

CARLTON PARISH COUNCIL

Minutes of a meeting held at Saint Andrews Church, Main Street, Carlton at 1930 hrs on Wednesday 12th September 2012

Present: S G Tupling (Chairman), J H Boston, J D Finch, W R Sharp (Councillors), I D Ould (County Councillor), T Chastney (Borough Councillor), R Windley (Rural Housing Enabler), 5 members of the public, C J Peat (Clerk).

The Chairman paid tribute to Cllr Robert Henry ‘Bob’ Edmunds who had died suddenly on 18th July. Bob had served as a Parish Councillor, including periods as Vice Chairman and Chairman, since May 1991. All present observed a one minute silence as a mark of respect and remembrance.

1. Apologies for absence from Councillors

There were none.

2. Personal or prejudicial declarations of interest in respect of items on the agenda

None were declared.

3. Minutes of the meeting of 13th June 2012

It was resolved that the minutes be confirmed and signed by the Chairman.

4. Reports from members of other public authorities

a) Leicestershire County Council

Cllr I D Ould reported on current LCC Cabinet business, and noted that a recommendation to provide £55k funding to the Carlton AH Project would be considered on 14th Sept.

b) Hinckley & Bosworth Borough Council

Cllr T Chastney reported on current H&BBC business, and noted that a recommendation to provide £55k funding to the Carlton AH Project would be considered by full Council on 18th Sept.

c) Leicestershire Constabulary

PCSO M Chapman had reported as follows:

June - no reported crime in Carlton;

July - 1 x theft from motor vehicle – Main Street, Carlton;

August - 1 x theft from motor vehicle – Main Street, Carlton – catalytic converter.

5. Code of Conduct

It was resolved that the revised Code of Conduct set out in Report 2012-15 be adopted.

6. Carlton Affordable Housing Project

a) Progress report

The Clerk reported on the project. At that time of the last PC meeting on 13th June, the Carlton AH Project had been accepted for Community-led funding, the HCA had indicated strong support for the scheme, and NCHA and the PC were providing additional information to HCA to support a submitted funding bid for £439,450 (£39,950/unit).

On 25th June the HCA had informed NCHA that it envisaged offering funding at around the current average for community schemes of £25,000/unit, and that the bid for the Carlton project was too expensive and would not be supported. This decision had created a funding gap of £109,450. Councillors had been consulted, and the Chairman and Clerk had met with NCHA on 2nd July to review costs and funding options. The projected funding gap could not be closed by cost savings, increased borrowing by NCHA or increased funding from the PC.

NCHA had made approaches to LCC and H&BBC Officers, and these had been supported by briefings from the PC to County and Borough Councillors and relevant Officers. The PC had agreed to investigate (i) the use of s106 Developer Contributions from 83 Main St for equipped open space to support the Diamond Jubilee Orchard project, and (ii) the legal position on direct financial support from the PC to a housing project.

The outcome had been that LCC proposed to offer a grant of £50,640 to the project from the LCC New Homes Bonus Fund, subject to Cabinet approval, and H&BBC had agreed to offer a grant of £55,000, subject to Council approval. NCHA had also applied to the HCA for funding of £297k (£27k/unit). If approved, these grants would be subject to conditions including work starting on site before the end of the current financial year.

The Executive Director of Springbourne Homes had agreed that £11,867.90 of outstanding s106 funds could be applied to the Diamond Jubilee Orchard Project, but the H&BBC s106 Officer had advised that these funds could only be used for the provision of equipped play & open space. NALC had advised that the PC was not a housing authority, and was therefore only able to support the Affordable Housing Project directly under its s137 powers. There was no legal requirement for the PC to obtain a valuation before acquiring land. It had been estimated that the PC might expect to receive NHB funding of £3,170 pa for 6 years after the units were first occupied, assuming that existing arrangements and payment rates continued for this period.

The Carlton Parish Plan 2011 Final Report had been published, and a copy delivered to every dwelling in the Parish in July. **It was noted** that the response to the specific question “4.4 Would you be in favour of a small affordable housing scheme in Carlton for local people?” had been: Yes 126 58.60%; No 77 35.81%; No answer 12 5.58%. The 126 in favour constituted an absolute majority of all adult parishioners (126/245 = 51.43%).

Draft landscaping plans had been prepared by the Clerk, copied to Councillors on 15th August for comment, agreed with minor amendments, and forwarded to NCHA. Information on the history of the site and adjacent areas had also been collated and forwarded to NCHA.

The Chairman and Clerk had met with the NCHA Project Manager, NCHA Architect and H&BBC Planning Case Officer at H&BBC on 22nd August. A report on this meeting had been copied to Councillors – contracts were being drawn up and a full planning application would be submitted in September whether or not the current applications for funding were successful. It had been agreed that the PC would implement the Diamond Jubilee Orchard Project under a licence agreement with NCHA, with ownership of the land being transferred once the landscaping conditions had been fulfilled.

It was resolved that (i) the new funding arrangements made by the Chairman and Clerk with NCHA, LCC and H&BBC be approved, and (ii) the report of the planning meeting held on 22nd August be approved.

b) Open public discussion

Two parishioners had raised objections to the AH Project at the public meeting to discuss the Carlton Parish Plan 2011. The grounds for objection to the AH Project were that the proposed development (i) would take place outside the defined settlement boundary, (ii) would increase the size of the village; (iii) would not be in accordance with the overriding objectives set out in the Carlton Parish Plan 2011; and (iv) was not supported by the survey results set out in the Carlton Parish Plan. These had been followed up by an email to the Chairman (v) suggesting that parishioners had not been properly informed or consulted about the AH Project and requesting that the PC publicise the Project with particular reference to the allocation criteria, and carry out a new survey of parishioners.

The following observations were made on these submissions, in order:

(i) The AH Project had been initiated in response to an independent and anonymous survey of local housing needs carried out in accordance with national protocols by the Rural Housing Enabler in 2006 (see PC website) and enhanced by the findings of a Parish Information Day held in June 2007; the remaining infill and redevelopment sites within the settlement boundary were small, and would not provide sufficient affordable housing to meet the identified local needs; the only practical way of meeting the identified local needs was by way of a Rural Exception Site; the affordable homes would not be subject to the right to buy and would be available in perpetuity; the area proposed for development was relatively small, and the project would also deliver an area of public open space in the ownership of the PC which would provide a well-defined and attractive edge to this part of the settlement.

(ii) The increase in the physical size of the village or the number of dwellings in it would not be significant in the context of private developments already taking place and likely to take place within the next ten years; Carlton would still be a small village.

(iii) The overriding objectives set out in the Carlton Parish Plan were written in relative terms and summarised general sentiments and current public opinion. They were not quantified, and were in any case not binding on the PC who had to take a wider and long term view.

(iv) The response in the Carlton Parish Plan 2011 to the specific question “*Would you be in favour of a small affordable housing scheme in Carlton for local people?*” had been Yes 126 58.60%; No 77 35.81%; No answer 12 5.58%. Since 245 adult questionnaires had been issued altogether, this response also showed that an absolute majority of all parishioners supported the project. A new referendum or poll would be very unlikely to achieve a response rate as high as that achieved by the Parish Plan Group, or to provide more useful information. The RHE noted that only 25% community support was required for the development of a Rural Exception Site.

(v) Parishioners had been provided with information, consulted, and given every opportunity to ask questions and inform themselves about the AH Project over a five year period, and many of them had used these events to good advantage. The results of the Housing Needs Survey had been published and publicly discussed in 2007; a Parish Information Day had been held in June 2007 and the results publicised; since June 2007 18 articles about the AH Project had been published in Carlton News; a report on the AH Project had been included in the Annual Report of the PC for the years 2009, 2010 and 2011 which had been delivered to

every household in the Parish; the AH Project had featured in articles in the Leicester Mercury in July 2007, Dec 2010, and Sept 2012, and on Radio Leicester in March 2012; since 1st June 2007 the AH Project had been an agenda item for 43 meetings of the PC (including 5 Parish Meetings), some of which had been attended by a range of Officers; public exhibitions of plans for the AH Project had been held on 24th Feb 2008 and 10th Feb 2012 and had been well attended; and information about the AH Project had been made available from the PC's website. The level of public engagement with the Project had been a key factor in determining eligibility for the Community-led funding stream administered by the HCA.

The Clerk reported that "Affordable Housing" had been defined in the H&BBC LDF Affordable Housing SPD adopted February 2011 (see H&BBC website) as follows:

"Affordable housing: includes social rented and intermediate housing, provided to specified eligible households whose needs are not met by the market. Affordable housing should: meet the needs of eligible households including availability at a cost low enough for them to afford, determined with regard to local incomes and local house prices; include provision for the home to remain at an affordable price for future eligible households or, if these restrictions are lifted, for the subsidy to be recycled for alternative affordable housing provision". **Social rented housing is:** rented housing owned and managed by local authorities and registered social landlords, for which guideline target rents are determined through the national rent regime. The proposals set out in the Three Year Review of Rent Restructuring (July 2004) were implemented as policy in April 2006. It may also include rented housing owned or managed by other persons and provided under equivalent rental arrangements to the above, as agreed with the local authority or with the Housing Corporation as a condition of grant. **Intermediate affordable housing is:** housing at prices and rents above those of social rent, but below market price or rents, and which meet the criteria set out above. These can include shared equity products (e.g. HomeBuy), other low cost homes for sale and intermediate rent".

The Carlton scheme would comprise intermediate affordable housing. Terms used to describe other kinds of housing development included *open market housing* which was private housing for rent or sale where the price was set in the open market, and *low cost market housing* which was market housing which was sold at a price affordable to local people unable to obtain housing in the open market.

H&BBC maintains a register of home seekers who are interested in being accommodated in the Borough with either the Borough Council or a Registered Housing Provider. This is known as the Housing Register, and anyone over the age of 16 can apply to join. H&BBC can exclude applicants from the Housing Register if they are subject to immigration controls or are have been found guilty of unacceptable behaviour serious enough to make them unsuitable as a tenant. Home seekers on the Housing Register are placed in one of four housing need categories: Priority, High, Medium or Low. These categories are defined in the H&BBC Housing Allocations Policy (see H&BBC website), which is reviewed annually. Someone with income of more than £45k pa, equity of more than £29k or savings of more than £17k seeking a home in Carlton would currently be placed in the category of low housing need.

Applicants for homes in the Carlton AH scheme will need to demonstrate a close connection to Carlton or one of the other specified parishes. This means the applicant must have lived in Carlton for the last 5 years; work permanently in Carlton; have been born in Carlton, or have previously lived there for 10 years or more; have parents, siblings, grandparents or grandchildren who have lived in Carlton for at least 5 years; need to move to Carlton to provide or receive significant care and support.

The binding legal agreement specifying the cascade of parish priorities and lettings criteria had not yet been finalised, though the cascade had been agreed as the parishes of (1) Carlton, (2) Shackerstone (this includes the settlements of Barton in the Beans, Odstone, Bilstone, Congerstone and Shackerstone), (3) Cadeby, Market Bosworth, Nailstone or Osbaston, and (4) the Borough of Hinckley & Bosworth.

The H&BBC Housing Strategy & Enabling Officer had advised on the allocation process. This would begin with applicants with a close connection to Carlton, in order of category

(priority to low), and within each category in order of time on the waiting list. Then, if there was no-one with a close connection to Carlton, the same procedure would be followed for Shackerstone, and then for the remaining specified parishes. Although H&BBC will nominate applicants for the homes in this order, allocations will be made in line with the allocations policy of NCHA.

The constitution and terms of reference of a site management committee (the Northfields Liaison Group) had been agreed with NCHA and the HCA. The six members of the NLG would comprise representatives of NCHA, Carlton PC, Shackerstone PC, AH Project residents, Carlton parishioners, and Shackerstone parishioners.

It was resolved that Carlton PC was confident that the positive impacts of the Carlton AH Project would greatly outweigh the negative impacts; that parishioners had been properly informed about the Project; that the Project would be of great lasting benefit to the local community; and that the PC remained totally committed to the Project.

It was resolved that a new survey about the AH Project was not justified, particularly in view of the high response rate (88%) and range of questions reported in the Carlton Parish Plan 2011. Cllr Chastney left the meeting at this point.

c) Diamond Jubilee Orchard Project

Plans and draft costings had been copied to Councillors before the meeting.

It was resolved that the plans for building works and plantings be approved, and that a budget of £4,000, with an additional contingency sum of £500 be allocated to these works.

It was resolved that the Clerk be authorised to make applications for grant aid for this project, providing that copies of all applications were made available to Councillors, and all applications were approved by the Chairman before submission. Cllr Ould, the Rural Housing Enabler, and 3 members of the public left the meeting at this point.

7. Highway issues in Main Street

It was resolved that Report 2012-16 be approved and the recommendation in it be implemented.

8. Correspondence

H&BBC Parishes Forum would be held on Wednesday 19th September at 6.30 pm in the Atkins Building. **It was resolved** that the PC be represented by the Clerk.

LCC Community Forum would be held on Thursday 11th October at 6.30pm in Stapleton Village Hall.

DCLG consultation on payments by parish & community councils & charter trustees. Agreed response had been submitted after consultation with Councillors.

DCLG booklet: *Openness and transparency on personal interest. A guide for councillors* had been copied to all Councillors.

Carlton Parish Plan 2011 had been received and **was noted**. The Chairman had congratulated members of the CPPG on the quality of the Final Report and thanked them for their work.

It was resolved that a list of digital communications received be copied to each Councillor, that copies be forwarded on request, and that additional written documentation be circulated.

9. Comments on planning applications submitted and applications determined

12/00499/CONDIT Variation of Condition 2 of 06/00826/FUL for amendments to Plot 5. Fern Lea, Barton Rd. PC had no objections. Approved.

12/00458/CONDIT Variation of Condition 2 of 12/00125/FUL to amend the approved plans. 10 Main St. PC had no objections. Approved.

12/00659/HOU Extensions and alterations to dwelling, Windyridge, Bosworth Road. PC had no objections, suggested insertion of glazing bars in porch window.

10. Financial matters

a) Report 2012-14: Quarterly Financial Report April-June 2012

It was resolved that Report 2012-14 be approved.

b) External Auditor's Report on the accounts for 2011-12

An unqualified audit opinion had been given, and **was noted**. The closure notice had been posted on the parish noticeboard and the Annual Return for the year ended 31st March 2012 had been copied onto the PC's website.

c) Internal Auditor: payment of fee and re-appointment

It was resolved that the internal auditor's fee of £30.00 be paid for work in connection with the accounts for 2011-12. The Internal Auditor had indicated in April that he would be willing to continue in this role for the financial year 2013-14 and **it was resolved** that the re-appointment be confirmed in writing

d) Payment of the Clerk's salary and expenses

The Clerk presented his expenses book for examination, and **it was resolved** that the Clerk be paid £428.52 comprising £225.00 salary, £30 contribution towards broadband subscription and £173.52 approved expenses (including £4.22 VAT).

11. Matters for report and questions and comments from members of the public

a) Footpath matters

The Clerk reported that LCC RoW had served formal notices to clear footpath S68 of obstructions at Shackerstone Station (p. 1406/12 refers).

The overgrown hedge along the north side of the jitty between Main Street and Bosworth Rd (part of S50) had been cut back, and the maintenance of this hedge would be monitored by LCC and the CFG (p. 1406/12 refers).

A gap had been made in the new hedge and fence installed across footpath S50 near Main St. This footpath was no longer obstructed (p.1406/12 refers).

Work on the replacement of stiles by kissing gates on footpath S51 had been abandoned because of flooding; a works instruction for the final gate and bridge had been issued by LCC on 5th Sept (p.1397/12; 1391/10 refer).

The diversion of footpath S69 at Bosworth Mill had been completed, but a stile had been installed instead of the kissing gate specified in the Order. The landowner had agreed to install a kissing gate as specified (p. 1276/3 July 2009 refers).

The diversion of footpath S48 at Spinney Grange had been completed, but stiles had been installed instead of the kissing gates required by the Order. The landowner would be asked to comply with the terms of the Order (p.1388/8 refers).

Two stiles to the west of Spinney Grange had been reported to LCC for repair.

Mr J Piggon (CFG) **was thanked** for cutting the hedge along the rear garden of Manor House Farm next to footpath S69.

b) Other matters

The Clerk **was thanked** for repairing the wooden seat at Harry's Grave.

Heavy rains had led to flooding under the railway bridge and along Congerstone Road on two separate occasions in June and July. The volume of water had simply been too great to pass through the culverts under the railway and under the Ashby Canal.

The Clerk reported that a handbell had been rung on Carlton Green for three minutes from 8.12 am on Friday 27th July as part of *Work Number 1197: All the Bells in a Country Rung as Quickly and as Loudly as Possible for Three Minutes* by Martin Creed.

Mr D A Price **was thanked** for spraying weeds, raking up grass cuttings, and checking drain outfalls in the churchyard and cemetery.

The Carlton Parish Plan 2011 had been discussed at a public meeting at the Gate Hangs Well at 6.30pm on Thursday 16th August. The event had been dominated by a discussion of the Affordable Housing Project.

The Clerk reported that a Book Fair held at 7 Main Street on 11th August had raised £332.75 for the PAF. Selected books had been reserved for a book stall at the church fete, and the remainder had been advertised on eBay as a job lot.

The Chairman **congratulated** the Church Fete Committee on an excellent event which had raised £2,065 for church funds.

The Clerk had agreed to represent the PC at the AGM of the RCC on 20th September, where the winners of the RCC Village Achievement Awards 2012 would be announced (p.1407/12; 1392/12 refer).

The Tree Warden had applied for a place at the Annual Midlands Region Tree Warden Forum, to be held at Warwick Castle on 6th October.

12. Co-option of new member

The sudden death of Councillor Robert Henry Edmunds on 18th July had created a vacancy, which had been notified to the Returning Officer. A poll had not been claimed, so the

vacancy could be filled by co-option. The two candidates - Mr George Davenport and Mr Ian Sarson - briefly introduced themselves and answered questions, and then left the meeting.

It was resolved that Mr Ian Sarson be co-opted as a member of the PC.

13. Next meeting

It was resolved that the next meeting be held at 1930 hrs on Wednesday 10th October 2012 at Saint Andrews Church, Main Street, Carlton.

The meeting closed at 2155 hrs.

Signed _____ **Date** _____

Abbreviations used in these minutes

| | |
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| AH | Affordable Housing |
| CFG | Carlton Footpath Group |
| CPPG | Carlton Parish Plan Group |
| DCLG | Department for Communities and Local Government |
| DPD | Development Plan Document |
| HCA | Homes and Communities Agency |
| H&BBC | Hinckley & Bosworth Borough Council |
| LCC | Leicestershire County Council |
| LDF | Local Development Framework |
| LRALC | Leicestershire and Rutland Association of Local Councils |
| NALC | National Association of Local Councils |
| NCHA | Nottingham Community Housing Association |
| NHB | New Homes Bonus |
| PC | Parish Council |
| RCC | Rural Community Council |
| RHE | Rural Housing Enabler |
| SPD | Supplementary Planning Document |