

**KIRK LANGLEY ANNUAL PARISH COUNCIL MEETING  
MINUTES OF THE MEETING IN THE VILLAGE HALL  
THURSDAY 7<sup>th</sup> December 2023**

**PRESENT: Cllr B Whittaker, Cllr P Wallis, Cllr T Brown, Cllr K Lymer, Cllr P Ryan, Cllr H Leonard. Clerk/RFO – Sian Bacon.**

Reference	Agenda Item		Action
109/2023-24	<b>Apologies for Absence</b>	No apologies received	
110/2023-24	<b>Declaration of Members Interests</b>	Cllr P Wallis declared a personal interest.	
111/2023-24	<b>Variation of Order of Business</b>	No variation of order of business.	
112/2023-24	<b>Public Participation</b>	Mr Howard attended from Howardson properties to discuss the Howardson planning application AVA/2023/0689. Mr Howard raised that he would have liked if the Parish Council had come and look at the property development. He felt that some of the Council's comments regarding the planning was somewhat unfounded and the noise is perhaps unfair given that there are other industries are there. It was noted that a resident had made a complaint regarding the noise. Mr Howard did apologise for the problem to the council and had noted that it wouldn't happen again. He noted that the A52 noise is far more than the noise. Cllr Whittaker noted that the neighbourhood plan had been applied and it was noted that the comments were made in line with the policies and with consistencies across business application. It is required that the Parish Council apply the policy comments to all applications. The Parish Council is not equipped to make noise assessment, but the Parish Council raises them so that the AVBC can take note and make assessment. There had been concerns from residents, but the amenity issues are raised regardless due to the Neighbourhood Plan. Cllr Brown noted that it would be beneficial to see the sites to help the Parish Council learn. It was noted that the new councillors would benefit from further training. The NHP does take the subjective element away and the application of policies make the process of planning comments more objective. The views of residents are also taken into account.	
113/2023-24	<b>Reports from Outside Bodies</b>	None The Clerk will contact Cllr Orton for an AVBC report	<b>Clerk</b>
114/2023-24	<b>Minutes of the meeting 2<sup>nd</sup> November 2023</b>	<b>RESOLVED:</b> To accept the minutes of the meeting held on 2 <sup>nd</sup> November 2023 as a true and accurate representation of the meeting. The minutes were duly signed by the Chair and they will be placed on the website	<b>Approved Clerk</b>
115/2023-24	<b>Matters Arising</b>	It was noted that the Clerk will make payments once she has access to the bank accounts. <b>Playing field review</b> – the Clerk will speak to Cllr Orton (AVBC) regarding the funds available.	<b>Clerk Clerk</b>

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		<p>Access to the Facebook page for the Clerk will be given by Cllr Leonard</p> <p>The hedge site visit is still to be completed.</p> <p>The allotment hedge has been cut back and the Clerk will discuss the undergrowth with Highways as it is still protruding.</p> <p><b>Stile's footpath audit</b> – this needs reviewing. There is barbed wire and an unprotected electric fence both need reporting, and a gate is hanging off. Cllr Whittaker will raise the barbed wire with the landowners.</p> <p>Residents have been advised to report any stile issues in the newsletter.</p>	<p><b>Cllr Leonard &amp; Clerk</b> <b>Cllrs Whittaker &amp; Leonard</b> <b>Clerk</b></p> <p><b>Cllr Whittaker &amp; Clerk</b></p>
<b>116/2023-24</b>	<b>Clerk's Report</b>	<p><b>Laptop:</b> it was <b>RESOLVED</b> to purchase Dropbox essential at a cost of £18 per month and £216 per annum.</p> <p><b>Correspondence:</b> None</p> <p><b>Street Names:</b> It was noted that the new estate names are unconnected to the history of Kirk Langley. It was agreed to request the new ones be reviewed by the Parish Council and query the window of time and process for naming the streets.</p> <p><b>Moor Lane Bank Mowing:</b> Fox's have been asked to do a mow but with the weather it has been unable to be done. As soon as the weather improves the mow will be completed.</p> <p><b>PSPO on Children's Playground:</b> it was agreed to put more signs in, and the Clerk will contact AVBC to request the signage.</p> <p><b>S106 Funds:</b> There is £54,502.60 available. - These section 106 funds shall be used by the Council towards the development of publicly accessible play and recreational facilities at GB Barrington Playing Fields, with a deadline of 2032. The GBB committee will put together a plan.</p> <p><b>Council Action List:</b> it was agreed that the minutes will suffice for the action list.</p>	<p><b>Clerk</b></p> <p><b>Clerk</b></p> <p><b>Clerk</b></p> <p><b>GBB Committee</b></p>
<b>117/2023-24</b>	<b>Chair's Report</b>	<p>Cllr Whittaker reported that there had been regular flooding on the corner. Residents have contacted both Severn Trent and DCC. The road conditions aren't good. The drains are getting very blocked, so it needs more regular clearing. The Clerk will raise this with the County Council.</p>	<p><b>Clerk</b></p>

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118/2023-24	Village Hall update	Cllr Ryan reported that the last meeting was cancelled due to the drama club. The hall is looking to join the Village halls advisory service. There is no meeting before Christmas. Ordered new tables and 56 chairs to arrive in January. If anyone needs the old chairs and tables, they can contact Ben at the village hall.					Cllr Ryan
119/2023-24	Remembrance Day Update	Thanks were given to Cllr Paul Willis for removing all the village poppies by himself. Next year a lest we forget poster and more poppies will be discussed at the July meeting.					
120/2023-24	Playground Inspection Action List	Cllr Whittaker produced an action list, and it was agreed to the actions below:					
		<b>Item with report number reference</b>	<b>Issue in 2023 report</b>	<b>Action required</b>	<b>Who</b>	<b>Issues</b>	<b>Agreed actions</b>
		6. Musical Play Panel	Support showing signs of rotting	Monitoring (or replace?)	Cllr Lymer	<i>Frequency of monitoring? Can it be repaired now or does it need replacing in due course?</i>	To look for manufacturer
		8. Group Swing	No bushes in chain bearing blocks	Refer to manufacturer	Cllr Lymer	<i>ID manufacturer Send email/letter referring to issue</i>	To look for manufacturer
		9. Basketball hoop	replace	to research materials and costs for items and fixing	Cllr Lymer		
		Wooden seats around basketball hoop	replace	to research materials and costs for items and fixing	Clerk		The Clerk will obtain quotes

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		Pedestrian gates x2	potential neck trap at bow tops. Clearance of between 60mm & 110mm should be maintained at bottom of gate leading to playing field. Re-adjust self-closing devices as both gates closing too fast (gate near item 1 closing in 2.3 seconds & gate near item 6 closing in 2 seconds, should be at least 5 seconds).		Cllr Lymer	Identified as low risk -Discuss.  Identified as medium risk.  Does this require professional input or can we do it ourselves?	Cllr Lymer will look into having the gates adjusted	
		General area	potential trip hazard at edgings at gate to field – requires attention.	Unclear	Cllr Lymer	Examine problem, what is needed? Identified as medium risk	Cllr Lymer will establish the problem and report back.	
<b>121/2023-24</b>	<b>Christmas Tree Planning</b>	Cllr Whittaker reported that the tree is up, and the fairy is on. The council will publicise a decorating session for residents. Cllr Leonard will check where the decorations are.						<b>Cllr Leonard Cllr Leonard</b>
<b>122/2023-24</b>	<b>Church Lane Well Condition and Required Repairs</b>	It was agreed to have a working party in the spring to clear up the area and mow. It was noted that the gate is rotten and needs replacing with another hardwood wooden gate. It was agreed to contact the Radbourne Estate to raise the gate and its safety.						<b>Clerk</b>

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123/2023-24	<b>Bin Hard Standing at Playing Field</b>	Cllr Leonard reported that two residents have volunteered to go and look at putting in the hard standing.																					
124/2023-24	<b>Cricket Cover Placement</b>	Cllr Whittaker reported that the storage of the cricket covers requires moving as they are a hazard in their current placement. The club has agreed to move them to make them safe.																					
125/2023-24	<b>Planning applications and decisions</b>	<p>New:</p> <ul style="list-style-type: none"> <li>a. AVA/2023/0670 - Land At Flagshaw Lane Flagshaw Lane Kirk Langley Ashbourne Derbyshire - Erection of stables, hay barn and menage for private equestrian use – It was <b>RESOLVED</b> to submit the comments below in Appendix A</li> <li>b. Planning Committee Meeting In February 2024 – Cllr Whittaker and Cllr Brown will speak at the planning committee meeting on the Ashbourne Road housing development.</li> </ul> <p>Pending:</p> <ul style="list-style-type: none"> <li>a. AVA/2023/0006 – Erection of 53 dwellings together with access, drainage and green infrastructure at land south of Ashbourne Road, Kirk Langley – This application has gone to committee and is expected at a AVBC meeting in February.</li> <li>b. AVA/2022/0688 – Development of three residential dwellings with all matters reserved (proposal is a departure to the adopted local plan and may affect the setting of a Scheduled Monument)</li> <li>c. AVA/2023/0689 - Howardson Works Ashbourne Road Kirk Langley Ashbourne Derbyshire DE6 4NJ - Demolition of existing industrial unit and erection of replacement building – to be decided at a AVBC planning committee meeting</li> </ul>	<b>Clerk Cllrs Whittaker &amp; Brown</b>																				
126/2023-24	<b>Correspondence</b>	<p>Two residents have made comment on the pedestrian crossing on Ashbourne Road.</p> <p>The Council will request a traffic survey on the road from the DCC for Moor Lane and the A52</p>	<b>Clerk</b>																				
127/2023-24	<b>Finance Matters a) Invoices due for payment and income received</b>	<p>It was <b>RESOLVED</b> to make the below payments:</p> <table border="1" data-bbox="622 1222 1637 1394"> <thead> <tr> <th colspan="4" style="text-align: left;"><b>Payments for December 2023</b></th> </tr> <tr> <th></th> <th style="text-align: left;"><b>Supplier</b></th> <th style="text-align: left;"><b>Description</b></th> <th style="text-align: right;"><b>Total</b></th> </tr> </thead> <tbody> <tr> <td>Bacs</td> <td>S Bacon</td> <td>Wages</td> <td style="text-align: right;"><b>£894.20</b></td> </tr> <tr> <td>Bacs</td> <td>Village Hall</td> <td>Hall Hire Nov 23</td> <td style="text-align: right;"><b>£22.00</b></td> </tr> <tr> <td>Bacs</td> <td>F Kepple- Spoor</td> <td>Back wages</td> <td style="text-align: right;"><b>£128.74</b></td> </tr> </tbody> </table>	<b>Payments for December 2023</b>					<b>Supplier</b>	<b>Description</b>	<b>Total</b>	Bacs	S Bacon	Wages	<b>£894.20</b>	Bacs	Village Hall	Hall Hire Nov 23	<b>£22.00</b>	Bacs	F Kepple- Spoor	Back wages	<b>£128.74</b>	<b>Clerk &amp; Cllr Leonard</b>
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	<b>b) Any other finance Matters</b>	None													
	<b>DALC Audit and governance review Update</b>	This will take place in the 3 <sup>rd</sup> week of January 2024.		<b>Clerk</b>											
	<b>Budget 2024/25</b>	The Clerk, Cllr Whittaker and Cllr Leonard will sit and produce an updated budget.		<b>Clerk</b>											
	<b>Precept 2024/25</b>	This will be decided at the January meeting.		<b>Clerk</b>											
<b>128/2023-24</b>	<b>Items for next agenda</b>	To be sent to The Clerk ahead of the next meeting.		All											
<b>129/2023-24</b>	<b>Date and time of next meeting</b>	The next full meeting will be held on Thursday 11 <sup>th</sup> January 2023 at 7pm at Kirk Langley Village Hall.													

The Chairman thanked everyone for attending and the meeting closed at 9.10pm

Signed \_\_\_\_\_ Chairman/Vice Chairman

**Appendix A**

**Objections relating to planning application for Erection of Stables, Hay Barn & Menage on Land at Flagshaw Lane - AVA/2023/0670**

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The application site is currently agricultural land on a yet previously undeveloped rural landscape, the proposal would have an urbanising effect and adversely impact on the openness and character of the countryside and landscape character. This is contrary to Paragraph 127 of the NPPF which requires development to be sympathetic to local character, including to landscape setting and Paragraph 170 (a) and (b) of the NPPF which seeks to protect valued landscapes and the intrinsic character and beauty of the countryside. It would also be considered non-compliant with Policy LC14 of the AVBC Local Plan which requires that proposed horse stables and equestrian facilities do not have a significant adverse impact on the open character of the countryside.

The Planning, Design and Access Statement submitted with the application fails to address the provision of power, lighting, a consistent supply of clean water and management of equestrian waste all of which have the potential to negatively impact on the area.

This Statement also fails to demonstrate how the proposal creates a suitable environment as defined in the DEFRA Animal Welfare Act 2006 and compliancy with equine welfare and Health & Safety standards. It would also seem contrary to the HM Gov. Regulatory Reform Fire Safety Order 2005 which applies to all animal premises.

The Parish Council wishes to refer AVBC and the applicant to the DEFRA Code of Practice for the welfare of HORSES, PONIES, DONKEYS AND THEIR HYBRIDS (Dec 2017) published in association with the British Horse Council.

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/700200/horses-welfare-codes-of-practice-april2018.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/700200/horses-welfare-codes-of-practice-april2018.pdf).

Two specific points of note in relation to AVA/2023/0670:

The proposed hay barn/store will presumably store combustible materials.

Paragraph 1.18. “Fire is always a risk in stable areas. The premises should be designed to incorporate the fire safety recommendations set out in the Communities and Local Government’s ‘Fire Safety Risk Assessment - Animal Premises and Stables’.

Advice should be sought from the local Fire Prevention Officer in relation to statutory requirements. Combustible material should not be stored in or close to stables where horses are housed. Therefore, there are serious concerns relating to the welfare of the horses in relation to fire risk as the site will not be staffed 24 hours a day and, should a fire break out, the horses would be unable to escape from their stables and would be at risk of injury and death.

Paragraph 1.20. ‘Stabled horses should be capable of being released quickly in the event of fire or other emergencies in accordance with a pre- planned emergency turnout procedure.’ We do not believe that adequate provision has been made for this.

The proposal cannot be considered sustainable due to the adverse impact which would result to the greenfield landscape without justification, equestrian or otherwise and is contrary to Paragraph 8 of the NPPF. The welfare of the occupants of the stables should also be considered as they will be at risk of harm and suffering being left unattended for significant periods without suitable arrangements for the monitoring of their welfare.