TOWN AND PARISH COUNCILS LIAISON COMMITTEE

GRIMSBY TOWN HALL

29th September, 2016 at 7.00 P.M.

AGENDA

1. Apologies
   To receive any apologies for absence from this meeting

2. Declarations of Interest
   To record any declarations of interest by any Committee Member in respect of items on this agenda.

3. Minutes and Matters Arising
   To receive the minutes of the meeting of this Committee held on 28th July, 2016 (copy attached).

4. Committee Action Plan
   To receive an update on the action plan for the Town and Parish Council Liaison Committee (copy attached).

5. Policing Matters
   The Committee have invited Mr. Keith Hunter, the Humberside Police and Crime Commissioner to attend to advise Members about his plans for policing in NEL. The Commissioner will also answer Members’ questions.

6. Member Development Update
   To consider any development issues.

7. Referrals to Scrutiny
   To consider any issues that need to be referred to Scrutiny.

8. Issues raised by Town/Parish Councils
   Ashby cum Fenby Parish Council
   
   1. Validity of Community Led Plans with regards to the merging Local Plan

   Is it still viable for Parish Councils to put forward a Community Led Plan up to the point that it has been reached for the Local Plan to be accepted by Secretary of State. The Parish Council think if the plan is rejected in the
1st stage then it will be an opportunity to submit a Parish Plan.

North East Lincolnshire Council’s response:

Community Led Planning has become an umbrella term for parish plans and neighbourhood plans but they have important distinctions as far as statutory planning is concerned.

Parish plans as produced by Waltham and Ashby are non-statutory documents but serve to highlight actions that can be taken forward by the community and in partnership with other organisation including but not limited to the council. It can influence service provides and serve as evidence when applying for funding or lobbying.

Neighbourhood Plans focus on land use planning issues but must be prepared in accordance with set procedures based on research and consultation and subject to independent examination.

It is important to note this distinction which I think is where the confusion has arisen; the text below is taken from a guidance doc produced by Dover council

Neighbourhood Plans need to conform to national policy, local adopted plans and other legal requirements. They do not replace Core Strategies or Local Plans, but can be used to promote more growth than proposed in adopted Core Strategy/Local Plans, but not less. These plans can be used to develop a shared vision through identifying where planned new homes and businesses might go, protecting important open areas and developing new open spaces and setting design parameters. Importantly, they cannot be used to restrict growth or to prevent development that is acceptable under national and local policy, but they can be used to guide that development to certain locations, or to exceed growth proposals planned within local policy plans.

We have considered the Waltham Parish Plan in progressing the local plan and preparing the pre-submission local plan as we have done with regard to the Ashby Plan but it would be incorrect to state that the Waltham parish plan has been “included in the local plan”.

The parish plans sit independent of the local plan and include some aspects that are important to the communities, but which cannot be picked up in the local plan.

I have stressed that the local plan may not take forward some of the approaches or desires that are set out in the parish plans. This is not a criticism of the parish plans as they represent the feelings of local residents but some
things are not possible to put in a local plan, and sometimes
development is pursued in the wider interests of the
borough as whole which may not be supported by the local
community.

9. **Any Other Urgent Business**

To consider any business which, in the opinion of the Chairman, is
urgent by reason of special circumstances which must be stated
and minuted.
28th July 2016.

Present: Councillors Hasthorpe, Fenty, Colquhoun and Shreeve

M. Hodgins          Barnoldby-le-Beck Parish Council
J. Bratton          Barnoldby-le-Beck Parish Council
A. Poppleton        Bradley Parish Council
B. Turner           Bradley Parish Council
H. Hall             Humberston Parish Council
J. Baron            Humberston Parish Council
C. Hall             Humberston Parish Council
D. Marshall         Laceby Parish Council
S. Greenbeck        Laceby Parish Council
G. Baker            New Waltham Parish Council
D. Raper            New Waltham Parish Council
R. Breed            New Waltham Parish Council
M. Archer           Waltham Parish Council
K. Kiddle-Bailey    Waltham Parish Council

Also in attendance:

Pauline Cooke Planning and Building Control Business Improvement Manager
Paul Windley Democratic Services Team Manager - NELC
Adebayo Genty Scrutiny and Committee Support Officer-NELC

Others in attendance:

There was one member of the press at the meeting.

LM.01 Appointment of Chairman

Upon nominations being requested, it was moved and seconded that Councillor Hasthorpe be appointed as Chair of this Committee for the Municipal Years 2016/17 and 2017/18.

RESOLVED – That Councillor Hasthorpe be appointed as Chair of this Committee for the Municipal Years 2016/17 and 2017/18.

LM.02 Appointment of Deputy Chairman

Upon nominations being requested, it was moved and seconded that Councillor Archer be appointed as Deputy Chair of this Committee for the Municipal Years 2016/17 and 2017/18.
RESOLVED – That Councillor Archer be appointed as Deputy Chair of this Committee for the Municipal Years 2016/17 and 2017/18.

LM.03 Apologies

Apologies for absence from this meeting were received from Councillor Oxby (NELC), Councillor Watson (NELC), Rob Walsh (Chief Executive), Tony Maione (Chief Legal and Monitoring Officer) Councillor Barber (New Waltham Parish Council), Councillor Archer (Waltham Parish Council), Mrs Leach (Clerk - Waltham Parish Council) and Councillor Croft (Stallingborough Parish Council)

LM.04 Declarations of Interest

Councillor Hodgins declared a personal interest in an item to be considered under issues raised by Town and Parish Councils as he was as a resident in a ‘Hard to Reach’ property.

Councillor Bratton declared a personal interest in an item to be considered under issues raised by Town and Parish Councils as he was as a resident in a ‘Hard to Reach’ property.

LM.05 Minutes

The minutes of the meeting of this Committee held on 10th March, 2016 were agreed as a true record subject to the following amendments:

At LM.44 – Councillor Hasthorpe enquired whether there were any cases where there had been successful prosecution of individuals or companies who had displayed banners illegally to advertise forthcoming events. Mr. Windley agreed to seek a written response to this.

RESOLVED –

1) The minutes of the Town and Parish Council Liaison Committee held on 10th March, 2016 were approved as a correct record.

2) That a written response be provided on whether there had been any successful prosecution of individuals or companies who had displayed banners illegally to advertise forthcoming events.

LM.06 Committee Action Plan

The Committee received and noted an update on the action plan for the Town and Parish Council Liaison Committee.

LM.07 Temporary Traffic Regulation Orders and Road Closures
The Committee considered the imposition of charges for the publication of temporary traffic regulation orders for occasions such as Remembrance Sunday and other village, social and community events.

Mr. Windley explained to the Committee that the local authority was legally obliged to put public notices in a newspaper on road closures but as a result of further negotiations with the media he was able to confirm that there would no longer be any charges associated with such road closures. He agreed to confirm this in writing to the Town, Village and Parish Council Clerks.

RESOLVED – That the update be noted.

LM.08 Member Development Update

Mr. Windley informed the Committee that there had been number of inductions sessions held for newly Elected Members of North East Lincolnshire Council, such as decision making and code of conduct and some of these had been attended by Town and Parish Council representatives following a wider invite. He added that Town and Parish Councils would be informed as soon as any further relevant sessions became available.

RESOLVED – That the update be noted.

LM.09 Referrals to Scrutiny

There were no issues raised for referral to scrutiny.

LM.10 Issues raised by Town/Parish Councils

An issue was raised by Waltham Parish Council and Barnoldby le Beck Parish Council, concerning the consultation on a Mayoral Combined Authority for Greater Lincolnshire.

Councillor Archer enquired from other Parish Councils if there was a need to have a Mayor elected after devolution had taken place. Mr. Windley explained that this formed part of the devolution agreement that had been agreed with the Government but did form part of the consultation that was currently taking place.

Councillor Fenty echoed what Mr Windley had stated and also informed the Committee that North East Lincolnshire Council would not lose her sovereignty after the devolution and that there were greater benefits that would arise from the Borough being part of devolution, more so there would be significant funding to the authority from devolution.

Committee members stated that they do not have enough information about the benefits.
Mr Windley informed the Committee that he would make available further details of the devolution proposals.

RESOLVED –

1) That the updated be noted.

2) That further information on the devolution proposals be provided to all Town and Parish Councils.

On the issue raised by Waltham Parish Council and Barnoldby le Beck Parish Council, with regard to Hard to Reach Properties.

Mr Windley read out an email from Chris Dunn (Waste Operations and Garage Manager) which stated that all properties were checked to see if any residents at the properties affected were on the waste collection assisted list. As none were found, letters were sent to all residents on phase one of the scheme, who lived in properties on un-adopted roads.

Councillor Hodgins enquired about the criteria used, whilst Councillor Bratton stated that he did not know of any roads that were not suitable for collection and the usage of smaller vehicle should be considered for collection of refuse.

Mr Windley explained that the criteria stated in Mr Dunn’s response included:

- Uneven / poorly maintained roads
- Inadequate turning circles for collection vehicles forcing potentially dangerous manoeuvres
- Poor visibility for collection vehicles to reverse (for example unable to see reversing assistant)
- Distance of property from the highway
- Inadequate road width

While the list was not exhaustive but gave a general idea of the problems the Waste department encounters. More so, Mr. Windley explained that it was not financially viable for the usage of smaller vehicle for refuse collection, as had previously been advised to the Town and Parish councils.

He further stated that the Waste department was very keen to establish a good relationship with residents. Where the service was given a new collection point, the Waste department was willing to look at different ways of collecting waste as far as it was reasonably practicable.

Councillor Fenty noted that he had managed to overcome similar issues within his ward through contacting the Waste department and advised others to do the same.
Concerns were also raised about collections from street litter bins and the emptying of dog bins. On street litter bins it was reported that collections in Waltham were being carried out based on out of date lists of the location of the bins. Mr. Windley agreed to raise this with the appropriate officer.

Bradley Parish Council were complimentary of the way a recent issue over the emptying of dog bins had been dealt with.

RESOLVED- That the update be noted.

A matter was raised by Waltham Parish Council enquiring whether parish councils would be interested in a paths partnership similar to that provided in North Lincolnshire. A response from North East Lincolnshire Council had been included within the agenda papers for this meeting.

Various issues were raised in relation to public rights of way, including the availability of maps for the Humberston area, definition of the New Waltham parish boundary and criteria for the cutting back of overgrowth. It was agreed to invite the Public Rights of Way Officer to a future meeting to discuss issues relating to public rights of way.

RESOLVED – That North East Lincolnshire Council’s Public Rights of Way Officer be invited to a future meeting of this Committee to further discuss rights of way issues.

An issue was raised by Waltham Parish Council about planning applications being heard by the Planning Committee prior to the expiration of the consultation period.

Councillor Archer, stated that North East Lincolnshire Council needed to be more transparent during a planning application process as Parish Councils could not understand why an application was decided at Planning Committee before the end of the consultation period. He further stated that he would like to see more communication made between the Planning Department and Parish Councils.

Ms. Cooke explained that the Planning departments were bound by timescales due to statutory regulations and these were taken into consideration during a planning application, there were cases whereby the application would be heard by the Planning Committee before the consultation period had ended, however the decision would not be issued until after the consultation period.

Ms. Cooke also stated that planning applications would be referred back to the Planning Committee, if a Parish Council presented opposing views which were different from the ones discussed by the Planning Committee.
RESOLVED - That the update be noted.

Ms. Cooke left the meeting at this point.

An issue was raised by Bradley Parish Council, concerning clarification of the process for relevant authorities informing Parish Councils of temporary road closure as they only became aware of the road closure order when it was published in the media.

Mr. Windley read to the Committee an email from Mark Scarr (Deputy Head of Highways and Transport) which stated that North East Lincolnshire Council's statutory obligations, were to advertise the order and to inform the Police, Fire and the Highway Authorities Highways Maintenance Manager. However, his department now recognises the need to cascade this information out to a wider audience and that a review was taking place to further consider which stakeholders, alongside Parish Councils, should include in the circulation list advising of road closures, in future.

Mr. Windley also explained that there was no statutory obligation for the applicant to inform those who may be affected by the road closure. However, the applicant is always advised that out of courtesy it would be appropriate for them to contact those directly affected by the road closure.

RESOLVED - That the update be noted.

An issue was raised by New Waltham Parish Council with regard to the way Town and Parish Councillors were advised and treated when allegations were made against them.

The Chair stated there there was a clear process in place for the way in which complaints about Town and Parish Councillors were dealt with.

There being no further business, the Chairman closed the meeting at 8.22 p.m.
## Town & Parish Liaison Committee Action Plan

Last updated: 19/09/2016

<table>
<thead>
<tr>
<th>Concern/Issue</th>
<th>Action</th>
<th>Time scale</th>
<th>Action Owner</th>
<th>Progress</th>
<th>RAG</th>
</tr>
</thead>
<tbody>
<tr>
<td>26/07/16 Banners illegally advertised</td>
<td>Written response be provided on whether there had been any successful prosecution of individuals or companies who had displayed banners illegally to advertise forthcoming events</td>
<td></td>
<td>Paul Windley</td>
<td>A response will be provided at or prior to the meeting on 29th September, 2016</td>
<td>Red</td>
</tr>
<tr>
<td>26/07/16 Temporary Traffic Regulation Orders and Road Closures</td>
<td>Confirm in writing that there would no longer be any charges associated with such road closures.</td>
<td></td>
<td>Paul Windley</td>
<td>Email sent to all Town and Parish clerks 4th August 2016 to confirm that there would no longer be any charges associated with such road closures.</td>
<td>Green</td>
</tr>
<tr>
<td>Date</td>
<td>Subject</td>
<td>Action</td>
<td>Responsible Officer</td>
<td>Notes</td>
<td></td>
</tr>
<tr>
<td>------------</td>
<td>---------------------------------------------------</td>
<td>------------------------------------------------------------------------</td>
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<td></td>
</tr>
<tr>
<td>26/07/16</td>
<td>Devolution</td>
<td>Further details of the devolution proposals be made available to T&amp;P</td>
<td>Paul Windley</td>
<td>Email sent to all Town and Parish clerks 4&lt;sup&gt;th&lt;/sup&gt; August 2016 including a link to information on the proposals.</td>
<td></td>
</tr>
<tr>
<td>26/07/16</td>
<td>Concerns about collections from street litter bins and the emptying of dog bins</td>
<td>To be raised with the appropriate officer.</td>
<td>Paul Windley</td>
<td>Email was sent to the appropriate officer on 4&lt;sup&gt;th&lt;/sup&gt; August 2016 noting the concerns raised.</td>
<td></td>
</tr>
<tr>
<td>26/07/16</td>
<td>Concerns in relation to public rights of way</td>
<td>That North East Lincolnshire Council’s Public Rights of Way Officer be invited to further discuss rights of way issues.</td>
<td>Paul Windley</td>
<td>Officers invited – response awaited.</td>
<td></td>
</tr>
</tbody>
</table>