

Witherley Parish Council

Serving the villages of Atterton, Fenny Drayton, Ratcliffe Culey and Witherley

Papers for the Council Meeting: Thursday October 13th 2022

County Councillor Report:

Budget Update

- Leicestershire County Council's budget gap is set to grow from £8m to £28m next year – and could even top £140m by 2026 - as the 'dire' financial situation affecting local authorities intensifies. As the Leader recently stated. "Our financial situation is frightening, worse than the years of austerity. We've lost £230m a year in spending power since 2010. We're very lean so it's not possible to balance the books without impacting front line services. We pride ourselves on doing the best we can with the money we have but we will have to make some tough decisions. Nothing is off the table". "As the lowest funded county council under the Government's funding system, Leicestershire will always be sensitive to financial shocks. But the challenge currently being faced will put even the best funded local authorities under pressure."
- More information on the Councils current financial situation can be found using the following links:

Firstly, the latest LCC press release: <https://www.leicestershire.gov.uk/news/sobering-report-sets-out-dire-financial-challenge>

Secondly, the cabinet paper which lead member Cllr. Breckon presented at Cabinet roughly a week ago: [\(Public Pack\)Supplementary Report - Medium Term Financial Strategy - Latest Position Agenda Supplement for Cabinet, 23/09/2022 11:00 \(leics.gov.uk\)](#)

- I would also like to draw your attention to the following document which gives an overview of the Council's current service costs: <https://www.leicestershire.gov.uk/sites/default/files/field/pdf/2022/9/20/our-service-costs.pdf>

I appreciate this month's updates on the council's finances are quite detailed, so if anyone has any further questions after reading through the information provided, please do not hesitate to get in contact with me.

Recycling and Household Waste Sites From October 1st, autumn / winter opening hours will come into force at Leicestershire's recycling and household waste sites. This means sites will be open 9am – 4pm on their usual days.

Cost of Living Crisis Around 11,000 pensioners in Leicestershire are to receive £100 voucher to help with the continuing cost of living crisis. The voucher can be exchanged for cash at any PayPoint retailer by 16th December.

Support for Energy Efficiency With energy prices set to rise significantly this winter, the cost of keeping warm may be a cause for concern for many. The Warm Homes service can provide advice and connect residents to wider support for improving the energy efficiency of homes such as the Green Living Leicestershire home energy grant.

- Residents can sign up to the Warm Homes newsletter by LCC to be notified of new grants, support schemes and up to date advice on maintaining affordable warmth at home: <https://www.leicestershire.gov.uk/environment-and-planning/conservation-and-sustainability/sign-up-for-our-warm-homes-newsletter>

Free Trees: We are giving away free packs of trees to Leicestershire farmers and landowners, to help support the planting of new native woodland and hedgerows across the County. More info and how to apply at <https://crowd.in/OFMK9w>

Borough Councillor Report – to be received at the meeting.

Correspondence

- 9th Sept email from LCC Highways advising the permits to place defib's on highway in Atterton and Ratcliffe Culey have been approved and sent to LCC legal for agreements to be issued.
- 9th Sept – email notice from HBBC of NDP Reg 16 consultation to take place between 16th Sept and 4th Nov, These dates may have altered due to the death of the queen.
- 10th Sept email from Ratcliffe Culey resident offering to host the defibrillator. Clerk responded thanking for the offer, but it is not required. 14th they responded advising they were glad it was sorted.
- 23rd Sept, they wrote again stating that Cllr Cartwright had not been in touch and wanting to know if the Council wanted their help or not. Sept 26th I responded advising the LCC had permitted the post to be installed, and that recent events had overtaken the minutes, our correspondence had likely given the impression he did not need to make contact.
- 27th Sept they replied: Are you not employed by the parish council ? which means they make decisions which you must follow, like for instance Septembers meeting the Defibrillator was to be housed at the POST OFFICE TEMPORARILY, I am only thinking of the village. I know it doesn't suit you but it is what the Parish Council have instructed you to do.

Ok the Post Office is not in the most suitable place, but at least it will be in Ratcliffe Culey instead of at your house in Sibson, where it is of no use at all. I always thought it was your job to do what the Parish Councillors instructed you to do. OK you say you are expecting the permit any day now so does that mean you have the contractor on speed dial to fit the poles within days after you getting the permit.

I hope the defibrillator is not needed. I am sure they will understand "its not worth putting it somewhere temporarily" particularly if they have died, which I hope you can live with, after all it will have been your decision not to do what the Parish Councillors have instructed you to do.

I personally think it is stupid WPC decided where the defibrillator was to be housed TEMPORARILY until it is fitted in permanently, but you obviously know it is going to be fitted into its permanent home with in the next few days, once you have got the permit. The only people that need to know at the moment is the villagers.

So you have decided what WPC made the wrong decision and it is better to leave it with you until it has been installed in its perinate place.

Clerk Update

Atterton

- Defibrillator in position and working. Training will be available as soon as possible.
- Chased LCC and HBBC for planning application to position a royal mail post box. Neither council has received anything from Royal Mail.

Fenny Drayton

- Repairs to the kiosk – prices are being obtained for partial or full overhaul of the kiosk. Likely to be brought to November meeting.

Ratcliffe Culey

- Defibrillator in position and working. Training will be available as soon as possible.

Witherley:

- Reported hedges on corner of Post Office Lane and Kennel Lane again as they are now dangerous.
- WMFPT issued a poster requesting residents give donations towards the new security gates installed. They stated that there were no funds available from the Parish Council. The Chairman brought it to the attention of the Clerk. The Clerk made enquiries with Cllr Liggins who knew nothing about any application or the poster. It transpired there was a line in an email submitted to the clerk at 6.50 p.m. on the day of the September meeting if there were any grants available from HBBC, amongst other comments which were immediately responded to via quick email and in the meeting. At no point was there a request for a PC grant. I met with the Chairman of the playing field committee and Cllr Liggins to discuss the matter face to face, and it was agreed an apology would be issued, and a grant application submitted to the PC.
- Cllr Flude emailed to advise exaction taking place on The Bull Inn land at Witherley. Cllr Waters made close inspection and updated all parties to advise no excavation but piles of moved earth.

Parish:

- Attended training event SLCC 21st September.
- Posted to council website images and tribute note to Her Majesty Queen Elizabeth on the announcement of her death.
- Drove the grass cutting schedule with Paul from M & BG (current contractor).
- End of audit received.
- NDP - Regulation 16 is underway, the consultation is open between September 16th and November 4th. HBBC will allocate an independent examiner to review the documents and process by when the consultation is finished.

Planning Applications: Can also be seen via [Planning Applications | Witherley Parish Council](#)

22/00937/FUL 7 Dwellings at Atherstone Hunt Kennels, Kennel Lane, Witherley.

PAP/2022/0423 MIRA South of A5 site can be viewed at [Planning Public Access \(northwarks.gov.uk\)](#) and search for the PAP reference number

Finance:

This month's payments for authorisation are in white boxes.

Date	Chq/ ref	Payee	Staff Costs	Training & Travel	Ground Works	Maint'ce	Prof' & Subs	Admin	Projects	NDP	VAT	TOTAL
13/10	U043	M & BG Limited			500.00						100.00	600.00
13/10	U044	Screatons Ltd						14.20			2.84	17.04
13/10	U045	A Forsyth		35.01				15.00	9.98		0.00	
13/10	U046	Comty Heartbt T				265.00					53.00	318.00
13/10	U047	St Michael & All Angels						33.00			0.00	33.00
13/10	U048	PKF Littlejohn LLP					300.00				60.00	360.00
13/10	U049	LG Services				136.00					0.00	136.00
13/10	U050	Playsafety Limited					84.00				16.80	100.80
13/10	U051	Witherley Mem Play Field							654.54		0.00	654.54
13/10	U052											0.00
		Expenditure to date:	4698.83	235.08	4003.36	1772.00	872.86	1903.38	5029.67	250.00	1600.38	20365.56
		Allocated Budget	8,700.00	425.00	12,052.00	4,337.00	2,190.00	1,880.00	8,200.00	1,786.09	1600.38	41,170.47
		Remaining	4,001.17	189.92	8,048.64	2,565.00	1,317.14	-23.38	3,170.33	1,536.09	0.00	20,804.91

Code of Conduct Amendments:

Deferred item from September meeting: a motion to amend the current national version to our parish version by amending the following:

2.38.3 Dispensations. Currently requires 5 days notice prior to a meeting. As agenda goes out 3 full days prior the agenda is not known, 5 days is not feasible. This should be amended to "at any time up to the meeting, but decided by the Council at the meeting".

- LRALC have advised by email: Dispensations – by default, parish and town councils have been used to issuing their own dispensations over the last 10 years, avoiding the need to involve the Monitoring Officer, who previously were the only people who could issue dispensations. Whilst clerks have had the ability to be delegated the authority to issue dispensations by council over the last 10 years, most councils and clerks have felt that this is not appropriate. Therefore, any council that adopts the new model Code is **strongly advised to use the amendment that stipulates that the council (or committees/sub-committees) are the body who issue dispensations for your parish/town council.**

- This is also reflected the Market Bosworth PC's meeting papers as pointed out by Cllr Flude; although their minutes show that they agreed to adopt the Code of Conduct in its entirety as disseminated by the Borough Council. They use a form to request the dispensation, which could be a good thing to implement and help a member make the request (circulated separately).
- On discussing our current practice and the Code with LRALC they have agreed that we could accept dispensation requests right up to the start of the meeting, and agrees with my suggestion of a standing agenda item similar to the Declarations of Interest we currently have and amend it to include dispensations, so the Council can decide to allow them or not at the meeting.
 - a. To receive members' declarations of interest in accordance with the adopted Code of Conduct OR
 - b. To receive and consider members' requests for dispensations in accordance with the adopted Code of Conduct and Standing Orders

Public Space Protection Order

The Order is due for renewal in November, we have been asked if we want to remain within its jurisdiction? **Decide.**

There are no costs to be incurred, the Order allows anyone to challenge any anti-social behaviour. Log/photograph/record any antisocial behaviour/littering/dog waste and report it to prevent people from acting in those manners within our community in the future.

Speeding Traffic Issues In All Villages: Further to a Witherley resident and some Fenny Drayton residents raising the issue of traffic in their villages the Council instructed it to be discussed at this meeting.

Atterton: I emailed LCC with an enquiry about lowering the speed limit in light gates we have had erected, and enquiring when the white "dragon's teeth" painting would be done (previously promised prior to covid). I had the following email response.

Dear Witherley Parish Council,

With regards to your request to lower the speed limit on Atterton Lane, Witherley.

Leicestershire County Council is bound to work by guidance issued by the Department for Transport (DfT) when it comes to setting speed limits - *Department for Transport Circular 01/2013 – Setting Local Speed limits*. The guidance explains that when setting speed limits, we must take into account various factors such as the history of collisions, the road's function, existing mean traffic speed, and the road environment including level of road-side development.

Whilst we appreciate there is a number of properties adjacent to the highway, this is a very low number where the majority of the road is that of a rural environment with limited roadside development on either side of the road. Traffic entering onto the network is limited with no high number of vehicle accesses, or junctions. There is very little interaction between all road users (pedestrians, cyclists, motorists) as there are no other local amenities such as shops, parks, surgeries etc, being present along this road. An analysis of the collision history also shows that there has been no reported physical injury accidents in the previous five years along the full length of Atterton Lane.

Acknowledging the environment as a whole, this does conclude that Atterton Lane is considered appropriate to have a national speed limit applied. When requests are made to reduce speed limits, officers must be satisfied that there is a change in the environment that drivers can easily identify in order for them to understand the reasoning behind the speed limit change, which in turn will increase compliance with the speed limit.

As enforcement of speed limits remains a police function, the guidance has been set to ensure that speed limits are self-enforcing, as there should be no expectation on police resources to enforce speed limits to achieve compliance. For this reason the County Council and Leicestershire Police discuss all matters pertaining to speed limits, therefore we have also taken the opportunity to contact Leicestershire Police regarding your concerns and they have provided the following statement:

'The Police and LCC are both working to strict DFT guidance in terms of introducing or changing an existing speed limit. This is to ensure that there is a level of consistency across the UK.

Atterton Lane, being in a completely rural environment, would not meet the criteria for a reduction in the existing limit. Drivers would not recognise the need for it and there would be a great deal of enforcement implications which we could simply not cope with.'

The Police have also advised they will let the local beat team know of the concerns that the Parish have raised.

In conclusion, the Police and LCC are in agreement that the national speed limit on Atterton Lane is appropriate at the present moment in time. We appreciate this may not be a welcomed response, but trust it answers the questions as to why a lower speed limit cannot be applied. We do apologise for delays regarding the dragons teeth road markings, an oversight has been made which officers are visiting the area next week to re-mark and have our contractors attend and paint as soon as possible.

Thank you once again for your enquiry.

Fenny Drayton:

We have purchased a vehicle activated speed sign which is moved and posted around the village. Post positions are governed by the strength test carried out on the lamp post or other, and location of the post for catching the data.

The average data would indicate the speed of most of the traffic is consistent with the restrictions in the area.

A resident at the September meeting raised concerns over the traffic using Church Lane as a cut through.

Historically there have been discussions to implement chicanes, sleeping policemen type bunds, and a one-way system all of which were either vetoed by the residents or not permitted under national highways standards which LCC must abide by.

Witherley:

Residents of Church Road have been requesting new signage to prevent traffic entering the cul-de-sac and causing issues for local residents all of which have been refused, however they did suggest changing waiting restrictions, provided diagrams, but advised these projects typically cost £7,500 to implement and the Parish would have to fund it.

Residents on the A5 Watling Street are concerned of the increasing number of incidents caused by speeding traffic near and on the Bridge Lane and Kennel Lane junctions. Residents would welcome a speed check party with the police and local volunteers.

It would be possible to have a lamp post weight checked to position the VAS on the A5 pointing at the traffic coming from the Mancetter island.

Ratcliffe Culey:

There were not any issues raised at the meeting for Ratcliffe Culey and the VAS statistics would indicate there aren't many vehicles travelling in excess of the speed limits.

It could be the Council requests to use the Members Highway Fund at the County Councillor's discretion.

What does the Council want to do about the above issues?

Grant Request from Witherley Memorial Playing Field Trust - Decide

Email from the Treasurer: The playing field recently took steps to secure the field from possible invasion by unwanted residents recently. This action was taken quickly as an emergency response to a real threat. The cost of the new secure gate was £5212.80. The committee requests the council to consider making a grant of £2606.40 (50%) towards this cost in order to allow the committee to keep some reserve for the maintenance of the field.

Ban the Gifting of Live Animals on Council Land - Decide

HBBC has asked all parish councils within the Borough to consider banning the gifting of live animals on their lands.

It is concerned about the number of cases reported to the RSPCA each year regarding pets given as prizes via fairgrounds, social media and other channels in England and notes the issue predominantly concerns goldfish

- Is concerned for the welfare of those animals that are being given as prizes
- Recognises that many cases of pets being as prizes may go unreported each year

HBBC minutes state it agrees to:

- Ban outright the giving of live animals as prizes, in any form, on Hinckley & Bosworth Borough Council land
- Write to the UK government urging an outright ban on the giving of live animals as prizes on both public and private land
- Write to all parish clerks within Hinckley & Bosworth Borough Council's area, suggesting that they ask their Council to consider implementing an outright ban on the giving of live animals as prizes, in any form, on their parish land."

This Council to decide.

Grass Cutting Schedule: To be agreed.

Village / Road/ Verge 30 mph List	<u>No./</u> <u>Cuts</u>	
<u>Ratcliffe Culey</u>		
Playing Field: to mow and strim the field (marked with stripes on map) and the verges by gates	24	
Cut the hedge (both sides) and top	October	
Main Rd; at village sign: mow verge and trim hedge to keep sign visible as necessary	12	
Main Rd; at No.1 Mow verges	12	
Main Rd; verge in front of pub by phone kiosk and defibrillator	12	
Church Lane; mow verges up to kissing gate	12	
Sketchley Lane verges	8	
Sketchley Lane top footpath: strim sides to keep path clear	8	
<u>Fenny Drayton</u>		
Playing Field; to mow and strim (marked with stripes on map)	24	
Strim bank, trees, play equipment and perimeter at Drayton Close end	12	Why is the perimeter only strimmed at Drayton Close end? The nettles are sprayed at other times and the larger hedge and the rear of 40 is maintained by the Groundworks contractor
Cut field-side hedge - side and top	October	Which hedge? Is this all the vegetation at the back of the houses in Fox's Covert No, it is the sapling hedge on the side adjacent to arable field
Drayton Close; bank and verge to playing field gate	12	
Side and top the hawthorn hedge along the jitty and back of house	October	

Old Forge Road cut only the verge outside 1 and 2 when mowing the splays. Strim the grassed area around the noticeboard and kiosk to keep low.	24	
Rookery Close ; mow and strim the grassed areas	24	
Drayton Lane ; from Old Forge Rd to end of left hand bend. Include the banks of the Church Lane corner houses and strim up as far as the boundaries.	12	
Church Lane ; mow grassed verges	12	We will remove Church Lane from the schedule with the exception of the banks from Drayton Lane (See Drayton Lane)
George Fox Lane ; from A444 junction corner splay and along verge	12	
A444 : (Old Forge Road to George Fox Lane) mow a pathway 1 metre deep between the hedge and roadside	12	
Splays at road junction mow and strim a further 20 feet further than currently.	12	The vegetation adjacent to the road needs strimming cutting at least another 20ft further on than currently as it obscure vehicles heading north. A resident has strimmed it.
<u>Witherley</u>		
Mythe Lane ; From Ash Lane to village sign board; mow and strim grass verge	12	
Atterton Lane:		
Junction splays with Chapel Lane to mow and strim	12	
Verges in front of houses from Chapel Lane to end of Hall Lane	12	
Mill Lane ; mow verges along footpath leading away from village to Cottages Piece	8	
Church Road ; mow short section from Hall Lane to football club and the verge opposite Blue Lion pub at the gate opening	8	

Kennel Lane:		
East side verge from junction of Post Office Lane up to the kennels building.	12	
Mow and strim verges both sides from junction of Hunt Lane up to and opposite the reflection garden	12	
St Peter's Avenue:		
Grass junction with Kennel Lane	12	
Verge outside No.3	12	
Verge at entrance to school outside No. 10	12	
Post Office Lane;		
Visibility splay with Kennel Lane	12	
Verge in front of bungalows	12	
Strim the grass along the edge of road adjacent to playing field	12	
Riverside; Along river bank towards church	12	

The next table is the groundworks contract – separate to the grass cutting contract.

Other Ground Works	Freq'y
<u>Ratcliffe Culey</u>	
Trim hedge on Main Rd to keep village sign and road signs visible	4
<u>Witherley</u>	
Strim or spray nettles and weeds along 4 jitties (marked in orange 1-4 on map)	8
Mythe Lane: Raised footpath cut back the overhanging foliage at safe head height	4
Mythe Lane: Raised footpath: Spray/strim low level weeds to allow safe passage	8
Jitty: from Orchard Close garages to Hall Lane	8
Post Office Lane: Strim the grass along the edge of road adjacent to playing field	8
Kennel Lane: Cut back the hedge by the Bull Inn car park	1
Riverside: Weed the planted beds, maintain good display	8
Spray the paving to keep clear of weeds. Do not allow spray to drift onto River	8
Atterton Lane/Chapel Lane bank prevent weed growth and allow natural plants growth	17

Fenny Drayton:		
Playing field left hand hedge behind the houses: Keep this hedge neat and tidy to prevent enchoaching into gardens, Maintain a height of 5 feet high for easy maintenance	8	
Trim and face the Hawthorn hedge from Drayton Close to Foxes Covert to allow safe passage	4	New
Strim or spray nettles and weeds along 4 jitties (marked in blue 1-4 on map)	8	
Atterton:		
Strim around the bench and noticeboard	8	These are newly added
Strim around the gated village signs at both entrances to the village	8	

National Highways Transport Consultation Feedback:

Councillors submitted their answers to the questionnaire for the Clerk to collate as one response.

Q1	How important are the following:	Very Important	Fairly important	Not very	Not at all	Doesn't apply	
	Good Pavements	X	XX				
	Good cycle routes/lanes	X		XX			
	Good local bus services	X		X	X		
	Good local taxi?mini cab services	X	X	X			
	Community Transport	X	X		X		
	Demand Responsive Transport	X	X		X		
	Safe Roads	XXX					
	Low levels of traffic congestion	XX	X				
	Low levels of local traffic polution	XX	X				
	Good street lighting	X	XX				
	Roads being in good condition	XX	X				
	Good rights of way network	XX		X			
Q2	How satisfied are you with the following?	Very satfd	Fairly satfd	Neither nor	Fairly Dissat	Very dissat	Doesn't apply
	Pavements		XX				
	Cycle routes/lanes	X			X		X
	Local bus services		X	XX			
	Local taxi?mini cab services	XX		X			

Community Transport			XXX		
Demand Responsive Transport			XXX		
Safety on Roads					XXX
Traffic congestion					XXX
Levels of local traffic pollution				XX	X
Street lighting	X		XX		
Condition of the roads	X			X	X
Local rights of way network	XX			X	
Overall LCC Transport & Highways Services	X		X	X	

Q3	Do you think the following has got worse or better , or stayed the same?	A lot better	a little better	stayed the same	A little worse	A lot worse	Doesn't apply Don't know
	Pavements			XX			
	Cycle routes/lanes	X					X
	Local bus services			X		X	
	Local taxi?mini cab services			XX			
	Community Transport			X			X
	Demand Responsive Transport			X			X
	Safety on Roads				X	X	
	Traffic congestion				X	X	
	Levels of local traffic pollution				X	X	
	Street lighting			XX			
	Condition of the roads			X	X		
	Local rights of way network			X		X	

Q4	Should the council spend more, less or the same on the following?	Spend a lot more	Spend more	spend the same	a little less	a lot less	Doesn't apply
	Pavements		X	XX			
	Cycle routes/lanes		XX				X
	Local bus services			X	XX		
	Local taxi?mini cab services			XX	X		
	Community Transport			XX			X
	Demand Responsive Transport		X	X			X

	Safety on Roads				X	XX	
	Traffic congestion				X	XX	
	Levels of local traffic pollution				X	XX	
	Street lighting		X	X		X	
	The condition of roads		x		x		
	The local rights of way network		x			x	
Q5	How satisfied are you with the following?	Very satfd	Satisfied	Neither nor	Fairly Dissat	Very dissat	Doesn't apply
	The provision of pavements where these are needed			X		X	
	The condition of pavements			XX			
	Speed of repair to pavements		X			X	
	Quality of repair to damaged pavements				X	X	
	Weed killing on pavements			X			
	Cleanliness of pavements		X		X		
	Direction signposts for pedestrians	X		X			
	Provision of safe crossing points	X					X
	Drop kerb crossing points	X		X			
	Pavements kept clear of obstructions				X	X	
Q6	How satisfied are you with the following?	Very satfd	Fairly satfd	Neither nor	Fairly Dissat	Very dissat	Doesn't apply
	Condition of road surfaces		X		XX		
	Cleanliness of roads		X	X	X		
	Condition of road markings	X	X		X		
	Condition of road signs	X		X	X		
	provision of street lighting	X	X	X			
	Speed of repair to street lighting	X	X	X			
	Speed of repair to damaged roads		X		X		
	Quality of repair to damaged roads				X	X	
	Maintenance of highway verges etc		X		XX		
	Weed killing on roads	X		X	X		
	provision of drains on roads where needed	X		XX			
	Keeping drains clear and working	X		X	X		

Compared to a year ago		More	No change	Less	don't know		
7a	How many potholes/damaged roads	XX	X				
7b	Is the Council making more or less effort?	X		xx			
Q8	How satisfied are you with the following?	Very satfd	Fairly satfd	Neither nor	Fairly Dissat	Very dissat	Doesn't apply
	deals with potholes and damaged roads		X		XX		
	Undertakes cold weather gritting	X			XX		
	Undertakes snow clearance	X			XX		
	Tells residents about the above			X	X		X
	Maintains hedges etc by roads				XX	X	
	Deals with mud on the road			X	XX		
	Deals with flooding on roads and pavements			X	X	X	
Q9	How well informed do you feel?	Very inf'd	Fairly inf'd	Not very well	Not at all	Doesn't apply	
	Local transport highways services		X	XX			
	Public transport services		X	XX			
	The transport & Highways from LCC	X		XX			
	Actions taken by LC C to improve	X		X	X		
	Quality of air along the roads			X	XX		
Q10	How well informed do you feel?	Very inf'd	Fairly inf'd	Not very well	Not at all	Doesn't apply	
	Climate change	XX		X			
	level of pollution		X		XX		
	Council action on Climate change	X		X	X		
	Personal actions can be taken	X	X				