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## **Grobby Parish Council**

Minutes of a Meeting of Grobby Parish Council held at 7.00pm on  
Monday 5 November 2007 at the Parish Council Chamber, Leicester Road, Grobby

**Prior to the commencement of the meeting the Chairman informed those present of the death of former Councillor Schelhorn.**

**The Council and all others present observed a minutes silence and stood in silent tribute to former Councillor Schelhorn.**

### **The meeting convened for business at 7.03pm**

#### **Cou/191/07-08 Present**

Members: Cllr Batty (Chair), Cllr Purves, Cllr Beck, Cllr Cartwright, , Cllr Hodges, Cllr Hollick, Cllr Jones, Cllr Marvin, Cllr J Smith and Cllr L Smith.

#### **Cou/192/07-08 Apologies for Absence**

Cllr Emmerson, Cllr Lindsay, Cllr Yarwood and PC Kelly.

Councillor Batty informed the Council of the sudden death of Councillor Lindsay's husband and it was felt appropriate that the Council should rise to mark his passing.

**The Council and all others present observed a minutes silence and stood in silent tribute to Mr Lindsay.**

The Council **RESOLVED** that this would be future practice for members of the Council who suffered a bereavement. In this instance and in all future ones a card from the Council would be sent and that personal donations from Councillors, if appropriate, would be collected by the Clerk.

#### **Cou/193/07-08 Declarations of Interest**

Cllr Batty – Any matters relating to Hinckley & Bosworth Borough Council as Grobby Ward Borough Councillor, a prejudicial interest in item 15 and a personal interest in item of correspondence 17213.

Cllr Beck – Personal interest in Items 16 and 19, Payment of Accounts (Grobby in Bloom) and the Druck Lease.

Cllr Cartwright - Personal Interest as Chairman of the Grobby Parish Plan Project, Personal Interest as Secretary, Grobby Neighbourhood Watch and Committee Member of the Leicestershire and Rutland County Neighbourhood Watch Association, all items on the Agenda as HBBC Grobby Ward Borough Councillor, Personal Interest in the Grobby Parish Plan Project and would remain in the room during discussion but would not take part in any vote on it.

Cllr Hollick – as a member of Grobby Village Hall Management Committee.

Cllr Hodges – Personal interest in Public Open Spaces specifically Stamford Drive

Cllr Purves – Personal interest in Payment of Accounts (Grobby in Bloom) and Bradgate Landfill Site

Cllr J Smith – Personal interest in the Druck Lease.

#### **Cou/194/07-08 Minutes**

**RESOLVED** that the minutes of the meeting held on 15 October 2007 be accepted and signed as true record subject to the following amendments. Councillor L Smith abstained from the vote as he had not been present at the meeting.

**Cou/176/07-08** - The date of the minutes being amended from 17 September 2007 to 1 October 2007

**Cou/181/07-08 – Payment of Accounts**

Include “Councillor Purves declared a personal interest in this item.

**Cou/183/07-08 – Councillors Allowance and Expenses Scheme**

Amend “to pay” to “accept”. Include after 2<sup>nd</sup> Paragraph “Councillor Batty stated that he would not be claiming the Chairman’s Allowance.”

*Check tape re annual review of Chairman’s Allowance.*

**Cou/190/07-08** – Delete the first “The meeting closed at 10.10pm”

**RESOLVED** that the minutes of the Closed Session held on 15 October 2007 be accepted and signed as true record subject to the following amendment. Councillor L Smith abstained from the vote as he had not been present at the meeting.

The date of the minutes being amended to 1 October 2007

The amendment of “Holiday Protocol” to “Holiday Policy”

**Cou/195/07-08 Matters Arising**

**Cou/178/07-08 (ii) – Quarry Park**

The additional work on the steps would be completed within the next week, the handrails would also be repositioned and a continuous top handrail installed.

**Cou/178/07-08 (v) – Markfield, Ratby and Groby Community Forum – Change of Date**

Members were reminded of the meeting that was taking place on Wednesday 7 November at 7.30pm in the E-learning room at Groby Community College.

*At 7.30pm the Chairman suspended Standing Orders and adjourned the meeting for a period not exceeding thirty minutes to receive reports from representatives of outside bodies and to include a short period of Public Participation not exceeding 15 minutes.*

**Cou/196/07-08 Police Report**

In PC Kelly’s absence Councillor Cartwright provided an update and the Crime Figures for October 2007.

	Groby
House Burglaries (Attempted)	0
House Burglaries (Actual)	1
Garages, Sheds & Out Building Burglaries (Attempted)	0
Garages, Sheds & Out Building Burglaries (Actual)	3
Theft of Motor Vehicle	0
Theft From Motor Vehicle	3
Damage to Motor Vehicle	5
Non-Domestic Assaults	6
Domestic Assaults	0
Robbery	0
Crimes That Don’t Affect Residents	9
<b>Total Groby Crime Figures</b>	<b>27</b>

A male had been interviewed in relation to a number of thefts on Leicester Road and the damage to motor vehicles were thought to be as a result of parking issues relating to a local company. Over the Halloween period eggs and flour had been removed from supermarkets and only one incident had been reported, there had been an increase in Police presence during the night of Halloween itself.

**Cou/197/07-08 County Councillor Report**

County Councillors Sprason had provided a written report that had been distributed to Councillors and were available to those members of the public present at the meeting. Mr Sprason asked if it were possible to have the names of other local residents that had expressed concerns over the issue of school transport to South Charnwood High School. The Chairman undertook in consultation with the Clerk to provide a list of names and addresses so that residents could be kept up to date on the matter by the County Council. The issue would be debated further once all the responses to the Parish Council letters

on the subject had been received and local residents had been consulted on them.

**Cou/198/07-08 Borough Councillors Report**

A Borough Councillors written report had been provided and had been distributed to Councillors and those members of the public present at the meeting.

**Cou/199/07-08 Public Participation**

A resident asked a question in respect of the continuing presence of travellers in the area. Councillor Batty commented that in respect of activity at the Klondyke representatives of the Borough Council would be attending the Council meeting on 19 November 2007 to discuss the current situation.

The issue of a number of horses in a field that were restricting access to a footpath. As this matter was not on the agenda the Council agreed to suspend Standing Orders to allow the parishioner to express her concerns. The footpath led from Ratby to Groby Community College and 15 horses had been placed in the field and were restricting access and compromising walkers' safety. The Council agreed to refer the matter to County Councillor Mr Fraser and to the Footpaths Section at County Hall.

Information on the progress of the LDF documents and consultation was requested. Councillor Cartwright commented that the draft site consultations had been completed and no land within Groby had been allocated. The consultation consisted of a number of documents one of which, Shops and Shop Fronts, had been adopted. A judicial review of any of the adopted documents can be sought within 30 days of their adoption. It was commented that the consultation period had received poor publicity, however it was considered that once the preferred options had been published the public should be encouraged to comment as there would be firm proposals and publicity should be increased with the Parish Council playing its part.

*At 8.04pm the Chairman re-instated Standing Orders and re-convened the meeting*

**Cou/200/07-08 Clerks Report**

- (i) M1 Corridor Gas Alliance  
Paul Lynch from the M1 Gas Alliance has visited the area concerned with the Clerk and the outstanding problems along with those encountered whilst the work was being undertaken were highlighted. The same day remedial work had been undertaken on grassed areas, spacings between kerbs had been filled and damage to a wall was rectified. A written apology for the inconvenience had been caused and a donation to the Groby In Bloom Fund would be made.
- (ii) Druck Lease  
The Clerk needed to provide the Council with an update following the meeting with Harvey Ingram but due to ongoing preparations for the lease this would need to take place in closed session.
- (iii) Union Recognition  
This would need to be discussed in closed session as it was a staffing matter.
- (iv) Fencing for car park at Quarry Field  
The quote for the provision of fencing at Sycamore car park had been located as a guide for proving fencing for the car park at Quarry Field. The quote was £1385 however this would have increased due to the rise in timber prices over the previous year. The surface on the car park would need to be considered and a decision made as to its treatment.
- (v) Dog Bins  
A number of Dog Waste bins had been vandalised over the previous week and the Clerk sought authority to replace them at the most competitive price.  
**RESOLVED** to authorise the Clerk to replace the bins up to a value of £1500 but that any quote should be the most economical.
- (vi) Christmas Festivities  
The Parish Council has received a £50 donation from Hinckley and Bosworth Borough Council towards the provision of Christmas Festivities. The Clerk asked the Council if it wished to continue with the usual arrangements for the lights on the tree at the Stamford Arms and for the Ratby Band to attend the carol service.

After a wide ranging discussion it was proposed by Councillor Hodges and seconded by

Councillor Beck that the existing arrangements should continue for 2007 but that it should be ascertained whether the tree would be overpowered/obscured by the provision of the proposed smoking shelter and that an alternative location for the tree for years subsequent to this be investigated.

It was **RESOLVED** to contact the Stamford Arms in relation to whether the tree would be obscured/overpowered by the new smoking shelter and continue with the existing arrangements for 2007 and that an alternative location for the tree for years subsequent to this be investigated

(vii) Advice on Possible Action with Regard to Previous Actions in respect of the Fencing Covenant at Markfield Road

Advice has been sought from the Legal helpline associated with the Council's Insurance Policy concerning whether the Council's legal expenses would be covered in respect of such an action. The advisor had confirmed that the Council had cover up to £100,000 and that to proceed with such a case a chronology of events, a record of the amount of money expended and the names of those involved in the resolutions should be produced for handing to the Police for an investigation to be undertaken. Once the matter has been concluded and the Council has paid Harvey Ingram's fees the file will be immediately released.

(viii) Office Security

The Council was anxious to undertake the security work to the Parish Council offices to improve safety for both staff and members. Councillor Cartwright stated that three quotes had been sought, one of which had been dismissed and the two had been investigated. Company A had amended its quotation however Company B had on further investigated not met any of the criteria.

It was proposed by Councillor Hodges and seconded by Councillor Jones that the quote from Company A be accepted.

It was **RESOLVED** that the quotation from Company A be accepted and the work be proceeded with, the Village Hall Committee to be informed of the work due to be undertaken.

(ix) Radio Antenna

It had come to the Clerks attention that two radio antennae, approximately 40ft high, had been erected in Hawthorne Rise and that no planning permission had been sought. It was noted that the matter had been referred to the Enforcement Team at the Borough Council. The Council supported the position regarding the taking of enforcement action.

(x) Code of Conduct

An issue with regards to the Code of Conduct previously adopted by the Council had come to light in that Councillors had, under paragraph 12(2) of the Code, the right to make representation, answer question and give evidence like a member of the public where they had a prejudicial interest provided that the public are also allowed to attend the meeting for the same purpose, whether under a statutory right or otherwise.

Further clarification was being sought from the Monitoring Officer and would be brought to members attention.

**Cou/201/07-08 Planning and Development Committee – 3 November 2007**

Councillor Purves, Chair of the Planning and Development Committee presented the minutes of the meeting held on 3 November 2007. The Council noted the following comments made in respect of recently received planning applications.

- a. 07/01168/FUL 10 Pymm Ley Close  
Objection as it appears the extension is over 3 metres therefore against the supplementary planning guidelines

**RESOLVED** having been proposed by Councillor L Smith and seconded by Councillor Hodges that the above comments be submitted to Hinckley and Bosworth Borough Council and that the minutes of the Planning and Development Committee be approved.

**Cou/202/07-08 Payment of Accounts**

It was proposed by Councillor Cartwright and seconded by Councillor L Smith that the payment of accounts schedule be approved.

Councillors Beck and Purves declared a personal interest in respect of this item.

HBBC	Office & Cemetery Rates	256.00
Groby Village Hall	Rent £600.00 / Electric £122.78 / Heating £42.91 Water £10.00	775.69
Wildwood Landscape Machinery Ltd	Repair Etesia Mower Investigate fault on old hedge cutter Hedge Cutter purchase	442.98
Y B Sherratt	Chamber & Office cleaning x 2	36.00
R Simpson	Working party & Clerking costs	670.00
S.F.B Mobile Tyre Service	Repair puncture x 2	18.80
S Beck	Groby in Bloom	15.03
ESPO	Groby in Bloom - £70.22 (Hi-vis jackets) Stationery - £53.54	123.76
Henton & Chattell Ltd	Belt for John Deere	42.04
WHA Ltd	Agricultural Ins	434.45
P Barratt	Groby in Bloom plants	329.60
George Walker Ltd	Replacement fencing	31.77
MAP Waste	Waste Collection x 4	44.42
Konica Minolta	Photocopies	15.25
Public Works Loans Account	Principal and interest	1914.84
		<b>£22,958.27</b>

**RESOLVED** to approve the payment of accounts Schedule as set out above.

**Cou/203/07-08 The Old Hall**

*At 8.43pm the Chairman suspended Standing Orders to allow public participation.*

At the Parish Council meeting on 15 October 2007 the Council expressed its continued concern in relation to the Old Hall and it was agreed that the matter should be discussed at a future meeting.

Former Councillor Halliday one of Trustees of the Old Hall addressed the meeting and informed Councillors of the current situation with regards to meetings between the Trustees and the owners' Estate Agents where it had been stated that there was a better chance of selling the Old Hall if it formed a package with the Tower. The Trustees had said they would not agree to this taking place.

The Council again expressed its concerns regarding the dilapidated state of the Old Hall and the vandalism it suffered and stated that it did not want it lost to the village of Groby altogether. A discussion ensued as to how the Parish Council could exert its influence and support was expressed for any group that could preserve the Old Hall for future generations.

It was **RESOLVED** after being proposed by Councillor Hollick and seconded by Councillor Marvin that the Parish Council:

- (i) write to the owners and Estate Agents with regard to the noticeable deterioration to and vulnerability to vandalism of the Old Hall;

- (ii) contact the Conservation Officer at Hinckley and Bosworth Borough Council Conservation Officer stating that the Parish Council felt that the Borough Council was not undertaking its responsibility to protect and safeguarded a listed building in a conservation area;
- (iii) make representations to English Heritage to upgrade the listing to Grade 1 status in accordance with its historical interest.

*At 9.08pm the Chairman re-instated Standing Orders and re-convened the meeting*

**Cou/204/07-08 Appointments to Committees/Working Parties**

The Clerk had previously circulated a report concerning current vacancies on Committees and Working Parties and suggested that the Council may wish to fill the current vacancies on the Planning and Development Committee but leave the other vacancies open until the Parish Council elections had taken place to ensure that every vacancy was open to all.

It was **RESOLVED** to appoint Councillors Beck and S Jones to the Planning and Development Committee and fill the remaining vacancies once the Parish Council elections had been held.

**Cou/205/07-08 Hedge Cutting**

Concern had been expressed with regard to the recent hedge cutting that had been undertaken by flailing and whether a different method should be considered for the cut in 2008.

It was **RESOLVED** that the Clerk should investigate the use of another form of machine to undertake future hedge cuts and obtain information on the cost implications.

**Cou/206/07-08 Tree Maintenance Policy**

The number of complaints referred to the Council by residents concerning works to trees near their properties had continued to increase over the summer months. The Parish Council had a structured Tree Inspection and Management agreement with Leicestershire County Council and largely relied on the content of regular inspection reports from them, however some of this advice had been questioned and the Council required a Policy to be put in place that allowed for further scrutiny/examination of complaints or concerns raised by residents.

It was **RESOLVED** to adopt the following as the Parish Council's Tree Maintenance Policy:

- (i) Groby Parish Council to continue with the contract with Leicestershire County Council, inspections of the wooded areas and general trees in the ownership of the Council to be reviewed on a 3 year rolling inspection programme and an annual budget to be set to address works identified by our Consultants.
- (ii) Complaints to be compared in the first instance with current expert inspection reports and the Council to respond in accordance with the recommendations of that report.
- (iii) Once the Parish Council has responded in accordance with the recommendations in the current expert inspection report and that recommendation is "No Action Required" the Parish Council will be consider the matter closed unless a further request is submitted in accordance with (iv) below.
- (iv) To avoid vexatious complaints at the cost of the Council Tax payer, individual inspections will be commissioned from the County Council where the complainant does not accept the evidence of our report. However, before any individual report is commissioned the complainant must accompany their complaint and request for an updated report with a deposit of £100 which will only be refunded if the complaint is proven to be materially correct in that urgent or non routine works that have not been identified in our report are found to be required in that particular instance.
- (v) Councillors will not be required to carry our future inspections as this is beyond our area of expertise and could potentially place Councillors at risk or the Council in a position of potential liability resulting from a Councillor's involvement.
- (vi) Non emergency tree works will not be carried out other than in the period of late Autumn/Early Winter or in accordance with a recommended management scheme.

- (vii) Where complaints are received that relate to trees or bushes that form part of an approved development planting scheme, the complaint will be referred in the first instance to the Borough Council Planning Department for comment.

**Cou/207/07-08 Data Protection Act**

The Clerk informed the Council of the requirements for registration under the Data Protection Act and advised Councillors to follow the step by step guide to ascertain whether registration was required.

It was **RESOLVED** after being proposed by Councillor Cartwright and seconded by Councillor L Smith that the Parish Council should enter into a blanket registration for all Councillors present and future that fall into the restrictions and that the registration fee should be borne by the Council.

**Cou/208/07-08 Parish Plan Project**

Councillor Cartwright informed the Council that the Plan had been adopted by the previous Parish Council and that the Parish Plan Project was now awaiting a response with regards to what in the Plan could be done by them. A Working Group had previously been established to look at the issue and it was felt that this should be re-established.

It was **RESOLVED** that the appointment of the Working Group be left until after the Parish Council elections in accordance with minute Cou/204/07-08 above.

**Cou/209/07-08 Fencing Covenant**

Councillor Batty left the room during the consideration of this item and Councillor Purves took the Chair.

In accordance with the decision made at the meeting on 15 October 2007 (Minute Cou/187/07-08), Standing Order 36 was suspended during the consideration of this item

The Clerk had previously circulated a report concerning the matter and the Council was asked for decision in respect of the offer made by Freeth Cartwright on behalf of Mr Yarwood to make an offer in full and final settlement of his claim in the total sum of £3,000 inclusive of VAT.

It was proposed by Councillor J Smith and seconded by Councillor Hodges to make an offer of £3,000 inclusive of VAT to Mr Yarwood in full and final settlement of his claim.

It was **RESOLVED** by 6 votes for, 2 against (Councillors Jones and Hollick) with 1 abstention to make an offer of £3,000 inclusive of VAT to Mr Yarwood in full and final settlement of his claim.

**Cou/210/07-08 Correspondence**

17204 - HBBC – Investigation into probable landfill sites

Respond to the Borough Council that the Parish Council can confirm that it has no information on record and that Ratby Parish Council may have information on the site in question or an article in the “Spotlight” may elicit the information required.

17208 – Leicestershire Fire and Rescue Service – “Our Plan 2008 – 2011”

That the consultation be passed to the Planning and Development Committee for response.

17212 – Taylor Wimpey – Street Naming Newtown Linford Lane

The Council suggested the alternative name of “Motte View” and that this be communicated to Taylor Wimpey

17215 – Leicestershire Constabulary – Neighbourhood Policing Strategy

That Councillor Cartwright be appointed with the appointment of the second member being left until after the Parish Council elections in accordance with minute Cou/204/07-08 above. Councillor Batty be appointed as the second representative if no other member was appointed.

17219 – HBBC – Contribution to Rural Christmas Festivities

This item was discussed under the Clerks Report Cou/200/07-08 (vi).

17220 – John F Collins – Negotiations with Scouts

The Clerk to respond in the follow terms - that Mr Collins be informed that the matter has previous been raised by the Parish Council with the Environmental Health Department and it had given the area a clean

bill of health and the Council's insurers had been happy with the report. The Parish Council had discharged its responsibilities following the raising of the issue. The meetings with the Scout Group were to be held in accordance with the resolution of the Council and were exploratory discussions but as yet no such meetings had taken place.

**Cou/211/07-08 Bradgate Landfill Site**

Councillor Batty informed the meeting that a further request had been sent to Mr Fraser for a detailed report concerning Bradgate Landfill Site but that no response had been received. There was no alternative but to defer consideration of the item to give Mr Fraser a final chance to attend a meeting of the Parish Council. It was noted that at the next meeting of the Landfill Liaison Committee on 14 November a new Chairman may be elected. Mention was also made of the leaflet published and distributed by WRG.

**Cou/212/07-08 Date of Next Meeting**

19 November 2007 as per the previously agreed schedule

*Members of the public left the meeting at 10pm and the Council moved into closed session.*

*At 10pm the Chairman moved Standing Order 82 to allow the meeting to continue for a further 10 minutes.*

The meeting closed at 10.10pm.

Signed .....

Chairman

Date .....

## **Closed Session of the meeting held on 5 November 2007**

### **Approval of Memorial**

The Council considered the details of a memorial to be erected in the Cemetery and **RESOLVED** to approve the design subject to there being no sharp edges.

### **Union Recognition**

The Council **RESOLVED** to confirm that it did not have a formal union recognition agreement.

### **Druck Lease**

The Council discussed the current issues concerning the Druck lease but due to the allotted meeting time expiring no decision was made in respect of the matter.

The meeting closed at 10.10pm

Signed .....  
Chairman

Date .....