

# Minutes of the ELVASTON PARISH COUNCIL MEETING HELD ON 11<sup>th</sup> March 2019 at the VILLAGE HALL, ELVASTON

**Present:** Cllrs P Bickerton (Chairman), , R Russell, M Beadle, S Spenser, P Loakes and T Mansfield.

**In Attendance:** DCllr Peter Watson, CCllr Neil Atkin, 15 residents and J Irons (clerk).

The Chairman opened the meeting by welcoming everyone.

## **PART 1 – NON-CONFIDENTIAL INFORMATION**

### **01.03.19 To receive apologies for absence:**

Cllrs R Strand (family reasons), E Beech and DCllr H Coyle. Members approved their absences.

**02.03.19 Variation of Order of Business:** item 19 was brought forward to item 4.

**03.03.19 Declaration of Members Interests:** none

### **04.03.19 To consider planning applications:**

9/2019/0183 & 0170 - LISTED BUILDING CONSENT FOR REPAIRS AND MINOR ALTERATIONS TO THE GRADE II LISTED PUMP HOUSE, AND THE ERECTION OF A REPLACEMENT WATER-WHEEL ENCLOSURE. **Resolved:** no objection

9/2019/0043 - THE ERECTION OF A DETACHED DWELLING AT 1 YEW TREE LANE THULSTON. **Resolved:** objection on the following grounds:

The development is sited adjacent to the corner of Oak Road and Broad Lane thereby creating a hazard to traffic and possibly pedestrians and cyclists. Ingress and egress of vehicles (especially builders' lorries initially) around the site is dangerous and creates risk despite the intended visibility splay. To erect another dwelling in this location is not in keeping with the area not least because it is within the greenbelt. Immediate neighbours are concerned about the overlooking aspects despite a reassurance in the Design & Access statement that this will be mitigated. The application also questions the sustainability of the rural area.

### **05.03.19 Elvaston Castle Action Group:**

Sarah Leuenberger, Chair of the Group, gave an update beginning with her disappointment over the handling of the Group's petition presentation at the County Council meeting on the 5<sup>th</sup> December and of its outcome. Hence Sarah has now lodged a formal complaint with them. The Group met Councillor Barry Lewis (Leader of Derbyshire County Council) and his colleague Mike Ashworth on Thursday 21<sup>st</sup> February to ask if any additional changes or amendments to the Master Plan can be explored and to discuss a potential community buy-out of the site to which this council had already given its support. In the 21<sup>st</sup> February meeting Sarah voiced the Group's disappointment of its treatment, responses and rebuttals from DCC at the December meeting. She questioned the Garden Trust's relationship with DCC and was told that even if the Group became a part of the Trust (by becoming a trustee) it would then only be allowed to liaise with DCC. The county council rejected the Groups' enquiry of a buy-out of the Castle claiming that it would be unsustainable. The Group has been told quite categorically that the current masterplan is going ahead and if they wish to be a part of the process or influence it, they should liaise with the Gardens Trust.

Sarah pointed out that, as a statutory consultee, the Trust was not informed of the last 4 planning applications pertaining to the Castle; DCllr Watson offered to discuss this with her soon.

Rachel Scott attended a complaint hearing on 26<sup>th</sup> February meeting also on behalf of the Group to address DCC's handling of the 5<sup>th</sup> December presentation. She was dismayed that only a 10-minute slot had been allocated to present the complaint and that a petition from 10,500 voices supporting the Group had been swiftly ignored. DCC responded saying that although it was sympathetic to the Group's cause it had followed procedure (councillors allotted speaking time etc) and the complaint is therefore dismissed.

DCllr Watson added, as alluded to in the previous parish council meeting, he will speak to SDDC's legal team regarding DCC's handling of the affair and its policies on the content of public minutes with a view to contacting the Ombudsman if necessary.

Cllr Atkin introduced a new trustee to the Gardens Trust, Sarah Oakden who gave a brief outline of her background. She is one of 4 new trustees and will (along with another new trustee David Ashton) attend future parish meetings. A trustee vacancy exists but restructuring of tenure is being addressed at present. Sarah Leuenberger asked for feedback on possible HLF funding; Sarah Oaken replied to say not as yet. The chairman thanked all concerned for their updates.

#### **06.03.19 Digital Derbyshire:**

Cllr Mansfield noticed that a new green telecoms box has been placed opposite the Harrington Arms which means fibre broadband may soon arrive locally. The clerk confirmed he had sent a timeline of events (2012 – present) together with a complaint over the delay in providing faster broadband to the leader of the county council on 19<sup>th</sup> February; no reply has been received to date.

#### **07.03.19 Councillor's Reports:**

Cllr Beadle noted that since the erection of the new village sign in Elvaston the 30mph sign has not been replaced; clerk to chase Highways. She asked Cllr Atkin whether any progress had been made over 3 accidents in 5 months on the road bend at the north end of Elvaston village. Cllr Atkin had no update but the clerk will enquire with Highways and once again request humps or chicanes to be placed on the road (which was previously refused).

Cllr Russell said the VHC need more waste bins at the hall so will ask them to complete a grant application to obtain funding. She reminded council to apply for WW1 commemoration poppies early this year as we missed out last year; clerk to contact RBL. Cllr Russell had suggested that council should seek an updated plan of registered footpaths in the area; clerk provided a link to DCC's website that should provide the information.

Cllr Loakes rues that fly-tipping continues to appear on Ambaston Lane although the Clean Team are efficient in collecting. A resident here has 500 empty hessian sacks that may be filled with sand in the event of flooding.

Cllr Mansfield was pleased to see council employing another lengthsman although she has not yet received the green waste sacks from SDDC despite clerk ordering these last month; clerk to remind.

#### **08.03.19: District and County Councillors' report:**

##### **Cllr Neil Atkin**

Cllr Atkin sent his report prior to the meeting as follows:

Week Commencing: 11th March 2019.

##### **Budget outcome**

*Derbyshire County Council budget for the next financial year was agreed at the full council meeting on Wednesday 6th February.*

*A lower than predicted council tax rise, continual investment in road improvements and targeted spending on services for vulnerable people and children has been agreed.*

*Council tax will rise by 3.99% with the bulk of the money helping to provide services for vulnerable Children, people with disabilities and older people*

*In order to balance the books council departments need to save £13.4 million next year (2019 – 20) and the budget report sets out plans to achieve this.*

*An extra £8.4m has been awarded to DCC by the department of transport. The money which is on top of the £36m the council is already investing in roads this year will be spent on fixing potholes, fixing drains, resurfacing country lanes and building retaining walls.*

*Overall Band D Council Tax (per year)*

*South Derbyshire District Council has approved an increase of 1.95% - £3.10*

*Derbyshire County Council has approved an increase of 3.99% - £50.76*

*Police & Crime Commissioner for Derbyshire has approved an increase of 12.46% - £24.00*

*Derbyshire Fire & Rescue has approved an increase of 1.98% - £1.48p*

*Total approved increase 4.76% - £79.34.*

##### **East Midlands Airport independent consultative Committee (ICC)**

*The committee held their meeting on Friday 15th February amongst the agenda items for discussion*

- *Managing Directors Report*

*Passenger volumes for the full year are expected to land broadly in line with the previous period. A total of 4.9m passengers are forecasted for the twelve months to 31st March 2019*

*For Summer 2019 new routes have been secured with TUI to Santorini in Greece, Faro in Portugal and JET2.Com entering the Bulgarian market by providing additional flights to Bourgas. Ryanair are to provide a twice weekly link to Shannon being an important link for Jaguar Landrover.*

*Over the coming weeks, we hope to have further clarity on the EU & UK proposals for access rights. Including various EU –exit scenarios.*

*Cargo growth has slowed slightly, with volumes up 2.3% in January 2019 vs January 2018 Current 12 month flown cargo throughput stands at 365,000 tonnes. The value of goods shipped to and from non-EU countries continue to grow, with 12 months to November 2018 totalling 10.3bn – an increase of £450m.*

*New for this summer EMA have opened a Mediterranean tapas restaurant in the departure lounge and other new units, Greggs and JD Sports are proving popular with travellers.*

*With Brexit EMA continue to monitor both operational and strategic level working closely with logistical partners on site. Contingency plans for operational disruption are in place in the event of a no deal, the most affected areas are namely shipping of goods are out of the hands of the airport itself.*

- *The EU announced before Christmas that flights will continue uninterrupted between the UK and the EU whether there is a Brexit deal or not, so people can book this summer's trips with confidence.*

- *Aviation Strategy*

*In December 2018 the Government published its draft Aviation Strategy for consultation (<https://www.gov.uk/government/consultation/aviation-2050-the-future-of-uk-aviation>)*

*The public consultation closes on 11th April 2019. The draft strategy is wide ranging and it considers issues that are as diverse as safety, technology, regional connectivity and overall passenger experience and it recognises the role of airports outside the South East in providing Global connectivity. Considerable emphasis on enabling the sustainable growth of the UK industry and predicted managed effective actions to mitigate and manage environmental impacts. It covers the importance of surface access to airports and the development of improved road & Public transport connections.*

*EMA are currently reviewing the Aviation 2050 consultation documents and preparing a response to Government.*

- *Parking Enforcement proposal at EMA.*

*A verbal report was presented to the ICC Committee outlining proposals to be considered by NW Leicestershire Council and EMA on traffic enforcement within the airport boundary known as "Red Routes" (Double red Lines). The plan is to enforce no stopping along identified red routes. This is to stop people dropping & picking up passengers outside of the designated areas compromising visitor safety and the blocking of the highway, in particular the area around the BP Garage*

*In addition to the above proposals EMA have received complaints regarding Taxi's and a rise in Fly-Parking in local communities surrounding the airport. Discussions will follow with NW Leicestershire District Council and Leicestershire Constabulary to look at this problem.*

*Licenced Taxi drivers and visitors do have free parking available in one of the long stay car parks at the rear of the Departure Hall*

- *E-Gate & Immigration Hall update*

*EMA have been developing a programme to develop and improve the experience for passengers using the terminal facilities. Plans are underway to construct an extension to the Immigration hall and will provide five more E-Gates and more floor space and to prevent no queuing outside at the busiest of times.*

*This new facility should make this building fit for purpose until year 2040 fully staffed to cope with up to a 10m passenger throughput.*

- *Planning*

Work on the new UPS building continues, and the main steelwork is now being erected. The building is due to be completed later in the summer and following equipment installation it will become operational in early 2020  
Infinity Park & A50 Link Growth Zone

A consultation was launched on the new proposal to link the A50 to the Infinity Park at Stenson Fields Library on the 28th February, 154 people attended the event

An exhibition was also held at Barrow village Hall on Monday 4th March 2019 which was attended by 40 people

A planning application will be submitted later this year for the link road to both Derbyshire County Council and Derby City for approval to seek Government Infrastructure funding of approx. £20 million supported by funding from 106 agreements for the extended Nature reserve.

Once it has been approved the timeframe for the infrastructure works is planned potentially for June/July next year. This is not to be confused with the wider planning proposal for the Infinity Park to include the potential Commercial and Residential & Secondary Education aspects of the application which at present is still under discussion with all interested parties.

The closing date for comments was Sunday 10th March.

[www.derbyshire.gov.uk/newa50junction](http://www.derbyshire.gov.uk/newa50junction).

Or post: Pegasus Group 4 The Courtyard Church Street Lockington DE74 2SL

### **Weight Limits**

You may have seen press reports recently highlighting the issues around the current weight limits especially Swarkestone Bridge. Trading Standards have alerted a local Parish Council recently after a report of an overweight vehicle breaching a seven & half tonne limit and the response was as followed:

Kim Percival – Trading Standards wrote:

“I have verified that this vehicle has a maximum gross weight of 18 tonnes.

Under our current compliance Policy we only take formal action in respect of vehicles in excess of 4 times the limit (30 tonnes)

However, details of this incident will be logged against both the location and the operator in cases of further breaches by the company”

Since this report has become a public issue local County Councillors are making further enquiries at this time to establish facts.

NOTE: This issue covers all weight limits across the County of Derbyshire.

### **New Primary School**

On 14th March 2019 a report submitted by the Strategic Director Commissioning, Communities and Policy will be presented to the Cabinet.

Purpose of the report is for approval to be sought to acquire a new school constructed by a housing developer under a section 106 agreement and to subsequently grant a 125 year lease of the school to an Academy Trust.

The South Derbyshire District Council Local Plan has provided for the construction of 663 houses on sites at Swarkestone Road, Holmleigh Way and Woodlands farm in Chellaston. An assessment of pupil projections indicates that the housing will generate 133 additional primary pupils.

Chellaston Fields Spencer Academy is anticipated to open in September 2019 and on completion will have places for 210 boys and girls aged from 5yrs to 7yrs old

### **Cavendish Bridge – River Trent, Shardlow**

Shardlow Parish Council recently requested and asked if it is possible to restore the bridge over the River Trent to two way traffic and the removal of traffic signals as problems have emerged when there is an emergency closure of the A50 on one carriageway or both in some cases resulting in Junction one being gridlocked, with long delays in Sawley, Castle Donington & the A6 in Shardlow.

As the Boundary between NW Leicestershire & Derbyshire is in the centre of the River it has since transpired that the maintenance responsibility of the bridge is with NW Leicestershire.

#### **Background**

The bridge was built in 1957 and was the responsibility of highways England (Formally the Highways Agency) until 2004, when the route was de-trunked and responsibility transferred to Leicestershire County Council. It is a complex structure, comprising three spans of 94m total distance and utilising post-tensioned wires as a key part of its structural design. It also has service troughs on each side which provide an inherent weakness in this type of structure.

*Prior to the proposed transfer, a detailed inspection revealed that the bridge had experienced some failure of the wires, leading to concern about the bridge's load carrying capacity. The current arrangement of single-lane traffic flow under traffic signal control was introduced in 1998 – this had the effect of removing a significant element of live loading from the bridge's ongoing capability.*

*To fully understand how NW Leicestershire got here and what options, if any are available for discussion and the review indicates there is a potential to re-open the bridge to full traffic, there is also an extensive archive of reports, inspections and calculations that would need to be reviewed prior to holding a meeting with Shardlow Parish Council and local County Councillors plus other interested parties.*

*With the present workload outlined in the previous paragraph it is suggested a meeting can be arranged for mid – May.*

*Response was provided by Chris Waterfield I.Eng MICE, Team manager (Structures & Street Lighting), Leicestershire County Council.*

Cllr Beadle asked about the provision of secondary schools; Cllr Atkin has no news at present but perhaps will have at year-end.

#### **DCllr Peter Watson.**

1. DCllr Watson announced that due to the increase in fly-tipping the Clean Team has employed more collectors.
2. Litter bins may only be placed on the BM development once the area is under public ownership, until then they are the responsibility of the developer. Clerk to ask Persimmon and to chase Royal Mail for a reply over council's recent letter-box installation enquiry.
3. DCllr Watson has arranged a meeting at the end-March with Derby City Council over the OCOR's phases 1 & 2. Two residents from Elvaston may attend therefore he will ask Kevin Birch if he wishes to be present.
4. The Persimmon liaison meeting will be held in this village hall at 6.15pm before the May annual parish council meeting on 13<sup>th</sup>.
5. The race track meeting on 20<sup>th</sup> February heard few complaints from residents (including those at Weston) over noise meaning the track is acting responsibly in this regard.
6. DCllr Watson will highlight the concerns of residents to SDDC's planning committee over the planning application 9/2019/0043.
7. DCllr Watson reiterated that he was dismayed at the treatment of the Elvaston Castle Action Group by DCC at recent meetings and that he will ask district council's legal team about the possibility of complaining to the Ombudsman.

**09.03.19 Website Maintenance:** clerk is unable to update minutes & agendas at this time due to a change in the site's page format; Cllr Mansfield kindly offered to contact the clerk later this week to explain the procedure.

#### **10.03.19 Elvaston Communities Group:**

Eve Wilson reported that the Group's AGM had been held last Thursday although attendance was poor. The Group raised £1000 for 2 charities through its events last year (Treetops Hospice and Derby Home Start); however this year all money raised will be contributed to the latter. This year's events programme has been set. A bingo night will be held on Friday night at 6.30pm in the village hall; and a quiz night is booked for 17<sup>th</sup> March at the Harrington Arms. The Group has mowed grass in the churchyard and planted wild flowers. The sensory garden's water pump will be reinstated. Summer flowers will be added to the village sign planters; Cllr Beadle reminded Eve that she has 2 planters at her house that can be placed in the village. The Group met the cricket club last Monday to discuss shared facilities.

#### **11.03.19 Public Speaking:**

A resident is pleased to see Brook Road and Grove Close resurfaced but is critical a lack of white lines; clerk to ask Highways.

Another resident highlighted a fallen fence on Snelsmoor Lane, opposite Bluebell Grange. The chairman will take photos and send to the clerk who can then enquire with Persimmon.

**12.03.19** Cllr Mansfield left the meeting at 9pm.

**13.03.19 To approve the minutes of the Parish Council Meeting held on 11<sup>th</sup> February 2019:** these were approved as a true record and signed by the Chairman (pp Cllr Beadle and seconded Cllr Russell).

**14.03.19 Boulton Moor Housing:** nothing further to report.

**15.03.19 Flooding and Gravel:** nothing to report.

**16.03.19 Police Report:** the police website has not been updated for January therefore nothing to report. The latest content can be found at <https://www.police.uk/derbyshire/SS03/crime/>.

**17.03.19 Chairman's Report:** the chairman is pleased to announce the employment of another lengthsman who will collect litter in the rural ward. He reminded members of the Persimmon liaison meeting at 6.15pm on 13<sup>th</sup> May.

**18.03.19 Matters for Decision or Discussion:**

1. Car parking issues. The clerk asked DCC again last week to be told it has not yet decided about painting yellow lines on roads around the village.
2. Bridge between Pool Close and Field Lane. **Resolved:** to be raised at the Persimmon liaison meeting in May.
3. To consider the quotes for installing steps on the village green. SDDC's contractors need sufficient room (6 feet) for its grass mowers to access the green. Cllrs Russell has inspected and gave a view. **Resolved:** held over to the next meeting.
4. To consider quotes for trimming of the green and removal of the hawthorn tree. **Resolved:** to hire one contractor for removing the tree and another contractor to tidy the green.
5. New 'welcome' sign at Colwell Drive. Clerk once again reminded and awaits County Council's inspectors' further assessment of the site.
6. Online banking. **Resolved:** Those 2 members present that needed to sign the bank mandate did so.
7. To consider receipts for reimbursement from the Elvaston Castle Action Group. **Resolved:** approved.
8. To consider a grant application from the Communities Group under s137. **Resolved:** approved (pp Cllr Russell, seconded Cllr Spenser).
9. Outcome of the creation of a cricket club committee. **Resolved:** held over to the next meeting.
10. Training courses and a bespoke course on s106 matters. **Resolved:** clerk booked 5 members on the Councillor Training session scheduled on 3<sup>rd</sup> June; and will ask DALC to arrange a bespoke s106 course with a designated expert. s106 course.

**19.03.19 Clerk's Report:**

1. SDDC's reply over the missing bus shelter on the A6 reads: *'we will have to look at possible funding in the new financial year. We have contacted the Police but they haven't been able to produce any information regarding a road traffic accident. We have looked at going through our insurers but it would appear that none of the shelters are insured. We are only responsible for the maintenance and repair although it looks like we are going to have to resolve the replacement. We did look at the possible movement of another redundant bus shelter but have now been told that we cannot do this*

*Sorry if this doesn't answer your question but it will now take a bit of time to source the funding as we will be approaching DCC'.*

2. EMA's reply over its proposals to implement parking and waiting enforcements:

*The recent Independent Consultative Committee (ICC) meeting allowed us to consult members about an airport proposal to manage the serious health and safety issues experienced around our site, particularly around the BP garage area, caused by illegal parking and stopping as a result of passengers being picked up and dropped off in uncontrolled areas.*

*The proposal includes making all airport roads enforceable 'red routes', introducing appropriate signage, and relocating and relaunching our existing free parking offer for pickups and drop offs to an area closer to the terminal. We also propose to work with Leicestershire County Council to share with them the work we are doing, and to make them aware the concerns of local residents about parking around the site in the areas outside of our control.*

*We have operated a free parking provision for many years, ever since introducing charges in our short stay car park for pick up and drop off. This is up to an hour of free parking in Long Stay 1, which a free coach shuttle to the terminal building (see details on our web site here <https://www.eastmidlandsairport.com/parking/pick-up-and-drop-off/>) However we intend to relaunch our free parking provision with local taxi services to ensure they are fully aware of the facility. We are aware that taxis cause significant nuisance in our local villages, as they choose to use local village lanes and laybys to wait for their airport*

