

## WINGERWORTH PARISH COUNCIL

### Minutes of the Parish Council Meeting held on 7 October 2009

**Present:** Cllr Ann Sainty (Chairperson)  
Cllr Stuart Ellis Cllr Bill Pickford  
Cllr Chris Hutchings Cllr Margaret Parker  
Cllr Anne Knyhynyckyj Cllr Michael Prout  
Cllr Carole Nelson Cllr Diana Ruff  
Cllr Peter O'Neill Cllr Tom Snowdon  
with Mike Taylor (Clerk)

#### **167/2009 Apologies for Absence**

There were apologies from Cllr John Ollis

#### **168/2009 Declarations of Interest**

The only declarations of interest were those of dual-hatted Members listed under planning matters.

#### **169/2009 Confirmation of Minutes**

Resolved: that the minutes of the meeting held on 9 September 2009 be confirmed as a true and correct record of the meeting.

#### **170/2009 Matters Arising**

There had been no notification of matters arising.

#### **171/2009 Police Matters**

PCSO Mike Coates presented the crime statistics for the previous month which detailed 14 recorded incidents including some thefts and damage to cars and property and a spate of break-ins to sheds. In the same period there were eight reported incidents of anti-social behaviour which were mainly nuisance behaviour but included one case of attempted fly-tipping.

The Safer Neighbourhood Team had met on 22 September 2009 when the priority profiles agreed included a continuation of work in Hardwick Wood with the addition of incidents in Speighthill Woods and the monitoring of vehicle speeds on Allendale Road and Deerlands Road.

Concern was raised at the low numbers attending the Safer Neighbourhood Team which was felt to be at least in part due to insufficient advertising of the event and it was suggested that future meetings should be advertised in Wings. There was a request for the Police to look at the problems resulting from vehicles being parked in front of the new houses on Allendale Road which were making safe passage difficult and were limiting visibility for drivers.

#### **172/2009 Public Forum**

Four parishioners attended the meeting to request that the Council look again at providing an activity area for young people, whether in the form of a bike track as considered previously, or a skate board park. Finding a suitable location had been a major problem previously, but it was stressed that some of the modern facilities did not take up excessive space and in any case the request was for a relatively basic facility. It was agreed to investigate possibilities again and the Chairwoman agreed to convene a meeting within the Council's Youth Activities Forum involving as many of the previous group as possible.

#### **173/2009 Consideration of Planning Applications and Related Matters**

*Members on the District Council's Planning Committee did not participate in this section of the meeting other than to provide some information on procedural matters at District Council.*

The following planning applications were reported:

|       |                    |                           |
|-------|--------------------|---------------------------|
| 90729 | 10 Moor View Close | Two Storey Side Extension |
| 90748 | 21 Mulberry Close  | Raising Roof of Garage    |
| 90722 | 34 Longedge Lane   | Pruning of One Beech Tree |

The applications were noted.

The following planning decisions were reported:

|       |      |                                    |                                    |
|-------|------|------------------------------------|------------------------------------|
| 90475 | CA   | South View, Top Road, Hardwick Wd  | Erection of Building               |
| 90494 | CA   | 3 Walton Way                       | Raising of Roof and Extensions     |
| 90515 | CA   | Hill Rise, Top Road, Hardwick Wood | Erection of Glass Veranda to Rear  |
| 90537 | PAPR | Land to Rear of 21 and 23 New Road | Discharge of Conditions 2,3,5,6    |
| 90546 | CA   | Swathwick Cottage, Swathwick Lane  | Extensions on Ground and in Roof   |
| 90552 | CA   | 28 Longedge Lane                   | Two Storey Side Ext and Garage Con |
| 90596 | W    | 174 Nethermoor Road                | Domestic Garage to Cattery         |

CA=Conditional Agreement R=Refused A=Approved CD=Condition Discharged P=Part

The planning decisions were noted. Following discussions with Planning it had been clarified that not all planning applications were notified to the Council and in particular applications within permitted development limits were not necessarily forwarded which resulted in occasional notification of planning approvals when the Council had no record of the application.

On other outstanding matters that had been raised by Members, it appeared that concerns over the use of District Council land off Longedge Lane had been forwarded to Estates who were dealing with the matter. After some careful consideration it was now the view that a material change of use could not be substantiated in respect of the introduction of the Dental Practice at Stubbing.

Resolved: that the Clerk continue to press District Council on the use of land off Longedge Lane.

### 174/2009 Accounts

The Clerk presented details of income received and payments made in August 2009 as well as details of income and expenditure against a phased budget at the end of the month of August. He also presented the current position of the Council's reserves. Payments made were:

| Date      | Reference | Payee                     | Amount (£s) | Detail                  |
|-----------|-----------|---------------------------|-------------|-------------------------|
| 11-Aug-09 | 4641      | Plantscape                | 2,829.00    | Floral Display          |
| 11-Aug-09 | 4642      | Heron Publications        | 631.55      | Council Page and Report |
| 11-Aug-09 | 4643      | Prestige Street Furniture | 422.05      | Repairs to Bus Shelter  |
| 11-Aug-09 | 4644      | E.on                      | 330.45      | Supply of Electricity   |
| 11-Aug-09 | 4645      | E.on                      | 37.87       | Supply of Electricity   |
| 11-Aug-09 | 4646      | S Johnson & Co Ltd        | 58.10       | Environment Items       |
| 11-Aug-09 | 4647      | Town & Country UK         | 24.80       | Window Cleaning         |
| 11-Aug-09 | 4648      | Birdholme SS              | 25.81       | Fuel for Mowers         |
| 11-Aug-09 | 4649-54   | Staff                     | 4,237.93    | Salary and Expenses     |
| 11-Aug-09 | 4655      | HM Revenue & Customs      | 1,723.17    | Tax and NI              |
| 11-Aug-09 | 4656      | Derbyshire CC             | 1,005.85    | LGMS                    |
| 22-Aug-09 | DD        | NEDDC                     | 185.00      | Business Rate           |
| 22-Aug-09 | DD        | AOL                       | 21.98       | Internet Service        |
|           |           |                           | 11,533.56   | Total for the Month     |

Resolved: that the accounts be approved and that the reserves report be received and noted.

### 175/2009 Finance

The Clerk submitted bank details and a reconciliation as at the end of August 2009.

Resolved: that the report be received and noted.

### 176/2009 Derbyshire Association of Local Councils

- Circular 48/2009 – General
  - Derbyshire Police Parish Councils' Evening
  - East Midlands Planning Events
  - Countryside Alliance Awards
  - Sustainable Communities Act 2009 Amendment Bill
- Circular 49/2009 – General
  - Policing of Local Events
  - "Make a difference – represent your community"
- Circular 50/2009 – Membership of DALC
  - Level of Affiliation and Subscriptions
- Circular 37/2009 – Pay Settlement 2009/10

The circulars were noted. The Clerk drew Members' attention to a letter from the Chief Constable refuting suggestions that Police would no longer be involved in major community events although this depended on officers' availability. However it was emphasised that any Police attendance was within the context of Safer Neighbourhood Team support and that the organisers of the event had to take responsibility for stewarding and public safety.

### **177/2009 Correspondence**

The Clerk reported on correspondence received during the past two months:

- Parish
  - Parishioners – Requests for Information about Allotments
  - Wingerworth Allotment Holders' Association – Action over Smoke Complaint
  - Captain and Vice Captain of Deer Park School Cricket Team – Letter of Thanks
- District
  - NEDDC – House to House Collections – Make a Wish Foundation – Various Dates
  - NEDDC – Letter of Gratitude for Donation to Chair's Appeal
  - NEDDC – Invitation to District/Parish Liaison Group
  - The Avenue Project - Bulletin
- County
  - DCC – Improving Derbyshire Roads
  - Derbyshire County PCT – Notice of AGM
  - Lowland Derbyshire Biodiversity Partnership – Notice of Forum 2009
  - DCC – Young Achievers Awards 2009
  - DCC Cllr Kevin Gillott – Apologies for Absence and Request for Update
- Other
  - Relate – Letter of Gratitude for Donation
  - Unlock Democracy – More Powers for Parish and Town Councils
  - Live and Local Ltd – Invitation to Concert at Ashover Village Hall – 11 November
  - EMDA - Newsletter

The correspondence was noted. Members welcomed the invitation from the County Council to attend to a range of problems with roads on a "Report it and we'll sort it" campaign. It was confirmed that Cllr Kevin Gillott still had access to the funding for the play area at Adlington although this needed to be committed before the end of the financial year.

### **178/2009 Reports from Committees and Representatives**

The Chairwoman thanked Cllr Tom Snowdon for his willingness to re-join the finance Committee and to become the Council's representative with the Bowling Club, the Tennis Club and the Clay Cross Angling Association. Cllr Bill Pickford reported on concerns from the Allotment Holders' Association on the expected damaging impact of the lengthy road closure on their shop sales and the resulting income which was so important for the association. Cllr A Knyhynyckyj reported that attempts were being made to move forward with the Café project after progress had stalled over the summer.

### **179/2009 Chairwoman's Business**

Cllr Ann Sainty reported on a meeting with Adlington residents covered in Minute 186/2009.

### **180/2009 Audit Commission's Report on the Council's Accounts**

The Clerk reported that Audit Commission had no concerns or issues to raise in connection with the external audit of the Council's accounts for the year to the end of March 2009. The report from the Audit Commission was available for inspection by Members.

### **181/2009 Progress towards Filling of Vacancies on Council**

Following the resignation of two Members the Clerk had advertised the vacancies in line with agreed procedures from the District Council's Election Office giving the opportunity for Parishioners to petition for an election. The time allowed for a petition had now elapsed without the receipt of any requests for an election which meant that the Council was able to co-opt Members to fill the vacant positions.

Resolved: that the Clerk commences proceedings to co-opt two new Members, one for the Wingerworth Ward and one for the Hardwick Wood Ward; that the Clerk looks into the possibility of advertising the vacancies in the Derbyshire Times as well as on the Council's notice boards.

### **182/2009 Proposed Council Statement on Anti-social Behaviour in the Parish**

Following the decision to adopt a statement on anti-social behaviour in the Parish, the Finance Committee and a further five Members had considered a draft offered by Cllr Chris Hutchings. The statement had been included in the papers for the current meeting. After some debate it was agreed to insert "Park and Walton Woods" after Chartwell in the opening paragraph, to replace "This is usually" with "The Council's powers are" and to delete "and powers" in the second paragraph.

Resolved: that the statement be adopted subject to the changes agreed.

### **183/2009 Report on Review Meeting with Adlington Residents**

The Council had invited residents of the Adlington Estate to a meeting with the Chairwoman, the Member for Adlington and the Clerk for the purpose of reviewing progress with addressing some of the issues raised by the Focus Group for the Estate. Unbeknown to the Council, there was a parallel development with a meeting three days later about the establishment of a TARA (Tenants' and Residents' Association) for the Estate and in the resulting confusion only six residents attended the Council's meeting. Notwithstanding, the meeting had proved useful in reviewing progress and looking at ways of moving forward, including a broadening of the Focus Group.

The Chairwoman reported on the subsequent meeting of the TARA, which she had attended as an observer, and in addition to summarising the discussions was able to report that the members of the Focus Group were determined to continue working closely with the Council on future developments.

### **184/2009 Consultation of Public Rights of Way Minor Maintenance Scheme**

The County Council was undertaking a consultation on the future of this minor awards scheme by way of a questionnaire seeking views on the present operation and possible future changes. The Council's Footpaths Committee was due to meet and consider the questionnaire in a week's time.

Resolved: that Footpaths Committee decides on responses based on Members' views and advice from lay members and that the Clerk forwards the completed questionnaire by the end of October deadline.

### **185/2009 Concerns over Avenue Reclamation**

A paper had been circulated to Members containing a number of concerns raised by COTEP's John Gower in connection with the reclamation of the Avenue site. These largely related to the concerns raised at his earlier presentation to a special meeting of the Council on the remediation proposals. In addition to raising the concerns, Mr Gower was requesting the Council to raise specific issues with named statutory bodies where answers or information had not been made available to the public. Members recognised the need for remediation and the importance of minimising risks to public health.

Resolved: that the Clerk raises the four issues identified by Mr Gower with the relevant bodies.

### **186/2009 Proposals for Provision of Grit over Winter Months**

Following the problems in obtaining supplies of grit for the grit bins during the spell of exceptionally wintry conditions earlier in the year, consideration had been given to alternative ways of securing sufficient quantities for bins in the Parish. However cost and environmental considerations meant that the creation of a grit store was impractical and it was proposed to rely on County Council supplies. It was essential that the use of the grit be restricted to public roads and paths in the vicinity of the bin and even then spread sparingly as, according to the County Council, this was the most effective matter of using the grit. It was agreed to place another notice in Wings to this effect.

### **187/2009 Expenditure**

It was understood that the gas supply to the Parish Hall could be cut off for up to a week this winter while work was taking place to the gas mains. Notification of the precise dates would be given nearer the time but it would be necessary to have some alternative form of heating to safeguard both the premises and users and to that end approval was sought to hire appropriate equipment for the duration of the interruption to the main supply. Approval was also sought to purchase six grit bins to replace

three old broken bins and to provide bins for three new locations in the Parish as part of a rolling programme.

Resolved: that the Clerk be authorised to hire heating equipment and to purchase six grit bins.

### **188/2009 Donations**

A request had been received for a donation to support a young Parishioner who was raising funds to meet the costs of participating in a martial arts World Champion Tournament in Italy. The Clerk reminded Members that donations were strictly limited to organisations who provided benefit to the Parish and did not include the donating of monies to individuals.

Resolved: that the request for a donation is denied and that the Clerk explains the reasons for refusing the request to the applicant.

*Exempt Items - Members of the Public are asked to leave the meeting for the following items to be discussed in private session.*

### **189/2009 Request for Variation of Socio-commercial Rate**

A letter had been received from the New Road Nursery requesting a reduction in the socio-commercial rate that had been agreed previously to cover their use of premises at the Parish Hall. The request had been prompted by a decrease in revenues resulting from a reduction in the attendance levels. The Finance Committee had considered the request and recommended that the rate be maintained at the agreed level rather than being reduced.

Resolved: that the request for a reduction be refused and that the Nursery look at further ways of making savings or increasing revenues.

### **190/2009 Implementation of National Salary Agreement for 2009/10**

The Clerk informed Members that the 2009 pay settlement had now been agreed. It provided for an increase of 1.25% on the lowest salary scales and 1% on all other salary scales, effective from 1 April 2009.

Resolved: that the Council notes the pay settlement and authorises the Clerk to implement it for Council employees.

### **191/2009 Date of Next Meeting**

The date of the next meeting of the Council was scheduled for 4 November 2009

The Chairwoman thanked Members for their attendance before declaring the meeting closed at 8.58pm.

## **Council Statement on Anti-social Behaviour in the Parish**

In the light of recent incidents in relation to activities in Hardwick Wood, residents have asked for clarification of the Parish Council's position with regard to anti-social behaviour. The following statement should be read not only in that context, but also in respect of other incidents of anti-social behaviour including Chartwell Park and Walton Woods and in and around the parish's recreation facilities.

Wingerworth Parish Council, within the extent of its legal remit, is absolutely committed to working with its partners to uphold the right of residents of the parish to the legal and proper enjoyment of their property. The Council's powers are restricted to encouraging and supporting the appropriate authorities in the exercise of their legal duties to tackle anti-social behaviour in all areas of the Parish of Wingerworth.

The Parish Council is able to help residents by providing advice as to the relevant authorities for dealing with differing forms of anti-social behaviour as it is important that the authorities are made aware of the problems and given the opportunity of resolving them. The Council will lobby for action to be taken by the Safer Neighbourhood Partnership, of which the Police are key members, and encourages residents to attend these Partnership meetings which take place every three or four months with the date, time and location of the meeting advertised well in advance.

Adopted by the Council on 7 October 2009 – minute 182/2009