

STENSON FIELDS PARISH COUNCIL
**PARISH COUNCIL MEETING held on THURSDAY 29th July 2021 at 7.15pm in Stenson Fields
Primary School**

Participants: - Cllrs C Fellows (Chair), R Lisewski, P Richardson, K Butterworth and G Dhillon Singh.

In attendance: - DCllrs D Shepherd & Lahkvinder Singh, and Steve Hawkrige (lengthsman). Cllr Richardson took the minutes.

1501/21 **Chair and Vice-chair to sign their Declarations of Office. Resolved:** held over to the next meeting.

1502/21 **Cllrs Rogers and GD Singh to pledge to abide by the code and to confirm any changes to their Registers of Interests, if applicable.** Cllr GD Singh duly pledged to abide by the code and declared no changes to his ROI.

1503/21 **APOLOGIES FOR ABSENCE:** Cllrs I Baker & P Bonnell; and the clerk J Irons. K Rogers was absent (family Issues). Members agreed to their absences.

1504/21 **VARIATION OF ORDER OF BUSINESS:** None

1505/21 **DECLARATION OF MEMBERS INTERESTS:** None

1506/21 **To determine which items if any from Part 1 of the Agenda should be taken with the public excluded.** None

1507/21 **PUBLIC SPEAKING:**

- No residents or police officers took part.
- DCllr Shepherd attended and kindly sent a report to the clerk prior to the meeting (see below) which was approved by Cllr Lahkvinder Singh tonight. Discussion took place over several items which included parking on the hatched area at Grampian Way/Stenson Rd island; and possible reaction to the withdrawal of the Saturday freighter service by SDDC.

District councillors Dave Shepherd & Lahkvinder Singh
Report to Stenson Fields Parish Council 29th July 2021

Planning Matters

- **The Expression of Interest (Eoi) for Infinity Garden Village “was not in keeping with the principles of the Council’s Constitution”.**

This is an extract from the South Derbyshire District Council Website.

*THE CONSTITUTION... “sets out how we operate, how decisions are made and the procedures which are followed to ensure we are efficient, transparent and accountable.” **

One of the most important things Stenson Ward councillors have achieved this year is the public affirmation by South Derbyshire District Council (SDDC) that the application process for Garden Village status was done in contravention of the South Derbyshire District Council’s Constitution. Under the Constitution’s Scheme of Delegation, any Government initiative should be referred to councillors for a decision, not decided by officers alone. In response to the government’s Department for Communities and Local Government document “Locally-Led Garden Villages...” SDDC officers submitted an Expression of Interest to the government without the consent of councillors which included identifying the area as the location of a further 1200 dwellings. This is in addition to the 2000 homes allocated under the SDDC Local Plan – part 1. Stenson Ward Councillors have raised the Garden Village matter many times in council meetings but generally in the Exempt section of the meeting which cannot to be reported to the public. With the minority group becoming the majority group, Stenson Ward Councillors took the opportunity to raise the matter with the Chief Executive. The result was an email sent on behalf of the Monitoring Officer on 2nd March which stated:

'Dear Councillor Shepherd

I set out below as agreed a statement from the Monitoring Officer with regards to the Infinity Garden Village.

The Monitoring Officer (MO) carried out an investigation in 2017 regarding an Expression of Interest (EOI) submitted for a Garden Village. The MO's confidential report confirmed the EOI was submitted to the Homes and Community Agency (HCA) without Member/Committee approval. The MO's report concluded this was not in keeping with the principles of the Council's Constitution however, the position with regard to the EOI was supported and regulated by virtue of Member/Committee approval at the Environmental & Development Services Committee on 2nd March 2017. This was prior to any acceptance of Government funding or any further progression of the matter by officers'.

I am bewildered by the statement that *"the position with regard to the EOI was supported and regulated by virtue of Member/Committee approval at the Environmental & Development Services Committee on 2nd March 2017"*. I can find nowhere in the Constitution saying that if the officers decide to ignore the Scheme of Delegation by not referring the matter to elected members, that the matter may be regulated by a policy committee. In my opinion, the government should have been informed that SDDC was withdrawing from the process until the requirements of the Constitution's Scheme of Delegation had been adhered to. *See the statement above on the SDDC Constitution's reference to following procedure and transparency!

Note: The report was made confidential by a vote of the Full Council. Every Labour councillor voted against it being confidential, every Conservative Councillor voted for the report to be confidential.

- The SDDC officers submitted an Expression of Interest which in no way fulfilled the government's Eligibility Criteria. (See the Department for Communities and Local Government Document, Locally Led Garden Villages, Towns and Cities – Eligibility Criteria page 7, Free-standing Settlement item 14 which states *"The garden village must be a new discrete settlement, and not an extension of an existing town or village. This does not exclude proposals where there are already a few existing homes."* The Infinity Garden Village is located south of Wragley Way, to the north are 2000 houses in Stenson Ward and a similar number in Sinfin Ward. Perhaps officers thought that those thousands of homes were "a few existing homes" and that being on the southern side of Wragley Way did not constitute an extension of Derby City to the north of Wragley Way!

- SDDC issued a press release on 3rd January 2017 announcing government help to deliver the Garden Village on land at Wragley Way, Stenson Fields. This was before the majority of members had an opportunity to debate the matter in committee and some, including the SDDC Councillors representing Stenson Ward, had never even heard of the initiative.

- SDDC Constitution requires commitment to transparency, another council published their application in June 2016, the first Stenson Ward Councillors knew about Infinity Garden Village was when it was reported on television.

It is our opinion that if the Council's Constitution had been adhered to, the Garden Village project may not have been accepted and the area may not have been identified as a location for a further 1200 dwellings. I can make this statement because once councillors learned that the 1000+ dwelling in their ward was possible, that may have been the end of it!

- **New Derby A50 Junction – Expression of Interest (Eoi)**

The local press has reported that the Governments' Levelling Up initiative will be used to secure funding to provide highways infrastructure; two new roundabouts, one to the north and one for the south of the A50. Cllrs Shepherd and Singh have a copy of the document but have been advised that they may use it for reference rather than quoting directly from it as it has not yet been published. The local press reported that 3,740 homes could be accommodated on the Infinity Garden Village site, this is lower than the figure in the Expression of Interest. The Expression of Interest was submitted to South Derbyshire District Council by Derbyshire County Council and Derby City Council. The SDDC Chief Executive Officer raised the request for endorsement with the Leader of the Council, Cllr Kevin Richards, who refused to participate in the Expression of Interest because of the reference to the potential for further houses. The matter would have been put to elected members, but this was not an option as the deadline for a decision was only five days. Councillors Shepherd and Singh opposed the 2000 homes south of Wragley Way under the Local Plan – part 1 and the 1200 identified in the Infinity Garden Village Eoi because they believe the infrastructure will be overwhelmed by thousands more homes.

- **Motion to be put to South Derbyshire Full Council Meeting 16th August 2021 – The Right of Communities to Object to Individual Planning Applications**

The government has proposed splitting land into three categories: for Growth, Renewal, or Protection. A White Paper was published in 2020, which proposed Growth areas would be "suitable for substantial development". These proposals would exclude public objections and will grant outline planning permission with details agreed by officials. This is the most massive change to the planning system for many years. No one disagrees with the provision of housing,

but Cllrs Shepherd and Singh say that residents must retain the right to object to planning applications. Who knows if Stenson Ward will be in a Growth area, but residents' views are critical.

Cllr Neil Tilley, Labour Chair of the Planning Committee will move:

"This Council believes planning works best when developers and the local community work together to shape local areas and deliver necessary new homes; and therefore, calls on the Government to protect the right of communities to object to individual planning applications".

- **Virtual Meeting held 24th May 2021 to Discuss Anti-social Behaviour at Stenson Fields Community Centre**

The meeting was attended by Cllr David Shepherd, the Chair of Friends of Stenson Fields Community Centre, Claire Rawlins (SDDC Anti-social Behaviour Officer), and the Technical Director – Barratts Homes. PCSO Wallington-Waite sent her apologies.

Climbing on to the Roof There had been complaints by residents that youths had climbed on to the roof of the Community Centre. Concerns were expressed that they were trespassing and putting themselves in danger. South Derbyshire District Council sent a workman who applied anti-climb paint to the appropriate areas. This has prevented a repeat of the roof being accessed via the fence by the bin store. The meeting agreed that anti-social behaviour should be reported to the police via the 101 number which does not require the complainants to identify themselves. The SDDC Anti-social Behaviour Officer, C Rawlins said that she is happy to receive complaints and is willing for her SDDC contact number is to be publicised.

Action – SDDC Services Officer to provide notices at the Community Centre informing residents that Anti-social behaviour should be reported to the police via 101. **Done**

Action – SDDC Cultural Services Manager, to be asked to look at the fence to find a solution to prevent it being used to access the roof. **In Progress**

Football kicked against the Community Centre wall facing the Public Open Space

This is a perennial problem where a wall faces an area where football is played. The fascia board has also sustained damage. SDDC Anti-social Behaviour Officer said that she had received complaints regarding the matter. Residents neighbouring the Community Centre/POS are annoyed by the constant thump, thump, thump when attempting to relax in their homes. Residents on Chartley Road experienced the same problem by balls constantly rebounding off the sub-station. The developers resolved the problem by constructing a bund which discouraged the activity.

Action – Technical Director – Barratts Homes said that he will investigate the provision of a bund against the wall and ask the maintenance company, Premier Estates to investigate additional planting. **No Update Yet**

Damage to the Memorial Tree

Sadly, the tree to mark the tragic passing of a young resident has been vandalised. The community were pleased when the developers agreed to acquire the tree and plant it at no cost. The family who requested the memorial tree have also asked if the CCTV at the Community Centre could be extended to cover the tree.

Action – Technical Director – Barratts Homes said that he will investigate the provision of a tree guard to protect the tree. **No Update Yet.**

Action – SDDC Cultural Services Manager to investigate the extension of the CCTV to include the memorial tree. **Done, Job Request Form Raised**

- **New Derby A50 Junction – Request to Monitor Air Quality – Wragley Way**

SDDC Stenson Ward Councillors Shepherd and Singh have received correspondence from a resident of Stenson Fields who is concerned about the possible detrimental effect on pollution/air quality due to the proposed junction on the A50 and the development of Infinity Garden Village. The Levelling Up Fund Application Form, refers to delivering Net Zero carbon emission and improving air quality and suggests that the scheme will result in reduced traffic congestion in South Derbyshire. Cllrs Shepherd and Singh will be delighted if this occurs but cannot see how the new junction and the housing development south of Wragley Way will reduce air pollution. They have requested the SDDC Head of Environmental Services to monitor of the current air quality in and around Wragley Way which will enable us to make a comparison when the development south of Wragley Way and the A50 junction are completed. The SDDC Head of Environmental Services confirmed that the council currently monitors traffic emissions at several locations across the district and verified that the monitor can be expanded to include Wragley Way. South Derbyshire's air quality monitoring results are published as an annual report and submitted to DEFRA for approval and can be found on SDDC website to ensure that the data is publicly accessible. Two additional tubes have been ordered and the best locations on Wragley Way will be investigated.

- **Road Sweeping and Weeds in the Gutter – Stenson Road Estate**

Residents complained that the roads on the estate had not been swept and that there are weeds growing in the gutters. Stenson Ward councillors informed South Derbyshire District Council officers that the estate roads have been adopted by Derbyshire County Council and asked that the sweeping of the roads be done to ensure that the soil in which the weeds grow is removed. SDDC checked up and had not been informed by the Derbyshire County Council that the roads had been adopted. The SDDC Head of Operations said that the highways and footpaths will now be swept.

- **Ending of the Refuse Freighter Service**

The decision to remove the Saturday Freighter Service was made by the Council's Environment and Development Services committee on 12 November 2020. The report was the conclusion of a full review of waste collection services undertaken by the Council's Overview and Scrutiny Committee and further endorsed by E&DS Committee.

Operational assessments were made which estimated that approximately 60% of the material collected on the Freighter Service was from traders who were taking advantage of a free service at Council-tax payers' expense. Furthermore, the service provided no opportunity for the materials to be recycled to the detriment of our recycling and carbon reduction targets. There is no duty on the Council to provide this type of service and there is no correlation between this service and fly tipping incidents. The service was also inefficient in terms of costs per tonne collected and open to inadvertent collection of inappropriate materials. Further to this it put our employees at risk (we were seeing an increase in abusive customers) and was becoming increasingly difficult to get sufficient employees prepared to volunteer for the task.

- **Damage to Bushes – Holderness Close**

Cllr Singh was contacted by a resident regarding concerns about the damage caused by a grass cutting operative to the bushes in the close. In July 2020 it was agreed that the bushes were to be avoided during cutting so they could grow to provide protection in the area. Cllr Singh contacted the SDDC Head of Operations who agreed to arrange for the damaged shrubs to be replaced.

- **Actions for Stenson Ward Councillors from the June Parish Council**

Dumping of White Goods – Stenson Road A50 Bridge

Councillors Shepherd and Singh contacted the SDDC Head of Operational Services who replied: *"We haven't received any reports of the dumping of washing machines etc on the embankment near to the A50 bridge, I will arrange for an officer to visit the location."*

Balancing Pond

Councillors Shepherd and Singh contacted the developers regarding the water level of the balancing pond. The following reply was received: *"The pond operates as a storm water attenuation facility and is designed to have water level fluctuations because of the need to control the volume of surface water leaving the development in periods of heavy rain fall. This ensures the downstream watercourses are not overwhelmed in prolonged events. We cannot close the penstock outlet to the pond outfall to maintain a high level of water at all times as this will create a flood risk to the development. However, there should always be permanently wet areas within the pond area regardless of the weather conditions which will support the ecology of the feature which has matured very well since its construction."*

- **Recommencement of Stenson Ward Councillors' Advice Surgeries**

Councillors Shepherd and Singh are anxious to start their monthly Advice Surgeries which have been in abeyance since the first lockdown. They aim to hold the meetings in the hall at Stenson Fields Primary Community School between 10.30 am – 11.30am when the school has confirmed that they are happy for the Advice Surgeries to be held in the school.

The dates, TO BE CONFIRMED are:

August 28th, September 25th, October 30th, November 27th, December 18th, 2021.

Cllrs David Shepherd & Lakhvinder Singh

The District Councillors left the meeting at 8.15pm

1508/21 **To approve the minutes of the Parish Council Meeting held online on the 24th June 2021.**
These were approved and accepted as a true record and will be signed by the chairman at the next available opportunity. The chairman will sign the copies of the approved minutes from the past 15 months in the next meeting.

1509/21 **CHAIRMAN'S ANNOUNCEMENTS AND REPORTS**

Cllr Lisewski and DCllr Shepherd attended the recent IGV meeting. Cllr Lisewski reported that there is still concern that Stenson Fields is getting the houses but not the senior school, and a reluctance on a commitment to provide road access. A request for a projected timeline over houses, school and a medical centre is still ongoing. A further meeting is planned for November.

1510/21 **CLERK'S REPORT** (circulated prior to the meeting).

1. Clerk reported the protruding tree roots on the pavement (again) at Quantock Close tree roots on 26th June
2. clerk reported the fly-tipping at the south side of Stenson Road to Highways England but was told that this area is not within its remit.
3. clerk asked SDDC for graffiti-removing kits but was told these are no longer provided. Clerk suggested to our lengthsman that he order these from a supplier to which he agreed.
District council intend replacing the waste bin at Ledbury Chase with a new bin.
4. One of our lengthsman, Jane Hawksworth, tested positive for Coronavirus on 2nd July which meant 10 days quarantine for both her & Steve. Clerk advised Steve that they should get tested again in 10 days' time, which they did resulting in a negative result.
5. the SDDC freighter service, to collect unwanted white goods, on Saturday mornings has been suspended (see above). If it re-commences SDDC will announce it on its website.
6. Re: Stenson Fields school confirmed the Biffa waste collections in the summer holidays as follows:
General waste Monday 26th July, Mixed recycling Thursday 29th July.
No general waste collection on Monday 30th August (Bank holiday)
Mixed recycling Thursday 2nd September
Usual service from 6th Sept.
7. clerk reported the overhanging hedges on Stenson Rd near the balancing pond again to Highways on 26th July (after reporting it twice in the last 6 months without remedy). This issue has now been addressed in Richard Handbury's (Traffic and Safety Network Planning at DCC) email of 26th July. CCllr Atkin asked whether the hedge can be cut back to aid visibility, notwithstanding the constraint of the ongoing bird nesting season which he thought may be waived. Mr Handbury replied to say that this is a matter for Highway Maintenance.
8. clerk wrote to the PCC with our concerns over lack of patrolling and requested a site visit from her or a colleague.
9. After several complaints to the police and DCC's Civil Parking Enforcement to address the errant parking at Stenson Fields Farm it appears little can be done. Cllr Lisewski complained to DCC again on 27th July but was met with the same response.

1511/21 **Matters for Decision or Discussion:**

- a) Police Issues/Speed Limits/Road Safety.
Clerk has already wrote to the new Police & Crime Commissioner requesting a site visit (as mentioned above).
- b) Saxon Gate at Newton Village Development, Stenson Road. Covered earlier in DCllr Shepherd's report.
- c) Lengthsman Scheme. Nothing to report.
- d) Environmental issues (Biffa, trees, bulbs, bins, etc). Nothing to report.
- e) to consider the removal of the Coronavirus regulation in the standing orders. **Resolved:** agreed.
- f) to discuss possible installation of one or two public benches on Wragley Way. **Resolved:** held over to the next meeting.
- g) to consider the payment of SSP to one of our lengthsman. The lengthsman earn below the legal limit allowed to claim SSP. However, council is obliged to pay Jane Hawkridge 10 days' wage under our Sickness & Absence policy (clause 8 – Company Sick Pay), which was therefore granted in the following terms. **Resolved:** To pay Jane sick pay of 10 days, pro rata circa 10hrs (1/3 of 30hrs per month) which will be paid in September's meeting.
- h) to discuss procedure over hiring a room at the Community Centre. **Resolved:** held over to the next meeting.
- i) to consider adopting a 'delegated powers' policy. **Resolved:** held over to the next meeting.
- j) to consider the election of a dedicated member(s) to communicate directly with police over ongoing and future issues. **Resolved:** held over to the next meeting (to which the PCC will be invited).

1516/21 Agenda items for the next meeting.

- Police Issues/Speed Limits/Road Safety;
- Saxon Gate at Newton Village Development, Stenson Road;
- Environmental issues (Biffa, trees, bulbs, bins, etc);
- Lengthsmen Scheme;
- Cllrs Rogers to pledge to abide by the code and to confirm any changes to his Registers of Interests, if applicable and if in attendance;
- To discuss possible installation of one or two public benches on Wragley Way;
- to consider the election of a dedicated member(s) to communicate directly with police over ongoing and future issues;
- to discuss procedure over hiring a room at the Community Centre;
- to consider adopting a 'delegated powers' policy;
- Chairman & vice-chairman to sign their 2021/22 declarations of office.

1517/21 Date of next meeting –the next Council Meeting will be held at Stenson Fields Primary School on Thursday 16th September 2021 at 7.15pm (assuming excessive Covid restrictions are not reintroduced).

The Chairman thanked attendees for their input and closed the meeting at 9pm.

Signed.....C Fellows (Chairman) Date.....