

## WHISSENDINE PARISH COUNCIL

Minutes Parish Council Meeting: **Monday 4 December 2023**  
**7.15 pm**, held in the Village Hall, Whissendine.

**Present.**

**Mr Will Farr (Chairman)**  
**Dr C East, Mrs C Moss, Mr K Thomas (part),**  
**Mr T Collins, Mrs G Wilkins, Mrs L Arnold,**  
**and Mr P Greenlay.**

**In attendance**

Dr S Lammin (Parish Clerk)  
No members of the public

Meeting started 19.16hrs

- 13789** To take any questions or comments from the public: None
- 13790** Apologies for absence: Ms. Jane Buckley (medical appointment); it was AGREED her apology be accepted.
- 13791** Declarations of Pecuniary interest: Mrs Moss declared an interest in relation to planning applications 2023/1203 and 2023/1228 below, as a near neighbour.
- 13792** To respond to a request from a member of the public regarding the pursuit of a judicial review in relation to RCC's decision on 2021/1263/OUT: There are matters that the Parish Council must investigate. All of the conditions would need to be met before the Parish Council could consider expending public money on legal action. Test 1. Is application for judicial review possible...is it in time? Test 2. Is there sufficient evidence to support the proposed case? Test 3. What is the financial risk, what is the potential cost to the Parish Council of embarking on a legal case and the potential cost in the event the case is unsuccessful?  
The consideration in this instance falls at Test 1. To apply for judicial review the Parish Council needs the permission of the Court. The time-limit for seeking permission, where the decision being challenged is a planning decision, is 6 weeks [Civil Procedure Rule 54.5(5)]. The decision notice for 2021/1263/OUT was issued on 5 December 2022. The window of opportunity for applying for judicial review of RCC's decision closed before 16 January 2023. The requested course of action is not available.
- 13793** To approve minutes of the meeting held on 6 November 2023: Proposed by Mrs Wilkins and seconded by Dr East; the minutes were AGREED and signed by the Chairman.
- 13794** Reports from Councillors:
- a. Reports of meetings attended by Parish Councillors:  
Mrs Moss reported East Midlands Air Space' now moving to Stage 3  
Mr Farr reported attending the Village Hall AGM. There is to be a new Treasurer.  
They have spent the WPC CIL Grant.
  - b. Report from Mrs Rosemary Powell, Rutland County Councillor: Parks Nursery consultation now closed, Green Bin charges to increase in 2024. RCC Local Plan Consultation now open. Ashwell Rd (westside) hedges: the landowner has been contacted by RCC Highways about cutting back the over-growth.
- 13795** Planning matters

Mrs Moss left the meeting.

- a. To consider plans received between 7 November and 4 December 2023: including

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**2023/1203/FUL** 24 Main Street: extension and removal of two trees.

The Parish Council had no comment to offer on the building alterations. These two trees are an important part of the street scene and the Parish Council would not wish them lost. They are of significant height and can be seen from afar. The Parish Council would wish RCC to consider applying a TPO to protect these trees as they are significant.

Mr Thomas left the meeting for a prior appointment.

**2023/1228/FUL** 37 Main Street- resubmission alteration front and rear, 2nd storey extension, some demolition and garage conversion for ancillary dwelling

The Parish Council objects to these proposals for a number of reasons:

Inaccuracy: in the submitted application form (22 November 2023) it includes the rear access, tree removal and new gym. There are no supporting documents for these aspects included and the Parish Council has been advised that these do not form part of the latest application. The application form is inaccurate and confusing.

Loss of privacy of neighbours: given both the height of the development above neighbouring homes and the inclusion of cabrio windows with walk-out balconies at second-floor level there is a likelihood of overlooking private spaces and gardens of neighbouring properties to the detriment of the occupiers.

If it is included access on to Cow Lane is inappropriate: This property is accessed by a driveway adjacent to 39 Main St. The present access is fit for purpose. To create a second access onto Cow Ln would require removal of established/mature trees and hedging that shield the view of the current house from Cow Ln. It would also require that a long drive be cut into the verge/embankment to the north of Cow Ln. Such a cutting would diminish the grass area, which is currently planted with specimen trees and would significantly adversely affect the street scene of Cow Ln. Cow Ln. is a single-track road that slopes down to the village centre. The lane floods and becomes impassable around 6-times each year; vehicles are forced to reverse back up the narrow road...adding another driveway onto this route presents an unnecessary additional hazard.

If the rear access is included it presents increased flood risk: 37 Main St is significantly elevated above Cow Ln so that a driveway would have significant fall. Coupled with the potential loss of grass coverage is the impact of increased hard-standing on the proposed driveway; it is likely that increased rapid rainwater runoff from this property, via any new driveway onto Cow Ln, would increase the speed and severity of flooding on Cow Ln.

Mrs Moss rejoined the meeting.

**2023/1181/FUL** 9 Lammas Cottages, Cow Ln.: Concrete wheel-chair ramp, etc: No comments offered.

- b. Planning updates: None.
- c. To receive external examiner's report and amended Neighborhood Plan: Mr Thomas reported that the External Examiner has provided a report and each point has been considered. The Examiner commends a number of points but takes issue with some. Some of the Examiner's points are open to challenge. It was AGREED RCC should receive the summary response for forwarding to the Examiner. The Neighbourhood Plan will be amended to reflect the areas of common agreement and negotiated wording. It was AGREED that responsibility for finalizing the Plan and supplying it to RCC be delegated to Mr Thomas and Mrs Moss.
- d. To consider and offer responses to the consultation on RCC's Draft Local Plan: The Parish Council were pleased to see a high on-site target for bio-diversity. The Parish Council has concerns that flooding considerations are limited to development sites and do not adequately consider topographical effects on other developed areas. Whissendine is subject to fluvial flooding from Whissendine Brook 4-6 times a year on average in that the main road through the village becomes impassable, cutting the village in two. The most serious floods inundate: the area

known as The Banks [which includes a children's play area]; Main St; Cow Ln; and The Nook. Flooding in the Nook threatens two dwellings and the licensees' accommodation at the Public House has been flooded already in 2023. For any proposal that involves discharge of surface water into any stream that flows into Whissendine Brook, Whissendine Parish Council would wish to see alternative water-management prioritized so that discharge to water-course is last-resort and then the maximum rate of discharge is limited to 1.7 l/s. It was AGREED the Clerk should make the Parish Council response (submitted 12.50 hrs 5/12/23).

- e. To consider and offer responses to the consultation on Melton BC's Draft Local Plan The village is immediately downstream of the uplands in the Cold Overton-Pickwell area; the streams from which drain into Whissendine Brook. Whissendine is subject to fluvial flooding from Whissendine Brook 4-6 times a year on average in that the main road through the village becomes impassable, cutting the village in two. The most serious floods inundate: the area known as The Banks [which includes a children's play area]; Main St; Cow Ln; and The Nook. Flooding in the Nook threatens two dwellings and the licensees' accommodation at the Public House has been flooded already in 2023. For any proposal that involves discharge of surface water into any stream that flows into Whissendine Brook, Whissendine Parish Council would wish to see alternative water-management prioritized so that discharge to water-course is last-resort and then the maximum rate of discharge is limited to 1.7 l/s. It was AGREED the clerk should submit the Parish Council response (submitted 12.22hrs 5/12/2023).

**13796** The Banks and village green: No issues raised.

**13797** Highways and village maintenance: No new issues

**13798** Financial Business

- a. To receive the financial report: on 30 November 2023 there was £8731.48 in this year's budget. There will be an £8 charge from the bank during December. There are sufficient funds to cover planned expenditure.
- b. To consider invoices received since 7 November 2023 and approve payments:
 

Ash-dieback report (min. 13785e also)	£ 450.00
RCC for Street Lighting (2023-24)	£ 3311.00
Christmas Tree	£ 188.50
Room bookings (Village Hall) [Aug-Oct '23]	£ 64.00
Village Magazine space	£ 595.00
Councillor training (22 Nov. 2023)	£ 50.00
Village Caretaking (Nov. & Oct residual 2023)	£ 126.26
- c. To consider capital projects for inclusion in the 2024-25 budget, including refurbishment of the village pump, c£2k. The inclusion of the Village Pump was AGREED.
- d. To consider the national amendments to wages and salaries proposed for 2023 and 2024, to agree: any provision in the 2024-25 budget, any changes to be applied and the implementation dates of any changes. The national living wage is due to increase by £1.02ph from April 2024. The Village Caretaker's remuneration is based on the NLW and should also increase by £1.02ph from April 2024; this increase was AGREED. The 2024-5 budget must increase, provision for liability of up to £1300 required.  
The Clerk's remuneration has been loosely tied to the rates agreed by the National Joint Council for Local Government Services. In November NJC rates for April 2023 to March 2024 were agreed. An increase was AGREED (equivalent to SCP 29 1/4/23) and date of application was AGREED as 1 December 2023. The 2024-5 budget must increase, provision for liability of up to £10,900 (inc. on-costs and payroll costs) required.

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- e. To consider any other expected changes in demand for expenditure in 2024-25- The cost of street lighting is expected to reduce in 2024 by >25%.

**13799** To consider a request from a Parish Councillor for training, 'for better engagement with young people'. The course is advertised by LRALC. It lasts 2 hours and costs £35, there are dates available within 2023-24 and sufficient funds in the training budget. This was AGREED.

**13800** Correspondence: None

Meeting closed 20.42hrs.

Next programmed meeting 8 January 2024