council was happy with current polling arrangements.
- (b) That the District Council be reminded of the Parish Council's opinion that all property to the south of Fox Covert Lane, including Newells Terrace, should be transferred into the Parish of Misterton in the next parish boundary review.

07/08/144 DRAFT PARISH CHARTER

A joint letter was submitted from the District Council and Nottinghamshire Association of Local Councils, enclosing the above and requesting observations to the District Council.

Resolved: That the District Council be informed that the Draft Parish Charter was acceptable to the Parish Council, subject to strengthening to reflect the requirement for the District Council to have proper regard to observations by parish councils on planning applications and associated matters.

07/08/145 SWIMMING POOL

Councillor Moffett reported that she needed further dialogue over the issue of increased public access to the swimming pool. She asked that the matter remain on the agenda for the September meeting.

07/08/146 BASSETLAW DISTRICT COUNCIL CIVIC SERVICE – ST. JOSEPH’S CHURCH, RETFORD – SUNDAY 2ND SEPTEMBER, 2007

Councillor Brand reported that, as Chairman, she would have liked to attend, but was already committed to another engagement.

Resolved: That any Member wishing to represent the Parish Council should contact the Clerk.

07/08/147 FLOODING

Pursuant to Minute No. 07/08/118(d) of July, 2007, the Clerk submitted details of various flooding problems in the village. Members reported two further instances. District Councillor Simpson informed the meeting that he was to tour problem areas in the village with a drainage engineer.

The Clerk also submitted a letter from the District Council’s Emergency Planning Officer, seeking details of all known problems.

Resolved:

- (a) That the District Council be informed of known problems.
- (b) That the Clerk draw certain specific problems to the knowledge of relevant authorities.
- (a) That the District Council be informed of the Parish Council’s concerns that the village infrastructure had not kept up with development.

07/08/148 PUBLIC BUILDINGS AT SCHOOL CORNER

The Chairman submitted a report on a meeting held between herself, the Clerk and Mr. G. McKeown, of Nottinghamshire County Council relating to the future of the above. Mr. McKeown was already aware that the Parish Council wished the site to be redeveloped to provide first class library and youth facilities.

The Clerk made it clear at the meeting that he could not recommend the Parish Council to sell the Victoria Institute, whether as part of a redevelopment package or not, without the benefit of planning permission, and he queried the stance of County Highways to the effect that planning permission would not be given for redevelopment of the site on access grounds.

Following the meeting, a site meeting took place, when all parties were agreed that further representations should be made to County Highways, based on preliminary drawings to be produced. It was also agreed that certain desirable sporting facilities such as a climbing wall might be better located at the Primary School.

An email had subsequently been received from Mr. McKeown confirming the above approach.

07/08/149 BUILDING BETTER COMMUNITIES PROGRAMME

The Clerk had circulated correspondence from the County Council, inviting bids for funding in the next round. Members were requested to consider possible schemes for funding bids at the September meeting.

07/08/150 SPORTS FIELD

- (a) The Clerk reported two instances of criminal damage to one of the new sightscreens and a break-in at the store shed. An order had been placed for repair of the sightscreen with more-substantial timber. The padlock to the store shed had been replaced.
- (b) The Clerk reported an approach from The Ship Football Club, of Bawtry, who were without a ground and had requested use of the sports field in 2007/08. Mr. David Manning had kindly offered to co-ordinate football on the sports field pending possible reformation of Misterton United Football Club in 2008/09.

Resolved: That approval be given to use of the football facilities by The Ship FC, subject to agreement of terms, including rent, by the Clerk.

- (c) Councillor Simmons enquired why the Groundsman had not been given a key to the new padlock on the store shed. The Clerk explained the circumstances surrounding the purchase of the new padlock, and expressed consternation over the matter, which he would remedy the following day.

07/08/151 AFFORDABLE HOUSING PROPOSAL – LAND REAR 107 STATION STREET, MISTERTON

Pursuant to Minute No. 07/08/82 of June, 2007, an Email was submitted from ACIS Group Ltd. stating that County Highways had confirmed that a private drive serving up to five houses would probably work. The Parish Council was requested to consider the matter further, and the Clerk would include it on the September agenda.

07/08/152 PARKING PROBLEMS AT WHARF ROAD, MISTERTON

An email was submitted from a Wharf Road resident, drawing attention to various parking issues. The Clerk had referred the matter to the Police.

07/08/153 THE SUSTAINABLE COMMUNITIES BILL

Letter was submitted from Local Works, confirming that the above Bill had successfully passed through the House of Commons.

Resolved: That the Clerk write to relevant Members of Parliament, seeking their support in ensuring the successful progress of the Bill through the House of Lords.

07/08/154 VILLAGE WEBSITE

Councillor White made a brief reference to an enquiry from an Australian resident, and was informed by the Chairman of the procedure adopted by the Clerk on receipt of such website correspondence.

07/08/155 HIGHWAY SIGNAGE

The Clerk would report a missing 30 mph sign at the junction of Debdhill Road and Church Street.

07/08/156 PLANNING APPLICATIONS

33/07/33

Langley Homes Ltd.

Erect 79 dwellings and construction of an estate road, private drives and associated car parking on land at Marsh Lane, Misterton

During consideration of this application, the meeting was opened up to Public Discussion in order to glean the views of residents present – see later.

Resolved unanimously: That no adverse comment be made, subject to four observations and three conditions set out below:

The first general observation concerned the effect of the proposed housing development on the village infrastructure and its ability to cope. This had been a fundamental concern all along, and was a key feature of discussion at the public meetings back in 2005, and a key concern of residents in relation to this application after recent flooding. Clearly, Bassetlaw District Council would need to satisfy itself about these things, e.g. the impact on education, policing, roads, youth provision, etc., but particularly on drainage. It was a well-known fact that there was a flooding problem, including sewage, in south-east Misterton, and the site in question had a considerable amount of standing water on it. The drainage issue had been raised with Severn Trent Water and Nottinghamshire County Council but to no avail.

Comment would also be made on concerns that the raised level of the proposed development could significantly affect drainage on to Marsh Lane. It was noted that, even before the rainstorm of 25th June, 2007, the (raised) Langleys development on the other side of Fox Covert Lane was causing significant flooding problems on the access road to the rear of Newells Terrace.

The second observation related to the offer to give the sports field to the Parish Council. This should be a gift of the whole of the field, with a covenant in the Deed of Gift requiring the Parish Council to freely make a specified part of the land available as a site for a community building if required in the future. This would be a much cleaner arrangement than the one proposed in the previous application, especially taking into consideration the fact that the Parish Council had a lease on the whole site until 2029.

It was also asked that the transfer commenced no more than six months from the grant of planning permission, as opposed to the proposal to commence transfer when development commenced.

The third observation related to concerns of Misterton Community Sports & Social Club to ensure the survival of the club in a community-based format. Whilst there was relief that the immediate threat to the future of the club had disappeared, there was concern that facilities, including car parking, needed to be improved. The Parish Council, as well as needing to own the sports field, had a second fundamental objective, which was to see the club thrive and prosper. The club was a unique and vital village institution with extensive membership; it hosted a number of village-wide events, e.g. annual horticultural show, venue for public meetings, etc. The Parish Council also recognised the fact that it was Government policy to ensure the survival of community-based social facilities such as the Social Club.

The fourth observation related to concerns over site contamination. Stringent planning conditions needed to be put in place to safeguard the health and interests of purchasers.

The conditions were as follows:

1. That Langley Homes Ltd. be required to enter into a legal agreement with Bassetlaw District Council relating to a gift of the freehold of the sports field to Misterton Parish Council within a specified date (no more than six months) from the grant of planning permission in respect of the factory site; the deed of gift to contain a covenant requiring the Parish Council to make available, free of charge, a specified part of the sports field as the site for a community building.
2. That Langley Homes Ltd. be required to enter into a S. 106 agreement to make a significant financial contribution to either the improvement of Misterton Sport Social Club or the provision of a new community building.
3. With the future of Misterton Sport Social Club being uncertain, Langley Homes Ltd. as previously promised, be required to produce, free of charge, a full specification, bills of quantities, drawings, etc. sufficient to allow a contractor to build a community building – as originally promised.

In summary, the Parish Council did not wish to make any adverse comment about this application subject to:

- infrastructure issues being properly addressed
- a gift of the sports field to the Parish Council, subject to a covenant requiring the Parish Council to make available, free of charge, a specified part as the site for a community building
- consideration being given by Langley Homes Ltd. to significantly improve the facilities, including car parking, at the existing social club or to make a significant capital contribution towards a new community building.
- the imposition of stringent conditions relating to site contamination
- Langley Homes Ltd. to produce, free of charge, a full specification, etc. for a new community-based building

For completeness, the following comments made by residents (not covered in the Parish Council's response above) would be communicated to the District Council:

1. One point of access to the site and egress from it was insufficient for 79 dwellings.

2. Some of the data quoted in the application was out-of-date. In the interests of accuracy, it should be noted that certain village services mentioned in the application no longer existed. For example, the Packet Inn was demolished some four years ago and there were now no petrol filling stations. Also, the bus services to the village could not be said to be frequent and there was now no service to Doncaster.
3. As this development would take some years to complete, the developer should make every effort to minimise the negative impact that this would have on the village by appropriate screening, road cleansing, etc.

33/07/36

Mr. J. Golland

Erect single-storey rear extension at 47 Fox Covert Lane, Misterton

Resolved: That no adverse comment be made, subject to the development having no detrimental effect on neighbouring property.

07/08/157 AUGUST PLANNING APPLICATIONS

Resolved: That the Clerk be authorised, in consultation with Members, to respond to planning applications received during the August recess which needed to be dealt with before the September meeting (all applications to be deposited for inspection and comment in The Misterton Centre).

07/08/158 PLANNING DETERMINATION

33/07/16

G. A. Mell Builders Ltd.

Residential development consisting of 11 new dwellings with associated garages and alter and construct new access on land rear 72 Station Street, Misterton

Permission Granted

07/08/159 CONDUCT OF MEETINGS

The Chairman submitted a report, circulated to all Members, named Conduct of Business, which referred in particular to:

- the role of the Chairman
- a proposed code of conduct for those attending meetings
- use of the Public Discussion period at Parish Council meetings
- methods of expressing criticism of the Parish Council by the public minutes and their purpose

Appended to the report was a draft Code of Conduct for Members of the Public Attending Meetings of The Parish Council.

Councillor Brand submitted the documentation because it had become apparent over recent months that a number of those members of the public attending meetings regularly did not use Public Discussion to give their views on issues that affected the community. Instead, they often used this valuable time to pick over past minutes already approved by the Parish Council.

A discussion ensued, when there was general agreement that the draft Code of Conduct referred to should be implemented at the September meeting of the Parish Council. Councillor Batty agreed in particular with Councillor Brand's concern that valuable time was being wasted at Public Discussion.

On the other hand, District Councillor Simpson queried whether such a Code was appropriate to a parish council. Councillor White also queried the need for a Code, and said that the problem was lack of respect from "the top table."

Resolved: That Members submit observations on the draft Code, prior to a final version being approved at the September meeting of the Parish Council.

07/08/160 PUBLIC DISCUSSION

- (a) Mrs. A Potter referred to the remark by Councillor Batty during the previous item about wasted time, and stressed that, as a resident with a longstanding interest in the village, the fifteen minute Public Discussion period at meetings was important to her and was a valuable use of her time. Councillor Batty replied that she had not suggested that Public Discussion was a waste of time. It was its use to pick over approved minutes that was a waste of time.
- (b) Mrs. I. E. Charman observed that the meeting had been more pleasant than recent meetings, and she stressed the need for mutual respect. She had previously felt that relationships had been deteriorating for some time. She would be happy to see the new Code of Conduct for Members of the Public Attending Council Meetings published, although she preferred to use the word "Etiquette" rather than calling the document a "Code of Conduct".
- (c) Mrs. Y. E. White said that she had been misquoted in the minutes, and had written to the Chairman about the matter. She also said that the Clerk "slagged people off" in the minutes. She wanted to know how the minutes could be corrected and how she could obtain "retribution." She said that the Clerk was a busy man, who spoke a lot at meetings, and wrote the minutes from memory. He was bound to get things wrong.

The Chairman told Mrs. White that she had responded to her letter and Mrs. White would probably receive her response the next day.

The Chairman went on to explain that the minutes were an official record of Parish Council business, and, once approved, were final. She added that it was the Parish Council that approved the minutes and that, apart from an occasional typographical, or similar, correction, the minutes had been approved on every occasion since the Clerk came into post.

Mrs. A. Wilkinson interjected to give her view that she had no faith in the accuracy of the Clerk's minutes. She gave an example of a minute in which she claimed to have been misquoted.

At that point the Clerk complained that he should not have to tolerate such attacks by members of the public. He said that there had never been any problems with his minutes over the years until trouble began in Public Discussion at a meeting of Gringley on the Hill Parish Council late in 2006 (where he was then Clerk to the Council). Such criticism was now a regular feature of Public Discussion at Misterton.

Mrs. I. E. Charman supported Mesdames White and Wilkinson, and said that she had written a letter to the Chairman raising concerns over inaccuracies in minutes and the unpleasant tone of correspondence from the Clerk. She remarked that the Clerk was taking criticism personally. She added that she actually read the minutes, whereas she said one Member had told her that he/she did not read them. Councillor Moffett reacted with indignation to this remark, and pointed out to Mrs. Charman that she, for one, read her minutes very carefully.

- (d) Mrs. I. E. Charman said that she was opposed to the use of public money to fund the suggested Chairman's and Vice-Chairman's badges of office, to which the Chairman informed her that the Parish Council had previously agreed that any such purchase would be funded by a private benefactor (Minute No. 07/08/76(c) of June, 2007).

07/08/161 PUBLIC BODIES (ADMISSION TO MEETINGS) ACT 1960

Resolved: That, in view of the confidential nature of the business about to be transacted, it is advisable in the public interest that the public be excluded, and they are requested to withdraw.

07/08/162 PACKETT INN SITE AND COMMON LAND ADJOINING

There was nothing to report.

07/08/163 DEVELOPMENT PROPOSAL

Letter was submitted from Merryvale Developments regarding the possibility of development of a site in Misterton outside the village envelope.

Resolved unanimously: That the company be informed that the Parish Council was opposed to any development outside the village envelope.

07/08/164 CLERK'S OFFICE ALLOWANCE

The Clerk left the meeting at this point.

Resolved: That the Clerk's office allowance be set at £40 per month with effect from 1st August, 2007.