

## LINBY PARISH COUNCIL

### Minutes of the Council Meeting held on Monday 7<sup>th</sup> September commencing at 7:30pm The meeting was held remotely via Zoom (remote meeting platform)

**Present:** Cllrs D Ireland (Chair), C Hardstaff (Vice-Chair), S Molsom, E Tunstall, W Lewis, C Harrison, and L Gretton (Clerk). Cllr C Barnfather (NCC, GBC) and 1 parishioner

#### **1.0 Apologies for Absence**

Cllrs S Murray and Smith (GBC)

#### **2.0 Declarations of Personal and Prejudicial Interests**

Cllr C Hardstaff – Top Wighay

#### **3.0 Approval of the minutes from the last meeting**

The minutes of the July meeting were approved by the Council. It was agreed the minutes will be signed at the next face-to-face meeting.

#### **4.0 Matters arising**

##### **4.1 Flooding issues near the Heritage Centre**

A resident advised that a neighbour has put in a bridge over the stream outside their house so that any flood water will be diverted from their property onto the road. Their concern is that this is going to push the flood water back and create a greater volume of water running down the road, and at a faster pace. The resident advised the flood water has already eroded and potholed the road. The flood water pools at the bottom of the road making access for vehicles impossible. This is the only access to properties here and the road damage will be exacerbated by the modifications making it more difficult to access driveways.

Cllr Ireland advised the bridge is built within the perimeter of the residents land so there is little the Parish Council can do in this instance. She advised the most recent floods impacted badly on the home and that the resident is trying to protect their property. Cllr Ireland commented the Parish Council would like to properly repair and restore all the unadopted roads in the parish and cobble the road up to the Heritage Centre, but unfortunately the PC are not financially in a position to do this. She advised as and when the Top Wighay development is brought forward and CIL money starts to generate they will then be in a position to look at these areas. In the meantime, the Parish Council will look at filling the potholes.

Cllr Lewis advised of two meetings with NCC Flood Team and Highways regarding the collapsed Culverts. He advised the issue is that some of the areas are unadopted and no one will take responsibility for them. Unfortunately, Paula Johnson at Highways did not attend the last meeting as he had intended to show her the road near the Heritage Centre. Cllr Barnfather advised NCC will not take responsibility for the unadopted road. He advised he will contact Paula Johnson when she returns from holiday to rearrange a meeting to discuss the culverts and try to move things forward.

#### **5.0 Open Forum**

None

#### **6.0 Antisocial Behaviour in the village**

The Parish Council discussed the recent issues with antisocial behaviour in the village including the damage to the benches at the Heritage Centre, graffiti at the Church and the recent arson attack on Quarry Lane. The Clerk has contacted the Police about all the incidents. Police Inspector Chris Pearson and his team are looking at several proposals including increasing patrols, police signage and CCTV. Cllr Molsom commented on the new graffiti on the bridge on the Linby Trail. A resident advised since the police have stopped monitoring the Linby Trail, there has been an increase in mopeds, mainly at a weekend.

#### **7.0 Traffic & Road Safety**

None

### **8.0 CIL Update / Projects**

Cllr Ireland asked the PC to start looking at CIL projects and costings. Cllr Ireland asked Cllr Barnfather if NCC will consider formulating a long term programme to properly restore and replace the footpaths. She advised three Highways workers have recently been out to the village to repair a section of footpath near the pub carpark. She advised the stone footpaths have been repaired using cement, which after only a week is starting to crack. The money it costs for three workers to come out, could instead be utilised to restore them properly over a 5 - 10 year period, rather than eventually ending up with all concrete paths in the village. Restoring footpaths is one of the CIL projects the PC would like to do. She commented on the black Victorian posts installed at the Bottom Cross to stop people walking on the grass and advised putting in measures to deter people from parking on the footpaths and ruining them. Cllr Barnfather advised NCC only maintain the safety of the footpaths however if the PC were to add funding to the programme it may be something Highways would consider and would be worth discussing with them.

### **9.0 Lengthsman Scheme / Green Spaces Maintenance**

No updates. The Clerk to find out how many lengthsman hours are remaining

### **10.0 Rotten post surrounding Bottom Cross - update**

Completed

### **11.0 Clearing blocked culverts – update**

Cllr Lewis advised he had recently met with two engineers but unfortunately Paula Johnson did not attend. He had expected them to bring a key to lift the grate and photograph the damaged culvert. Neither engineer would accept responsibility for the culverts and said that Highway's were only responsible for the depth of the highway. Cllr Lewis advised it was a pointless meeting. Cllr Barnfather advised it was appalling customer service from Nottinghamshire County Council and he will look into it further. He confirmed when Paula Johnson returns from holiday he will discuss these issues and rearrange the meeting. Cllr Ireland commented that it was her understanding from the first meeting that NCC would provide maps of where the culverts are in the village which would give an idea of who is responsible for which section. Cllr Barnfather advised they asked for the maps, however, since there are no maps in existence, it would be an enormous cost to put cameras down the culverts.

### **12.0 Cleaning reflector lights between Linby & Papplewick - Update**

Completed

### **13.0 ADC Properties to clear ditch near Strata – Update**

Cllr Barnfather advised Paula Johnson has been in contact with ADC Properties and pointed out their responsibilities to clear the ditch before the heavy rain and flooding season. Cllr Barnfather to get an update.

### **14.0 Bus Stop monthly inspection report**

Cllr Lewis advised he has carried out the monthly inspection with no immediate action required. He advised the bus shelter needs painting. Cllr Tunstall pointed out some of the tiles on the roof are loose. Cllr Lewis has requested the Lengthsman to pursue.

### **15.0 Miner2Major – Planting at the Heritage Centre & near Waterloo Island – Update**

The grant application has been submitted. Clerk to chase.

### **16.0 Heritage Centre Purchase**

Diane Blasdale at GBC advised she hasn't yet had any notification from the Land Registry as to the completion of the registration. She agreed to chase.

### **17.0 Greater Nottingham Strategic Plan Consultation – 6<sup>th</sup> July – 14<sup>th</sup> September**

Cllr Ireland advised the PC Planning Working Party has met via Zoom together with Hannah Barter to discuss the consultation. Hannah has drafted the final response which will be circulated to the PC before submitting. Cllr Ireland advised the Strategic Plan is similar to the Aligned Core Strategy, it looks at sites; Rushcliffe, Broxtowe, Gedling and Nottingham City to identify areas for long term housing up to 2038. There has been a lot of sites put forward which they would like to include within the plan. AECOM have been employed to look at the sites and have given each one a green, amber or red status; green being the most appropriate sites to move forward.

Hannah has looked at all the green sites throughout the strategic area, and up to 2038 the Greater Nottinghamshire area requires 59,000+ houses. The green sites alone total 280 hectares, and based on 35 density per hectare, it works out at 97,000 new homes. That's just green sites alone. Green sites include the A453 East Midlands Parkway, a large extension near Bingham which has the A46 allowing greater access to the M1 and large areas around the Toton area. There are no allocated green sites in the Gedling borough. The Planning Working Party have supported AECOM's suggestions and recommended those sites that fall within the green area, which will give them sufficient housing to meet their allocation up to 2038. Cllr Barnfather commented that every district council and local planning authority will be aware of their areas and may raise a complaint if they are seen to be getting more than their share of allocated housing. Broxtowe Borough and Rushcliffe Councillors will feel under pressure to say that the other Boroughs should have allocations, even if they aren't green sites and Gedling are a local authority that is growth orientated and may decide they want additional properties as they will bring in CIL and Council Tax.

### **18.0 Top Wighay update**

Cllr Ireland advised of the recent meeting held with key members of NCC, Highways, GBC Planning, ADC and Mark Spencer. \* See addendum, Top Wighay Minutes.

Cllr Ireland presented a document that looks at the viability of Top Wighay. The bench mark that NCC hope to raise is £100k per acre and there are 89 acres, so they are hoping to raise £8.9 million on the sale of the land. The viability document looks at the affordable housing of the site in various appraisal summaries, 30%, 15% and 0% to find out whether they are reaching £100k per acre. When looking at all the costs, even with no affordable housing they will not be near the £100k mark. If they were to look at 10% affordable housing, it will raise around £40k per acre. The paper includes the construction costs which records a toucan crossing on Wighay Road at £150k and a plateau at the Griffin's Head junction at £200k. She commented that £200k could be spent on something more beneficial rather than a plateau that nobody wants and which will serve no purpose. Cllr Ireland advised the CIL generated will be £5.378m and with an adopted NP the PC should expect to receive 25% of that figure. Cllr Ireland advised she has concerns as a new white paper is out for consultation at the moment which may water-down the NP's, and the worry is they will no longer be entitled to 25%. Hannah Barter, Planning Consultant is looking into this and will report back to the PC.

### **19.0 Website Accessibility**

The Clerk advised an IT company, JKE Web Design, will write an accessibility statement for the website.

### **20.0 Gateway Sign**

The PC advised a location has been agreed with NCC Highways. The Clerk to circulate designs to the PC.

### **21.0 New Noticeboard at Sherwood Gate**

Cllr Ireland advised she has emailed Bellway a quote for a sign. Clerk to chase.

### **22.0 Correspondence**

*All correspondence has been circulated to the PC prior to the meeting*

### **23.0 Planning**

- a) Update from Planning Working Party - No further updates
- b) Applications received - None

### **24.0 Funding Update**

#### **24.1 Finance Report**

Current Account: £15,979.83

Savings Account: £23,578.25

**Payments Made:**

*All payments made by bank transfer unless otherwise stated.*

| <b>Date</b> | <b>Details</b>   | <b>Amount</b>    |
|-------------|--|------------------|
| 01/07/2020  | E Gretton - June wages & home office expenses                            | £474.13          |
| 15/07/2020  | M English - Reimburse for petrol for mower                               | £17.45           |
| 15/07/2020  | W Lewis - Reimburse various  | £56.24           |
| 15/07/2020  | Nottinghamshire County Council - unused LIS Grant (re: Bottom Cross)     | £1,347.08        |
| 15/07/2020  | Papplewick Pre-School - Donation   | £500.00          |
| 15/07/2020  | Hucknall Food Bank (Hucknall Engage Limited) - Donation                  | £1,000.00        |
| 21/07/2020  | Gedling Borough Council - Trade sweeping June                            | £32.24           |
| 01/08/2020  | E Gretton - Jul wages & home office expenses                             | £474.13          |
| 11/08/2020  | Bancroft Consulting - response letter for Top Wighay application (inv 5) | £720.00          |
| 11/08/2020  | PKF Littlejohn - External audit Fee                                      | £240.00          |
| 11/08/2020  | SSE Southern Electric - Heritage Centre Electricity                      | £19.64           |
| 01/09/2020  | E Gretton - Aug wages & home office expenses                             | £474.13          |
| 03/09/2020  | Gedling Borough Council - Trade sweeping July                            | £32.24           |
| 03/09/2020  | W Lewis - Reimburse for Petrol and grass seed                            | £23.88           |
| 03/09/2020  | M English - Reimburse for petrol for mower                               | £17.45           |
| 03/09/2020  | Scottish & Southern Electric - Christmas Lighting supply                 | £22.71           |
|             | <b>TOTAL</b>   | <b>£5,451.32</b> |

Receipts:

| <b>Date</b> | <b>Details</b>  | <b>Amount</b> |
|-------------|---|---------------|
| 16/07/2020  | M English - Payment for "reimburse for petrol for mower" rejected ( <i>see payments</i> ) | £17.45        |

24.2 Payments for Approval

None

24.3 External Audit Report & Certificate

The Clerk advised the External Audit Report and Certificate has been received with no matters reported. The Notice of Conclusion of Audit has been placed on the website.

**25.0 Councillor's Reports**

25.1 Carols around the Tree event

The PC advised the event will not go ahead this year due to Covid-19.

25.2 Venue for future PC meetings

The PC advised the lengthsman has taken on a grass cutting contract with Hanson House and is using the PC mower. The PC discussed whether Hanson House would allow them to use their venue for future meetings, free of charge, in exchange for using the mower. The Clerk to pursue.

**26.0 Date of next meeting**

The next meeting is Monday 12<sup>th</sup> October at 7:30 pm and will be held via Zoom.

**The meeting ended at 20:56**

Signed .....  
Chair of the Parish Council

Signed .....  
Vice-Chair of the Parish Council

\* Addendum

**LINBY PARISH COUNCIL**

## **TOP WIGHAY MEETING MINUTES**

**4<sup>th</sup> September 2020 11:00am**

### ***Meeting held remotely via Zoom***

Present: M Spencer MP, B Minichiello  
Linby Parish Council - D Ireland (Chair), S Molson, L Gretton (Clerk)  
H Barter (Planning Consultant), Urban Vision (Representing LPC)  
C Bancroft (Traffic Consultant), Bancroft Consulting (Representing LPC)  
Gedling Borough Council - M Avery (Planning), M Hill  
NCC Highways - S Gill  
Ashfield District Council - C Sarris  
NCC, ADC - Cllr P Rostance  
Papplewick Parish Council - S Roberts (Chair), S Walker

M Spencer advised the meeting has been arranged due to concerns in relation to flooding and traffic management in Linby, Papplewick and roads surrounding the proposed Top Wighay development.

Cllr D Ireland advised Linby PC has employed Hannah Barter, Planning Consultant and Chris Bancroft, Traffic Consultant to offer their expertise on responding to the outline application at Top Wighay. She advised the biggest issues raised during the Neighbourhood Plan process was the volume of traffic coming through the village. She advised there are a lot of issues with flooding, particularly concerning problems with the old culverts in the village. The Parish Council have previously met with NCC and Highways to discuss the flooding issues but are no further forward. She advised there are many areas in the parish that are un-adopted and therefore not the responsibility of one authority, however, these flooding issues cannot be ignored. The PC want to work positively with both the Borough and County Council to address some of these real concerns.

In relation to the Top Wighay Development, S Gill of Highways commented that Highways are Gedling's consultee on the Planning application so instructions they have must involve Mike Avery and the Planning Authority (GBC).

M Avery, GBC advised of the significant representations made by Linby Parish Council and their Planning and Traffic Consultants. He advised they will have further dialogue with the Highway Authority who are a statutory consultee on the planning consultation. He advised GBC are seeking professional advice from Highways Authority in relation to transport and highways safety related matters. He gave his assurance that before the application is determined and a report is taken to the planning committee, all matters raised by Linby Parish Council and their Consultants will be thoroughly considered by the Borough with Notts County Council.

H Barter (Planning Consultant), commented that Linby Parish Council are a proactive, pro-growth, Neighbourhood Plan and Parish Council area and have always planned positively for the development, hence the reason for bringing this meeting together. She advised they want to positively involve Highways. They know the roads are going to be at capacity so it is important to ensure the highways infrastructure is updated so it can cope with the amount of vehicle movements.

She advised they use the evidence that the Parish Council acquired during the Neighbourhood Plan process including infrastructure to encourage people to walk and cycle to Hucknall and support the high street shops, to walk to school safely and to the tram station. She advised that Wighay Road is a challenge to cross, so this should be made safe. She advised the Parish Council want to work with Highways to create positive solutions.

C Bancroft (Traffic Consultant) advised there is a huge gap in the traffic data presented. He advised it is frustrating to receive very little detail in response to the comments made and advised Linby PC are still seeking information. He advised there is no evidence in the application to clearly show what the change in conditions will be through Linby and on to Papplewick. He commented that based on his own predictions, there would likely be 600 peak hour movements passing through Linby and Papplewick (B6011) which is far too significant increase to ignore. He advised there are concerns regarding the sustainability of the site for instance there are generic statements regarding bus stop locations. He advised the PC need to see more information on how this development will be sustainable from day one. He has also raised concerns about the site access junction and how they are being improved and the road safety audit problems that haven't been addressed. He advised they need to see more detail on the transport assessment.

S Gill, NCC Highways advised in terms of Highways, they have to respond to what comes in through the application consultation process, so hopefully all the concerns raised by Linby PC have been raised with Mike Avery and his planning team at GBC and those concerns then come back to NCC Highways.

M Avery GBC, commented he expects that before the application is referred to the Planning Committee, each comment raised by Linby PC and Highways consultants are thoroughly investigated and any reports that go before the Planning Committee would need to address all the comments raised.

C Bancroft advised that first and foremost they need to see the study area extended and what capacity issues might be there. The whole of the B6011 corridor and all the junctions need to be included in the study area and a sensible assessment to show the increase in traffic predicted. If there are 600 movements then this is a significant increase and will have a huge impact at some junctions where there is limited land take. It is important the right improvements are implemented to make them safe in the future. It is also important to be mindful of other developments in the area and the ACS. We need to see consultants advising the application and providing the right level of assessment to then start talking about what can be done. At the moment, it's speculation and that shouldn't be the case for an application like this.

H Barter commented it is about working together to make sure that the final development is sustainable. The policies within the Linby Neighbourhood Plan need to be considered together with the local plan. She advised the Greater Nottinghamshire Consultation points out that the roads are at capacity. They already have an independent report from AECOM stating the roads are at capacity.

She advised it is important that sufficient information is provided to allow for intelligent consideration and that we can't respond positively or negatively or identify for opportunity for change until we have that information. It is also important to allow sufficient time to work together and assess truthfully what the impact will be and how to mitigate against it.

She advised of the case law where in 1985 Stephen Sedley QC proposed a clear set of rules for public consultation that were accepted by the judge in the case *Gunning v LB of Brent*. The case related to a school closure consultation and Sedley defined that consultation is only legitimate when these principles have been met. The Gunning Principles form a strong legal foundation from which the legitimacy of public consultation is assessed.

Gunning Principles:

1. Consultation must take place when a proposal is still at a formative stage;
2. Sufficient to allow for intelligent consideration and response;
3. Adequate time for consideration and response; and
4. Product of consultation must be conscientiously taken into account when decision

making.

These principles were reinforced in the 2001 'Coughlan Case (Rv North and East Devon Health Authority ex Parte Coughlan) and are often used in Judicial Review decisions. This case law has been fundamental in influencing consultation in any context not just planning. There are many references to Gunning Principles throughout legal best practice and these should be applied in any consultation practice.

C Sarris advised that Ashfield District Council has no comments at this stage of the application process.

M Avery commented the impact on the Highway needs to be thoroughly considered before the application is determined. He pointed out that the site is allocated for residential development, a proposal of 805 dwellings. He advised from GBC's perspective, they want to work with the PC to actively engage with them and need to ensure that all concerns raised have been thoroughly addressed. He advised he and Nigel Bryan, the Case Officer would be happy to meet with the Parish Council, the Consultants and the Highways Authority to have further in-depth discussions in relation to the issues raised.

Cllr D Ireland responded that though the site is allocated for housing, it should not be an automatic assumption that it can pass planning approval. The PC has raised valid concerns and want to work positively to get a solution that will last for years to come. She advised the PC would welcome a meeting as offered by Mr Avery and asked that BWB are also invited.

Meeting ended: 11.43