

Thurlby Parish Council
Minutes of the Meeting of Thurlby Parish Council (Min 16-05) held
on Wednesday the 5th October 2016 at 7.30 p.m. in the Lawrance
Park Social Room, Thurlby

Present: **Councillors:** N Bradley, B Dobson, E Lunn, M Reece, R Rose, G Roulstone, B Sadler, and S Samara,
 Residents: Stephen Holland, James Wallace,
 Others: Bernard Champness – Clerk, County Councillor Helen Powell

Open Forum

Mr Wallace was present as he was concerned about the litter at the end of Thurlby Fen. A bin is there and it was emptied once but not since. As a result the place is a mess and litter is everywhere. He was aware that the matter was discussed at the last meeting but nothing has been done. Young lads go to the end and it seems they are throwing their rubbish away such as plastic bottles and cartons from McDonalds. He wanted the Parish Council to have an action plan to get the work sorted and to ensure that the place is kept tidy. Cllr Dobson said that he could contact the person at the District Council but he felt he would already know the answer. It was a sad fact that the Parish Council would have to be proactive when it was not their job to do this work.

The meeting was formally opened at 19.38

91. Apologies for absence, acceptance of Apologies & noting of resignations received

91.1 Apologies were received from Cllr Scott (personal) Cllr Thomas (personal)

91.2 **Resolved** that the apologies be accepted.

91.3 It was reported that Gareth Derbyshire had resigned from the Council. Cllr Sadler had replied accepting the resignation and the Clerk notified the District Council. A notice advertising the vacancy had been placed on the website and in the main noticeboard by the shop.

92. Declaration of Interest – To receive Declarations of Disclosable Pecuniary and Other Interests, as set out in Chapter 7 of the Localism Act 2011 and the nature of those interests relating to any Agenda item

92.1 No one declared an interest in any matter on the agenda.

93. Minutes of the Meeting of Thurlby Parish Council held on the 7th September 2016 (Min16-04)

93.1 **Resolved:** That the minutes of the 7th September 2016 were signed by the Chair as a correct record after they were amended at Item 71.2 to add the words so that the sentence read “Safety Partnership who was rather shocked at the size of the Garden Centre which had been developed piecemeal”

94. Report from the District and County Councillors

94.1 District Councillor Dobson explained that we were going to talk about Sec 106 money and how we can apply for it which we will deal with later in the meeting. He explained to Mr Wallace that he had spoken to the Planning Officer regarding his planning application which had been refused. It seemed that if he wanted to put in another application it would be free of charge.

Devolution was still an issue and many discussions were still ongoing. He thought that the outcome was that we would have a Mayor who will be in place for a Greater Lincolnshire. He was asked a question about the report in the local press regarding the vote of no confidence in the Leader of the District Council. Cllr Dobson said that the result was 19 votes against the resolution and 18 for.

94.2 County Councillor Powell said that she had just come from a meeting in Bourne regarding their Neighbourhood Plan. There was exciting news as they had a vision for the Town Hall and handed out to all present a leaflet asking people to complete with answers to some questions in the form. She urged all to complete and return the form as they needed as much feedback as possible. There were negotiations going on with the County Council regarding a transfer of the premises as they were at present the Trustees and they could hand the building over to a new set of Trustees.

She was asked a question regarding the new recycling centre in Bourne and whether we as a Parish Council could make representations about it. Cllr Powell said that anyone could make a comment by emailing them.

95. Clerks Report and correspondence received

95.1 The Clerks report had been circulated in advance. Cllr Rose asked if the articles regarding play equipment could be sent to Lawrance Park and the Clerk was asked to do this. No one could attend the LALC AGM.

Since the report was completed a few more items of correspondence had been received which were:

1. BT were consulting on whether or not a Council, whether town or parish wanted to keep the old red telephone kiosks in their parish. We could purchase one for a £1 and if that happened BT would remove the telephone. If there was a power connection to the box we could keep that going for free or take it over ourselves. It was agreed that this matter be placed on the agenda for the meeting in November.
2. Mr Creedy of 59 High Street had written saying he had removed the overhanging tree and would ensure that he would keep the tree under control. The Clerk should thank him for undertaking the work.
3. The score sheet for the Best Kept Village Competition had been received and the Clerk read out the scores. An article would be placed in the Newsletter advising the residents.
4. With regard to the broken light column in Chapel Close Street Lighting had replied that the contractor had three months to install a new column from receipt of the order. They had not received an order but would chase this up.
5. The Clerk explained that he had sent out the draft Annual report and would amend it to explain to whom grants were paid. If anyone had any other comments they should let the clerk know as it would be sent to the printers and delivered to the residents. A copy would be delivered to Cllr Rose who had not seen a copy.
6. Cllr Sadler had written to the Clerk regarding the purchase of a Christmas tree this year. It was agreed that he could do so and would have a budget of £100 for the tree and the lights.
7. A letter of thanks should be sent to McDonalds for cutting the grass by the milestone on the A15 near their premises.
8. Cllr Sadler asked whether the Clerk had written down all the information regarding the bank account and placed it into a sealed envelope. The Clerk said that this task had almost been completed.
9. The Clerk would write to Keith Rowe at South Kesteven District Council regarding the waste bin that needed to be emptied at the end of Thurlby Fen.

96. Planning applications:

96.1 S16/2125 – erection of detached double garage along with side and front extensions to enable

re-build of gable end with alterations to windows and doors at The Denn, Wood Lane.

Response by 13th October 2016. **Resolved:** that we object to the application on the basis that the garage where it is to be built would be out of character with the surrounding dwellings and area. It would be a visible intrusion to the open countryside.

96.2 S16/2122 – erection of two storey detached dwelling at 33A Northorpe. **Response** by 18th October 2016-09-28. **Resolved:** no objections

96.3 S16/2184 – erection of single storey side extension to form garage and single storey rear extension at 11 Main Road, Thurlby. **Response** by 18th October 2016. **Resolved:** no objections

96.4 Today another planning application had been received. This was S16/2158 for 1 x free standing sign and 2 x building mounted signs at land opposite The Sugar Mill, Milestone Road. The plans were considered and the Clerk explained that we had a number of options, the first was to seek an extension of time to respond, or call a special meeting, or grant the Clerk delegated authority to reply. **Resolved** that the clerk be given delegated authority to reply. After considering the plans further it was **resolved** that had the application been on the agenda there would have been no objections.

97. To receive an update on the Neighbourhood Planning process (Stephen Holland)

97.1 Mr Holland explained that he had sent a report and hoped that all had been able to read it. He also explained that the end of grant report had been submitted and we needed to pay back to Groundworks Ltd the funds from the grant that was underspent and which amounted to £4483.67. He was in the process of applying for another grant and wanted permission from the Council to do so. It was explained that we had given this permission at a previous meeting but to make sure this was understood it was reconfirmed that he could go ahead and make the application.

It was to be recorded that thanks should again be recorded to Mr Holland for the work he had put into this project. Mr Holland said that it was not just him as it was also the committee who were doing the work as well.

Mr Holland was asked to prepare an article for the next edition of the Newsletter and he said he would do this.

98. To receive an update regarding the reactive sign from Lincolnshire Road Safety Partnership.

98.1 A report had been prepared by Cllr Sadler and which had been circulated in advance. Matters were still progressing but the Clerk was given permission to place an order for the reactive sign. Cllr Rose pointed out there was an article in the Stamford Mercury "Community Safety to tackle crisis in your area" He did not know if it related to this particular matter as he could not access the article on the internet. Cllr Sadler said that he would download the article and send it around. If appropriate the matter should go onto the November agenda.

99. To discuss possible training in line with the Training Policy.

99.1 This was on the agenda as we had a training policy. The Councillors were asked if they wanted to attend any training and the Clerk gave out details of training session run by LALC in October and November. If anyone wanted a soft copy of the Newsletter from LALC they should ask Cllr Sadler to re-send that on and if anyone wanted to attend a session then they should let the Clerk know who would book them in.

100. To discuss the response from Lincolnshire County Council to the siting of a bench on the A15 opposite the Horseshoe Public House.

100.1 The Clerk explained that he had heard from Mr Brumfield after he had asked for the cost of a safety audit as was being suggested by him. It appeared that he was unable to give details of the cost but would be back in touch in due course due to the high volumes of service requested and lack of staff. Cllr Powell was asked to take this matter up for the Council and she said that she would have a word with Alan Ball from the Lincolnshire Road safety Partnership to see if the survey could be carried out when he did some work in Thurlby.

101. To receive an update regarding the response from SKDC regarding the piece of land they own on Lawrance Park,

101.1 Cllr Dobson explained that he had been unable to progress this matter with Lucy Youles at the District Council. He felt that as a Parish council we could not take the matter further. It was **resolved** that we go back to Lawrance Park to ask them to continue to pursue this matter if they wanted the land. They should be asking the question as to who actually owns the land and can they prove it belongs to the District Council.

102. To receive an update on the various signs along the A15 at Northorpe and Katesbridge.

102.1 Within the Clerks report were two letters from the District Council regarding the sign in front of 11 Bourne Road and the others at the service station at Katesbridge. With regard to the latter the signs should not be on the other side of the A15 to the garage and they were asked to remove them and to keep them within the land owned by the garage. It appeared that the car wash people had already moved the signs and the District Council would keep an eye out to ensure the signs did not go back onto the opposite side of the road. With regard to the sign in front of 11 Bourne Road The District Council replied "the advertisement relates to Mr Steve Marsters Bathroom, and he occupied the dwelling on which the advertisement is situated. This appears to be his business address. In the circumstances the advertisement is deemed consent in accordance with Class 5 of the Town & Country Planning (Control of Advertisements) Regulations 2007 (as amended).

103. To discuss the survey result priorities and what action is necessary to deal with them.

103.1 Cllr Sadler had prepared an updated schedule and this had been circulated in advance. He felt that items 8 and 10 could be delated but it was felt that we could perhaps do more in relation to having dog poo bins in and around the village and if necessary to pay for them to be emptied. The Clerk was asked to look into the cost of these bins and the cost of having them emptied.

Items 28 and 29 were now being dealt with by the Neighbourhood Planning group and could be removed from this results.

With regard to the trees being cut back the only places that still needed to be done related to the tree at the Methodist Chapel and Crown Lane. Regarding the Methodist Chapel Cllr Lunn said that he would have a word with Mrs Fytche and to see if the work could be undertaken. Regarding Crown Lane it appeared that no one was taking responsibility of the tree and the Clerk was to try one more address to see if that worked.

104. To receive an update on the Cemetery to include grass cutting and maintenance

104.1 There was no update except the grass had been cut and the paths swept clean. The resident who complained last month that two plastic vases had been broken had provided evidence of the cost of replacing them. They were £2.19each. Resolved that we pay this sum to the resident so they can be replaced.

105. To discuss whether there is a further charge to replace a Headstone in the Cemetery.

105.1 The Clerk explained that after quite a lot of e-mail writing it transpired that the headstone was

on a grave in the Churchyard and not the Cemetery. As a result there was no need for any discussion to take place.

106. To receive an update on the position of a crossing at Thurlby and traffic around the village generally

106.1 There was no update at this stage.

107. To discuss writing to South Kesteven District Council to place a stake in the ground for S106 moneys from developments to support future community projects. i.e A pedestrian crossing (Cllr Sadler)

107.1 Cllr Dobson explained that we needed to write to a Mr Will Tsi at South Kesteven as he was the Officer dealing with all matters relating to section 106. It appeared that the reason why we have not received money in the past was because although we asked for it at the time of the planning application being submitted we had not set out before then what we needed the money for and what projects were to be undertaken. It was agreed that such a letter now be send explaining that we wanted some money to have a new crossing installed at Thurlby Crossroads which would be expensive.

Cllr Dobson explained that the District council would not be adopting CIL (Community Infrastructure Levy) but would continue with the section 106 process.

Cllr Dobson also explained that we might want to write to Lidl asking them to honour their promise to fund some projects for us at the time they were consulting us about the plan they proposed to lodge. It was agreed that this matter would go onto the agenda in November.

108. For any Councillor to produce a written report of any meeting that he/she has attended as representatives of the Parish Council

108.1 Cllr Sadler had sent out a report regarding the training he had undertaken and this had been circulated in advance. He said that he found it interesting and informative. He would recommend it to the other Councillors. He reported that he was concerned about the position of a pension to the Clerk. Below is part of the report that he submitted:

It's clear that Employer in the public sector have to be careful whether they are a large or small council. Legal claims for unfair dismissal and /or personal discrimination are common. Support is available through LALC for Councils with employment difficulties.

The government makes a technical and statutory obligation on any council to offer a pension scheme by the advised staging date (in TPC case the Clerk advised its March 2017. Note that TPC recently agreed not to offer a pension to our Clerk.

The provision of a pension is not dependent on whether any employee agrees to take a pension or not. Nor is the wage level of the employee a factor.

If the employer fails to offer a pension after the staging date government fines can be levied. Such fines could be disproportionately larger than the turnover of the TPC.

Parish councils are vulnerable because they usually have only 1 part time employee - The Clerk. The key issue is the employer must provide the opportunity of a pension. There is no necessity to offer the government pension although the government pension integrates into the standard NALC boiler contract documentation which seamlessly tracks legislation changes. (Thurlby uses the NALC standard contract) .

Councils do not have to use the NALC contract and under no obligation to use particular pay rates when employing.

Employees have no say whether the council establishes a pension or not and a Pension cannot be retrospectively acted upon.

There is no longer any limit on the age of an employee nor can an employer ask health related questions at time of interview.

Employee must be given the right to with draw from the pension before the first payment date.

Enrolment of seasonal workers could be postponed for 6 months to avoid excess administration for transient workers.

Every 3 years employees who have refused the pension initially must be enrolled in the pension scheme again. This adds to the administration burden but it allows the employee refusal or rejection process to be refreshed.

The pension offered can be any pension scheme. i.e Government scheme, NESS or any other scheme that meets the criteria , the employer decides.

There could be claims of infringement of statutory rights if different groups of employees were offered different pensions.

The Clerk explained that he understood from the website GOV.uk the Parish Council did not have to contribute towards a pension as he earned less than £10000 per annum, and was over the pensionable age. He said that he understood we would have to notify the pension people of the decision by the 31st March 2017. It was agreed that the Clerk would make enquiries to ensure that the Council acted correctly in the matter of a pension.

109. To note the comments by Grant Thornton, External Auditor, after the conclusion of the Audit for accounts for year ending 31st March 2016

109.1 The Clerk explained he had put this on the agenda as the Council needed to know what had happened and it would be recorded that we had noted the comments. He was pleased to say that the Audit had concluded with no adverse comments and all was in order.

110. To confirm Expenditure

[£104.00 – C S Harris (grass cutting in cemetery)]

£120.00- Grant Thornton (External Audit fee)

£40.00 – B M Champness (use of home as office)

£425.37 – B M Champness (salary)

£352.20 – HMRC (PAYE)

£3.84 – B M Champness (postage stamps)

[] denotes those payments paid between meetings, which have been approved by the Chairperson and Vice Chairperson of the Parish Council or at a previous meeting but not listed

110.1 Resolved: that the above payments be made. The Clerk pointed out the sum he should be paid was £425.17 not £425.3. It was also agreed that the Clerk should send the money back to Groundwork UK as mentioned above in Item 97.1

110.2 The Clerk circulated the spreadsheet showing what money was spent and how much we had received.

111. Members Questions - reminder only questions given to the clerk a week in advance will be answered.

111.1 Cllr Lunn asked if he could purchase another plant pot as Mrs Cockerill said that the one in Northorpe was broken. Resolved that he could with a budget up to £50.00

111.1 There were no further questions and there being no further business the meeting was formally closed at 21.27

112. The date of the next meeting – to be held on Wednesday 2nd November 2016 at 7.30 p.m. in the Lawrance Park Social Room, Thurlby.