

SCOTTER PARISH COUNCIL
Minutes of a Meeting of the Council held on 15th June 2009

PRESENT: Councillor M. Brown (Vice Chairman and acting Chair), Councillors N. Altoft, B. Billam, J. Bullivent, S. Rayner and A. Sheardown, Ward Councillor W. Parry, Mr C. Wallis (part only), M. Brown (Clerk).

With no members of the public present, the Chairman invited Mr Wallis, the Over 45's Activator, to make a brief presentation to the Council members on his role and remit during the public open session period. Mr Wallis explained the sort of activities that he could facilitate, all designed to increase the activity levels of people in their middle and later years. The Clerk will contact the Bowls Club to assess its interest in being involved in new age curling and will provide Councillor Billam with Mr Wallis' contact details for the interest of the Eau Community Centre Management Committee, which may consider the introduction of some activities. At the conclusion of this discussion, the meeting commenced at 7.43pm.

49 2009/10 : To receive and approve apologies for absence

Apologies were received from Councillors Armstrong and Capes who are on holiday, from Councillor Day who is supporting his son at a sporting event and from Councillor Fillingham who is unable to attend.

RESOLVED : To accept and approve the apologies from Councillors Armstrong, Capes, Day and Fillingham.

The Council noted that Ward Councillor Underwood-Frost had also tendered his apologies due to his attendance at another meeting.

50 2009/10 : To receive declarations of interest

No declarations were made at this time.

51 2009/10 : To approve the notes of the Annual Council Meeting held on 18th May 2009 as the Minutes of that meeting.

RESOLVED : To approve the notes of the Annual Council Meeting held on 18th May 2009 (as circulated) as the Minutes. These were signed by the Chairman.

52 2009/10 : To approve the Annual Return for 2008/09

The Council considered the paper prior circulated in relation to this item and was pleased to note that an unqualified report on the return has been received from the Council's internal auditor, RNS Chartered Accountants. It was :

RESOLVED : (a) To approve the statement of accounts for the year ended 31st March 2009 and the explanations of the significant variances year-on year, as circulated, for submission to the external auditor.

(b) To approve the valuations of the Council's assets as at 31st March 2009, as circulated and as contained in the statement of accounts.

(c) In relation to the annual governance statement within the return, to answer points 1 to 8 in the affirmative, point 9 not being applicable to the Council.

(d) To approve the Council's current arrangements for the management of its risk and to instruct the Asset Management Working Group during 2009/10 to consider the implications of a sudden loss of the Clerk with a view to making contingency proposals for the Council's consideration.

In relation to resolution (d), Councillor Sheardown explained that he had already organised to carry out an audit of the Council's books at a suitable date during August/September 2009 and intends to do this at the office, taking the opportunity to understand the filing system, to identify where all the key documents are located, etc. This will provide some measure of contingency planning until such times as formal proposals are made.

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The Chairman and Clerk/RFO signed the annual return accordingly, which will be submitted to the external auditor (Clement Keys) at the conclusion of the period allowed for the inspection of the records by parishioners under the Accounts and Audit Regulations 2003 (i.e. on 25th June 2009).

53 2009/10 : To consider a request for support from the Lincoln & Lindsey Blind Society

The Council considered the letter received from this regional charity, requesting some financial support. Whilst he acknowledged the worth of the charity in question, Councillor Rayner raised his concern that there are very many worthwhile local, regional and national charities providing supportive services and it would not be possible for the Council to support them all financially. He suggested that the Council should have a strategy to guide its charitable donations. Whilst recognising the point made by Councillor Rayner, the Chairman pointed out that previous charitable donations have been given to those organisations (local, regional or national) that had shown that they were providing services to residents of Scotter parish. The letter from the Blind Society confirms that 9 residents currently take advantage of its services. Proposed, seconded and agreed, it was :

RESOLVED : That, in accordance with its powers under section 137 of the Local Government Act, 1972, the Council will make a donation of £50 towards the work of the Lincoln & Lindsey Blind Society which, in the opinion of the Council, is in the interests of the inhabitants of the Parish and will benefit them in a manner commensurate with the expenditure.

54 2009/10 : To confirm attendance at the annual West Lindsey Area Forum

The Clerk stated that, following circulation of details of the meeting on Monday 29th June 2009, the Council would be represented by Councillors Day and Sheardown, albeit that the latter would then have to miss the first meeting of the Parish Plan Review Committee. Councillor Altoft explained that she was now available on the evening in question, other arrangements having been cancelled, such that she could attend with Councillor Day. This would then allow Councillor Sheardown to attend the Parish Plan Review meeting. The Clerk will inform WLDC accordingly. At the Forum meeting, which is in question and answer mode, Councillor Day will pose a question regarding the lack of financial support for any sporting activities within the Parish.

55 2009/10 : To consider representation at a workshop on the Regional Plan Partial Review

The Council considered the letter received from the East Midlands Regional Assembly in relation to the above. As the plan is at too high a level for any specific impact on the parish to be identified, it was agreed that attendance at the workshop would be unnecessary.

56 2009/10 : To consider a request from a parishioner for the Council's support in relation to a recent complaint to Lincolnshire Police

The Council considered the letter received from the parishioner regarding a recent complaint made to Lincolnshire Police in relation to a vehicle being driven in such a manner as to cause alarm and distress. The Clerk reported that, on receipt of the letter, she had raised the matter with PCSO W. Bonney in the absence of PC L. Postles. PCSO Bonney had since confirmed that it is his intention to visit the parishioner in question to explain the course of action that the police will follow. Section 59 of the Police Reform Act 2002 states that, where an officer has reasonable grounds for believing that a motor vehicle is being used in a manner which contravenes Section 3 (driving without due care/reasonable consideration of other users) or Section 34 (driving elsewhere than on a road) of the Road Traffic Act **and** also that the manner in which the vehicle is being used is likely to cause alarm, distress or annoyance to members of the public, the officer can initially give a written warning (valid for 12 months) and, on any subsequent occasion within that 12 month period, seize the vehicle. The owner may only re-obtain the vehicle on payment of a large fine and storage charges. In this instance and as the officer did not witness the offence, it is likely that the car owner will be visited and the section 59 seizure process explained to them, such that any future transgression will result in the issue of a formal warning. The Clerk further reported that PC Postles has already served a section 59 warning notice on a person riding a motorcycle on the pavement in Scotter village. The Council

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welcomed the action being taken by Lincolnshire Police and asked the Clerk to write to the parishioner to explain the actions taken.

57 2009/10 : To consider a request for a kerb surround in Scotter Cemetery

The Council considered the letter received from a local memorial mason asking whether the Council would be prepared to make an exception to its cemetery policy (which forbids the installation kerb surrounds) in respect of an application from an aged widower whose late family are buried in Scotter cemetery in graves with kerb surrounds and whose wife has recently passed away. Councillors Rayner and Billam stated their opinion that the policy should not be waived due to the precedent that this could set. However, considering the age of the parishioner, his current distress and the fact that the traditional area of the cemetery is almost full such that any precedent would have minimal effect, proposed, seconded and agreed (with the exception of Councillors Billam and Rayner who abstained) it was :

RESOLVED : To approve the request as an exceptional case.

The Clerk is to make it clear to the memorial mason that this action is exceptional and a one-off only. Furthermore the memorial mason is to make it clear to the applicant that the responsibility for the ongoing care and maintenance of the kerb set rests with the applicant and his family. Failure to properly maintain the kerb set could lead to its removal.

58 2009/10 : To receive a report from the Cemetery & Allotments Working Group on its recent safety inspection of the cemetery

During the period Councillor Brown, on behalf of the Cemetery & Allotments Working Group, had inspected the cemetery and confirmed that there were no matters of a safety concern to report on this occasion. However, and following receipt of a complaint to the Clerk from an allotment holder, he had inspected allotment no. 11 and stated that it is in a very poor state and is seeding weeds into adjacent allotments and the cemetery generally. It was :

RESOLVED : Under the terms of the rental agreement between the parties, to instruct the tenant of allotment no. 11 to take urgent action to control the weeds on the allotment, with a visible improvement required by 30th June 2009 and the allotment in good order by 31st July 2009 .

Councillor Brown also raised some concerns about the state of allotment no. 16. It was further

RESOLVED : That the Clerk should also inspect allotment 16 and, if in agreement with Councillor Brown's view, the same action should be taken.

59 2009/10 : To receive a report on the safety inspection of Parson's Field

In the absence of Councillor Day, Councillor Sheardown reported that he had inspected Parson's Field for safety during the period and had found nothing of concern other than there are still a number of branches on the middle footpath that are approaching head height. The Clerk has already asked the Tree Warden to attend to these and will chase him for the earliest completion of the work.

60 2009/10 : To agree which Councillor will be responsible for playground safety inspections for the next month

Councillor Brown will continue with his inspection duties until the end of June 2009. It was

RESOLVED : That Councillor Sheardown will carry out playground inspections during the months of July, August and September 2009.

61 2009/10 : To agree the arrangements during the summer office closure period

The office will close for the summer holiday period on Thursday 25th June 2009, re-opening on Tuesday 21st July 2009. During this closure period, it was

**RESOLVED : That (a) Councillor Sheardown will take responsibility for the cemetery books.
(b) Subject to his agreement, Councillor Day (as Chairman) will periodically check the post and**

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e-mails received, deal with any urgent items of correspondence and pass on planning applications to the Chairman of the Planning Committee.

(c) Councillor Rayner, as Chairman of the Planning Committee, will manage the responses to the planning authority in respect of applications received, calling a meeting of the Committee as necessary.

The Clerk reminded the Council that the next Council meeting is on the second Monday in August (i.e. 10th August 2009).

62 2009/10 : To receive a report from the Clerk

The Council noted the report, with comments made in relation to the following :

80 2007/08 : Acquisition of land from Beal Developments Limited

The Clerk reported that she had now received a copy of the RoSPA report on its post-installation inspection of the playground and was disturbed to note that it had assigned a “medium risk” rating to the site, mainly due to an inadequately sized safety surface under one of the pieces of equipment and entrapment issues with respect to the gates. This is a higher level risk rating than the Council has faced with its own playground, which is far older.

RESOLVED : To write to Beal Developments Limited to ask for remedial action to be taken to reduce the assessed risk level to “low”.

The letter, which is to be copied to the Council’s legal advisor, is to state that the land transfer cannot go ahead until these matters have been resolved.

240 2008/09 : Contract for grass cutting services

The Council noted that the contractor has not, as yet, carried out the remedial works required.

RESOLVED : To withhold payment of the invoice submitted until such times as remedial works are carried out.

5 2009/10 : Litter picking scheme

The Clerk reported that she has now received laminated copies of the advertisement for the post. These can be put up around the village during week commencing 22nd June 2009, at which point the post will also be advertised on the Council’s website.

34 2009/10 : Report produced by Community Lincs on youth issues

The Clerk reported that she has submitted comments, on behalf of the Council, on the draft circular on the outcomes of the project work, intended for delivery to each home in the village. The main concern raised was that the circular put far too positive a spin on the number of volunteers on hand to deliver the proposals and asked that the circular should make it clear that, without a significant increase in the number of local people prepared to volunteer, the outcomes of the report can not be delivered. A response has been received, acknowledging that this emphasis needs to be changed. With reference to the first meeting of the Cross-Border Working Group on Tuesday 16th June 2009, it was agreed that the Clerk should be accompanied by Councillor Billam.

39 2009/10 : Unsafe litter bin

The Council was pleased to note that a replacement bin will be provided free of charge and

RESOLVED : To approve the Clerk’s action in procuring a ground lock device for the replacement bin at a price of £81.87 plus VAT and in instructing the Council’s minor works contractor to install the bin.

44a 2009/10 : Library opening hours

The Clerk reported that a response has now been received from LCC which states that there are no plans to reduce the opening hours at Gainsborough library. Responses to the latest consultation on library services (the Council’s response asking for the opening hours at Scotter library to be

amended such that some of the hours are accessible by full-time workers) will be considered during July 2009.

46 2009/10 : Installation of memorial foundations

The Clerk reported that the contractor has asked for a site visit to confirm the technical details prior to commencement of the work. Councillor Rayner kindly offered his services to carry out this meeting on the morning of Friday 19th June 2009. The Clerk will inform the company accordingly.

47 2009/10 : Potential amendments to cemetery policy

The Clerk reported that a response has now been received from the Council's insurers on the latter's interpretation of the recent guidance note on memorial safety published by the Ministry of Justice. This suggests that amendments will be required to the Council's cemetery policy.

RESOLVED : To ask the Cemetery & Allotments Working group to consider the response from the insurer and to make proposals to the Council in relation to amendments to the cemetery policy for consideration at the September Council meeting.

62a 2009/10 : Clerical error

The Clerk reported that she had made a clerical error on a letter related to a permission to erect a memorial, such error being brought to her attention by the applicant in person who was very distressed by the error. The Clerk had apologised profusely for any distress caused by this unintentional act and followed this up with a written apology.

62b 2009/10 : East Ferry Road, Susworth

Following the Council's previous involvement in the issue during 2006, the Clerk reported that she had received further complaints from a resident of East Ferry Road, Susworth, that both an ambulance and a district nurse had recently had extreme difficulty in finding his property (having turned onto East Ferry Road as it leads to Laughton). It was agreed that the Clerk should raise this matter again with WLDC.

62c 2009/10 : Crossing arrangements at Scotter Primary School

The Clerk reported that, when giving his apologies for the meeting, Councillor Underwood-Frost had thanked the Parish Council for its support and the financial commitment it has made to procure a pedestrian crossing on the A159. With the current difficulties being experienced in finding a replacement for the lollipop crossing outside of the school, Councillor Underwood-Frost intends to raise the matter with the Community Safety Partnership with a view to obtaining a commitment to a pedestrian crossing at this location or other initiatives (e.g. 20mph advisory speed limit) that will enhance road safety and facilitate traffic calming.

RESOLVED : To write to Councillor Underwood-Frost to confirm the Council's support of any action that would improve road safety and enhance traffic calming in the vicinity of the primary school.

63 2009/10 : To receive new correspondence not already included above

Items of correspondence (not already considered above and received prior to the June Meeting) were placed on circulation to Councillors at the meeting. If the need arises to take action in relation to any of this correspondence, it will become an agenda item for consideration at a future meeting.

64a 2009/10 : To receive the Minutes of the Planning Committee meeting published since the last Council meeting and adopt the recommendations contained therein

The Council considered the minutes of the Planning Committee meeting of 6th April 2009 and 1st June 2009 and

RESOLVED : To concur with the actions taken by the Planning Committee and to adopt the minutes of the Committee meetings held on 6th April 2009 and 1st June 2009.

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In relation to the minutes of the meeting of 1st June 2009 and following a resolution made at its meeting of 15th June 2009 (held just prior to the Council meeting), Councillor Rayner stated that the Planning Committee would wish to recommend to the Council that it should write formally to the new Head of Planning Policy at WLDC to remind him of the Council's position in relation to the LDF and to attach copies of previous submissions made on the matter.

RESOLVED : To approve the recommendation made by the Planning Committee.

The Clerk will write to the Head of Planning Policy accordingly.

64b 2009/10 : To note the receipt of results from the planning authority

The Council noted the following results received from the Planning Authority during the period :

123905 North Moor Farm, North Moor Road, Scotter – a planning application to retain use of building as a shop selling equestrian products, tack and riding clothing and animal feeds.

Granted

123959 1&2 Trent View, East Ferry Road, Susworth – a planning application for a single-storey garage and utility block.

Granted

65 2009/10 : To note income received during May 2009 and to approve the May 2009 cash book and its reconciliation to the bank statements

The Council noted the following income received during May 2009.

<u>DATE</u>	<u>PAYER</u>	<u>DETAILS</u>	<u>RECEIPTS</u>
05.05.09	Co-op Bank	Interest - current account	7.39
15.05.09	YEDL	Rental/wayleaves	30.67
26.05.09	Co-operative Funeralcare	Interment of W.L. Wright in grave BC53	50.00
26.05.09	Barningham Memorials	Tablet memorials on grave nos. BD25 & BE73	30.00
		TOTAL RECEIPTS	118.06

It then examined the cashbook as at end of May 2009 and its reconciliation to the bank statements and

RESOLVED : That the cashbook at the end of May 2009 should be signed by the Chairman and Clerk as a true record.

66 2008/09 : To approve payments to be made

The Council examined the accounts to be paid for supplies and services received since the last meeting and :

RESOLVED : That the following payments be approved

<u>CHEQUE</u>			<u>NET</u>		<u>TOTAL</u>
<u>NO.</u>	<u>TO WHOM PAID</u>	<u>PARTICULARS OF PAYMENT</u>	<u>VALUE</u>	<u>VAT</u>	<u>PAYMENTS</u>
Direct Debit	Tiscali	Broadband/phone calls, April '09.	23.22	3.48	26.70
401979	H.M. Customs & Revenue	PAYE & NI, Month 2	421.73	-	421.73
401980	Mrs M. Brown	Wages	550.50	-	
		Mileage	18.20	-	
		Car Park fees	1.70		
		Postage	43.50	-	
		Stationery	10.77	1.61	626.28
401981	Mr. J. Lyon	Wages	682.94	-	
		Mileage	21.60	-	704.54
401982	Spencer's Garage	Fuel	137.36	20.61	157.97
401983	Green Stripe Garden Mch'y	Safety boots for Village Person	50.00	-	
		Oil	7.83	1.17	59.00

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401984	WLDC	Contribution to "Action for Scotter" work	500.00	-	500.00
401985	Glasdon UK Ltd	Ground lock for replacement litter bin	81.87	12.28	94.15
			2,551.22	39.15	2,590.37

67 2009/10 : To take any points from members, identify items for the next agenda and to note urgent items of interest.

67a Councillor Sheardown raised the issue of the car that had recently been placed for sale on the verge at the corner of Orchard Avenue and Gainsborough Road. Whilst this had since been removed, it was still an example of further misuse of the verge. The Clerk stated that she had reported the misuse to LCC Highways Department, asking for action to be taken. However, in the interim, Councillor Altoft had identified the party responsible for advertising the car and had ensured that they understood that their action was unacceptable. Following Councillor Altoft’s intervention, the car was immediately removed.

67b Councillor Bullivent reported that there is a water leak of long standing on the footpath adjacent to the private car park on Messingham Road. The Clerk will report this to Anglian Water. He also stated that a number of cars had been splattered with tar on Kirton Road when invited by the contractors to pass them whilst they were carrying out resurfacing work and asked for the relevant contact details at LCC’s Highways Department so that a formal complaint can be made by the car owners. The Clerk provided these details.

67c Councillor Altoft reported that the footpath on Gainsborough Road from Charles Avenue to Southcliffe Road is in a very overgrown and poor state. The Clerk will report this to LCC Highways for attention.

The Chairman declared the meeting closed at 8.57pm.

Clerk:

Chairman:

Date:

Initialed Chairman