

MINUTES OF MEETING



Parish: Fenton
Meeting title: Extraordinary Meeting
Date and time: Monday 3rd November 2025 at 7.00pm
Location: All Saints Church, Fenton

Officers

Mr Dave Rawlins	Chair
Mr Ian Taylor	Treasurer
Mr Graham Doney	Clerk

In attendance 22 residents were present

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| EM/01/25 | The meeting was opened at 7.00 pm and the Clerk recorded that apologies were received from Jackie Grist and Robyn Holland. The Clerk explained briefly why the extraordinary meeting had been called and then handed over to the Chair | Action |
| EM/02/25 | An explanation on noise pollution and the noise experienced in Fenton was given by the Chairman Mr Dave Rawlins. A full transcript of that briefing, recorded at the meeting, is at Annex A | |
| EM/03/25 | <p>An update briefing on Planning Application S25/1468 was given by Councillor Penny Milnes. The points covered were:</p> <ul style="list-style-type: none">• A lot of issues have not been resolved except that the 150 days was unanimously rejected in November 2022 on noise grounds against SKDC Officer's recommendation. It wasn't appealed, didn't go to a planning inspector.• SKDC subsequently served an enforcement notice, but council muddled the waters with basic legal error• The 50-day enforcement notice was appealed to a Planning inspector. Notice called a nullity due to errors but 106 days predicated on the assumption that their lawyers were correct that they could have two extra pieces of land for 28 days each, on B and C. Permitted development.• BWCSRA sought Legal opinion (Buxtons) states very simply that is not the case. The 50 days applies to the whole of the site as one planning unit. That takes the case away for the extra 56 days. Applicant lawyers say something different, so there is doubt• The 106 days is a new argument. So the lawful fallback is 50 days a year, not 106 days.• 55db should be the maximum noise limit. The controls are relatively weak and they won't measure the noise or monitor it.• SKDC Officers are playing a risk averse game• Also a bridleway issue being fought by Stubton, if the bridleway gets reinstated you can't shoot there | |

- Planning committee due to take place on 27th November, we will know the planning officer's report the week before that. If the committee decides to accept the 106 days in A, B, and C there is no right of appeal. If it is refused there is a right of appeal by the applicant and it would go to a Planning inspector
- According to the CIEH guidance, the shoot is in the wrong place, extremely difficult to control the noise, it is open land. They have found a case where a shoot was approved closer than this one is to Fenton, but the mitigating factor was woods. Here it is just open ground.

EM/04/25

A full transcript of Councillor Penny Milnes briefing, recorded at the meeting, is at Annex B

Confirmation of the level of the Precept set at the AGM on 1st May 2025 was discussed. To aid the decision the current state of the accounts and projected spending was given by the Treasurer, Ian Taylor. This is available to view on the village website www.fentonvillage.com Questions were raised as to why we were holding so much money in reserve and not spending it on projects. The traffic calming project was mentioned again but more funds would be required as the price of a Speed Indicator Device typically ranges from approximately £2200 to over £4000 per unit, depending on type and power source, excluding VAT and installation.

AOB

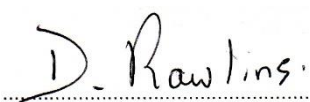
The Chair, Dave Rawlins, seconded by Ian Mason, proposed that the Precept remain at £1000 for 2026/27. A counter proposal that the Precept be set to zero was not supported but to set it to £500 was. The vote of 16 to 6 confirmed the Precept remain at £1000 for 2026/27

Following the initial Local Government Reorganisation (LGR) briefings held in June and July, the Leader and Chief Executive of South Kesteven District Council invited Parish Council Councillors to attend a further briefing on the Local Government Reorganisation (LGR) providing an update and the next steps. The Chair, Mr Dave Rawlins announced he would be attending one of the briefings on Monday 10th November 2025.

There being no other business the Meeting was closed at 8.15 pm



Graham Doney
Parish Clerk
Fenton Parish Meeting
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Signed  (Chair) Date 10 November 2025

Annex A

Transcript of Noise Briefing given by Mr Dave Rawlins – Chair

Permitted 50 Days a year on one patch of his land area A. In 2022 those of you who came to the planning meeting will remember he was refused for 150 days over the whole site whole area now here we are again 2025 he wants 106 days shooting and over the whole of the site. Our objection, on behalf of the parish meeting and I'll explain a little bit about residents association, is the residential amenity the noise level and the noise frequency on those two points I would like to just briefly explain.

The guidance on clay pigeon shooting says that it should be 55 DB where the background level is 45 DB or lower. Every background measurement in village has come down at 45 so as far as I'm concerned 55 DB ought to be the limit. But guidance gives a range 55 to 65, that's a 10 decibel difference but that 10 DB equals 10 times the volume on the decimal scale. Not just 10 DB but 10 times 55 DB. In their report put forward both to the last planning proposal and this one his report said at Fenton the mean shooting noise level was 71 DB. Since then we've been doing a little bit of sound monitoring ourselves and overall background level and shooting noise level together give us 61 DB. Again as an average over every shooting day but 61 DB is not just six DB more than 55 because of the log scale it's four times louder. 60DB is 4 times louder than 55 DB and then if you look at the 71 we found that when the wind was blowing from the shoot to us 71 DB same as he found in 2019 but 55 decibels to the 71 is not just 16 DB increase it's 40 times louder, 40 times louder than 55 decimal. So when it comes to loudness I think we should have some sort of limit put in place.

The second thing about noise is the frequency. He has applied for 120 days 150 days and now 106 days but they never define what they mean by a day. At the moment the proposals that he has put forward and the council seemed to have agreed is on weekday 10:00 till 1800, a total of 8 hours he could shoot but the guidance says on a weekday it should be 4 hours he can shoot, Why are they not following the guidance. Saturdays and Sundays his proposal is that he will shoot from 10:00 to 1400 hours, 4 hours the guidance says Saturday Sunday or bank holiday it should be 3 hours. These are cumulative totals. How do we measure the duration of the noise when each shot sounds for 10 milliseconds or so. But I would say from the start of the shooting to the end of the shooting 3 hours or 4 hours later that's his limit. He can shoot within the window but he must have cumulative hours

Finally he is desperate to shoot, get planning permission to shoot on area C that is the grassy area to the west of the main shoot. It is closer to Fenton, there is no acoustic bunds to lessen the noise, his noise assessment didn't take account of this and he wants within his 106 days to shoot on that area for 24 days a year. He's got a noise management plan which is managed to convince the council that he can get down to reasonable noise limits but the noise management plan specifically doesn't apply to area C to the grassy field. So if he gets the permission to shoot there and at the moment the legal advice that we've received is that the current practise is illegal then he will move more of the regular public shooting onto the field and I have heard that he has promised that he's going to have shooting at night and under lights and he wants to have a different discipline called down the line shooting which involves digging trenches and laying cables. So he doesn't want to do that continues for permission to shoot on area C. I'm going to hand over to Councillor Penny Milnes to brief you about when this is likely to go to committee and they are desperate for it to be resolved.

Annex B Transcript of Briefing by Councillor Penny Milnes

I will only speak as the Ward councillor but I do understand planning. As you can see there are quite a lot of issues involved in this application and we're going round and round the houses every time we go to a fresh application and the issues have not been resolved except that the 150 days that came to planning committee last time was unanimously rejected by that committee, against officers recommendations, on noise nuisance and residential immunity grounds. They weren't convinced that the noise management planned had enough evidence, that it would impact the noise. It wasn't appealed, it never went to a planning inspector so we don't know what a planning inspector would have made of that decision.

Then he was served an enforcement notice where the council argued there was noise nuisance, supported the reasons for refusal but muddled the water somewhat by making a very basic legal error to be honest and I don't know how they made it where they could only use one grounds for the enforcement. It wasn't and you couldn't have one ground and another it was one ground or another and they put two in and together with that they also put forward this proposition of 106 days to the inspector.

Now the inspector declared that enforcement notice a nullity because of the legal discrepancies that the error involved. But the 106 days was predicated on an assumption that the applicant's lawyers were correct that they could have two extra pieces of land for permitted development each worth 28 days and that's the areas B and C. So area A is the original wood in the 50 days and then B and C, C being the grassy field as I think it's called and B is where the bunding is. I've always challenged that, and I couldn't believe that could ever be the case. You cannot have each little piece of land divided up and divided up again into 28 days permitted development. So fortunately your representatives have got council's opinion which states very simply, I even could understand it, it's very easy reading, if you've all read it that says that is not the case that the 50 days applies to the whole of the site as one planning unit because it's all in one ownership and you can't divide it up. That's a challenge for the committee that's what I shall be pushing on because that takes the case away for the extra **76** days. (Should have stated 56 days)

Now, obviously what the applicant's lawyers have said is different and so there is therefore doubt and where there's doubt really I really don't think the committee should be improving an application. So that is excellent, I was quite excited about, I think it was quite straight forward that that was the case and so basically - get my notes here get it correct - the first question was is the 50 day the 2000 permission enforceable does that been legally challenged since 2018 when that original enforcement notice council withdrew it in favour of 150 days application. Don't know why I was just called to a meeting and just told that that was the way it was going to be and they were very risk adverse and they were just going to fall on fall down. So the legal opinion says yes it is, very simply, it is enforceable. Is the site a single planning unit? Yes, so you can only have one permitted development which is included in the 50 days so that's the legal argument against this application for 106 days because this is a new argument it's never been argued before as I understand it, so I think that's the final wheeze that they can have these **76** days (Should have stated 56 days) and that makes 106 days they're entitled to. Therefore, the lawful fall back is 50 days they're given and not the 106. This opinion that he can shoot across the whole areas but only for 50 days There is a risk to you that this 50 days shooting across the whole area could be noisy because there are no real conditions but he also addresses that and says the letter that had the wrong date on it is legal it was an administrative error and in law you can argue that away as just an administrative error. So that's an excellent opinion and I think that's the one that we can hope removes their ground and for this application.

The other one of course is noise and the opinions on the solicitor's letter were both clear that 55DB should be the maximum limit. Now Environmental Protection who are gurus should I say on this noise, they've got themselves in a bit of a pickle because they do admit that there's potential for noise nuisance. But they're working on the basis that if the application is going to be approved which I think they've probably been told it will be therefore come up with some conditions so they're trying to regulate the number of hours on the days they can shoot. So it boils down to the number of days a year the restrictions on the hours on any given day be much more reduced, the use of a noise management plan which I think again you have an expert opinion that criticises that noise management plan and was actually part of the reason for refusal for 150 days et cetera et cetera you know but the important one also is restriction on the cumulative hours of shooting on any given day that needs to be limited. They're also arguing in the other way that because of the restricted number of days maybe that could be extended a bit even a bit more hours of shifting. So the controls were relatively weak and I'm also told that they probably will not measure the noise or monitor it. So how does that work? These are the major things I'll be fighting on at the committee and also will be presenting with some reasonable reasons for refusal on the basis that we're always told that as long as we're reasonable we should not get costs if it goes to appeal and we lose, particularly that we've gone against officers advice. So the officers are playing a very risk adverse game and we're being much braver but we've got the evidence now and that's brilliant so we've got all these documents now to evidence it.

There's an extra little bit of funniness going on over a bridle way and Stubton have picked up on this so they're fighting their corner on this and Lincolnshire highway's footpaths have objected to this application on the basis that if this bridle way gets reinstated along the western edge you can't shoot there. You certainly can't have the noise and shooting going on where there's a public right and a bridle way. So that is a solid objection to the application. I don't know where it's going I know the case officer is written back to them about it whether she's trying to make them change their minds or what I don't know. So it's going to come to planning committee on the 27th November. We will know the report a week before that. I don't know which way the recommendation is going at the moment. I've asked today if there's an update on which way they're going to go and there isn't. So what I'm going to suggest is we really do need a good turn out again like we had at the last one. The committee always like a load of people sitting at the back showing an interest; an interest of solidarity. I think it's always a good look to have as many people as possible and this time round I think we could have quite a lot of supporters coming as well because I think the applicant has been chivvying up his supporters. So please come along to the committee the more that come the more likely it is to be the first item on the agenda as well which will help because we don't want it done later on in a rush. That covers everything.