



Claypole Parish Council

Minutes of the meeting held on Wednesday 3<sup>rd</sup> February 2021 at 7.00pm remotely via 'Teams' due to the coronavirus pandemic.

21/18	<p><b>Present</b>          Claire Simmonds (CS, Chair), John Freeman (JF, Vice Chair), John Briggs (JB), Paddy Furey (PF), Stephen Jarman (SJ), Martin Round (MR) and Mark Sweet (MS) together with the clerk. County Councillor Maughan and District Councillor Wood. There were four members of the public in attendance.</p>	
21/19	<p><b>Welcome</b>          The Chair welcomed all to the meeting. The meeting had been advertised in the usual way and members of the public had been invited to contact the clerk for logging on details or they could access the meeting via the parish council web site.</p>	
21/20	<p><b>Apologies and Reasons for Absence</b>          There were no apologies.</p>	
21/21	<p><b>Declarations of Interest</b>          Cllr Simmonds declared a personal interest in all items involving the village hall as she is on the village hall committee. Cllr Freeman declared a personal interest in the proposed housing developments by Larkfleet as he lives adjacent to the land which these two companies are interested in.</p>	
21/22	<p><b>Notes of the last Parish Council Meeting</b>          The notes of the meeting held on 6<sup>th</sup> January 2021 were accepted as a true and accurate record, proposed by JF, seconded by PF and accepted unanimously. These will be signed by the Vice- Chair at a later date in line with pandemic restrictions.</p>	
21/23 21/23-1 21/23-2 21/23-3 21/23-4	<p><b>Clerk's and Councillors' Reports</b>          The clerk's written report was approved:          Two signs 'Dogs must be kept on leads' will be requested from SKDC          Quotation from EKM Ltd for the Leisure Park repairs was agreed.          Quotation from EKM Ltd for play area will be re-circulated to councillors.          There were no further written reports.</p>	Clerk
21/24	<p><b>Vacancies on the Council</b>          The two vacancies had been advertised on FB page, the website and on the noticeboard. Two people had expressed an interest, Alice Maggs and Darryl Flinders. They will be invited to attend the next meeting, introducing themselves prior to co-option.</p>	
21/25 21/25-1 21/25-2	<p><b>To receive County Councillor and District Councillor Reports</b>          District Cllr Paul Wood-          Budget and council tax proposal will be going to committee 1<sup>st</sup> March          Draft Design.          Local elections will take place on May 6<sup>th</sup>.</p>	



21/25-3	Waste food collection- a trial has taken place and there is a general desire to extend this to other areas. County Cllr Alexander Maughan																															
21/25-4	TRO for Main Street/School Lane/Rectory Lane- public consultation expires on Friday 5 <sup>th</sup> February.																															
21/25-5	The vaccination programme in Lincoln is progressing well- 80% of people aged over 80 have been vaccinated. The clerk will advertise the transport help line.																															
21/25-6	LCC has made available a package of grants of up to £10000 available for qualifying businesses from 23 <sup>rd</sup> February.																															
21/25-7	LCC budget proposes an increase of 1.99% plus 3% for adult social care. A ten year capital programme for special schools is being proposed.																															
21/26	<b>Claypole Community Park</b> JF's written report had been circulated prior to the meeting. This will be discussed at a CLOSED session after the meeting. Neighbourhood Plan- a funding application is being made. JF will meet Anthony Northcote, Andy Hay and Bridget Rosewall for discussions. Footpath at the park- some areas are worn down to the sub strata (yellow)- clerk will obtain advice about how to proceed	Clerk																														
21/27	<b>Village Hall</b> The hall currently remains closed to all activities as is the coffee shop although reopening the shop is under review for a takeaway serviced. The raffle for the car park surface is still on hold.																															
21/28	<b>Cemetery</b>																															
21/28-1	Notices on gates had been installed and PF was thanked for this. Several comments had been received about no dogs (other than assistance) being allowed in the cemetery/garden of remembrance. Clerk will ask for letters to this effect to be sent to the council which will be taken into account when reviewing the current regulations.	Clerk																														
21/28-2	JF will liaise with Robert Welch who will make proposals to improve the old spoil area.	JF																														
21/28-3	Church wall adjacent to the cemetery – clerk had reported this damage to the churchwardens who will review it in the future. PF and the clerk will cordon area off.	Clerk/P F																														
21/29	<b>Financial Matters</b>																															
21/29-1	It was AGREED to pay:																															
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21/29-2 21/29-3	All payments made by BACS Receipts and Payments Account to 31 <sup>st</sup> March 2021 had been circulated. Proposed amendments to financial regulations- circulated prior to the meeting. Further amendments are required.	
21/30 21/30-1 21/30-2 21/30-3	<p><b>Planning Matters</b></p> <p><b>Applications</b></p> <p>Southern extension to Bantycok Quarry, Staple Lane, extension to the time limit for mineral operations until 31<sup>st</sup> December 2044 and amendments to the restoration scheme- noted the boundary for quarry works adjacent to A1.</p> <p>S21/0155- outline planning permission for up to 4 dwellings Orchard Farm, clerk will enquire if the consultation can be extended to after the next meeting on 3<sup>rd</sup> March.</p> <p>Proposed development of 74 dwellings off Doddington Lane by Larkfleet Homes- a leaflet outlining new proposals and inviting comments by 19<sup>th</sup> February had been distributed to every household in the village. The council will submit comments once the application has been received. Comments regarding the original proposals which were withdrawn are available to view on the council's web site.</p> <p><b>Results</b></p> <p>None received</p>	Clerk
21/31 21/31-1 21/31-2 21/31-3	<p><b>Highway and Footpath Matters</b></p> <p>Report of loose horses on Swallow Drive- owners had been identified and contacted.</p> <p>Report of horses being ridden along the footpath adjacent to the railway between Osterfen Lane and Barnby Lane.</p> <p>Gate post at footpath on Osterfen lane- is damaged, resident has removed for safety. Clerk has contacted LCC.</p>	Clerk
21/32	<p><b>Correspondence</b></p> <p>Messages on the FB page had been answered and the web site was up to date.</p>	
21/33	<p>It was <b>RESOLVED</b> to move into closed session to consider the written report on the community park. Members of the public were therefore requested to leave the meeting at this point.</p> <p>The report concentrated on the provision of showers and the school's withdrawal from the agreement to install these. JF had also provided a trail of correspondence from the school about the provision and installation of showers. After discussion the report was accepted.</p> <p>Action:</p> <p>A formal response was drafted and agreed to Mr Wells.</p> <p>Clerk and JF will arrange a scoping meeting with the solicitor about putting a pavilion on the land, the car park and responsibilities and liabilities as a result of a number of conveyances.</p> <p>The council will now investigate provision of changing, shower and toilet facilities from September onwards.</p>	Clerk/ JF



21/34	<p><b>Chairperson's closing statement</b> Cllr Simmonds thanked all for attending the meeting in this format again which is likely to continue for several months. The meeting closed at 9.40pm.</p> <p>Signed.....</p> <p>Chairperson</p> <p>Date.....</p>	

Clerk's report –February 2021

1 ROSPA reports – quotations received from Ellesmere and Ed Morton. I have asked Ed Morton what his charge is for an annual maintenance programme.

2 An incident occurred on the zip wire at the community park on Saturday 9<sup>th</sup> January when the cables appear to have snapped while a young person was riding. Jupiter have been informed and photos of the broken cable have been sent, waiting to hear from them. They do not believe it was an act of vandalism. I have been in touch with the parents to see if the child is ok, she is but it was a nasty accident and could have been a lot worse.

3 Doddington Lane- proposals have been circulated and I have asked Matthew Carter for the results from the housing survey on which the proposals are based, nothing received to date.

4 Anglian Water- they are now investigating the third (and final demand) I received for £776. A meeting has been arranged with the wholesaler and they will contact me in the next 10-14 days to determine the correct meter for the PC.

5 Chancel Repair Liability Insurance- Have requested a quote from Aviva and will get two others.

6 Lincoln Diocese- have reiterated that it is the councils responsibility to maintain the grounds and keep areas neat and tidy and in good repair. They will not currently extend the lease (6 years to run) and are currently looking at other options. In the meantime, I have been directly contacted by the neighbour to the glebe as he would like to purchase a strip of this land. I have asked him to send me details and a plan of the piece he would like, nothing received to date.

7 Litter bin near the bus shelter is always full especially as the coffee shop is mainly takeaways- I will ask if the coffee shop has a bin too once they re-open.

8 Active Holidays for Kids- the application to the Lottery has been made for £6850- I have included all the venue charges plus £100 for advertising in the application. The full amount has been awarded.

9 Gate at footpath entrance at Osterfen Lane- the post was rotten so David Hudson has removed the post and gate. He has asked if the PC will fund another post. I have contacted LCC (Andrew Savage) to see if this is permissible.

10 Signs at the Leisure Park- SKDC will supply 2 signs 'Dogs Must Be Kept on Leads'

11 Instance of 2 people leaving dog waste bags on side of road had been reported on the FB page. Member of public had photographed the people (from behind).

12 Planning applications- there is one still waiting decision by SKDC:

S20/0682- two dwellings rear of Woolpack Inn

C Clarke- February

Report for 3 February 2021

## **COMMUNITY PARK**

Due to Covid restrictions there are no new developments to report in respect of activity in the Community Park.

### **Showers**

An email was received from the headteacher, Mr Wells on 22 January indicating that he was withdrawing from the agreement to reinstate showers in the school changing rooms at the school. The Council will need to decide how to wishes to respond to this situation.

Following the responses from councillors when Mr Wells' email was shared, arrangements are being made to ascertain the legal position governing our ownership of the carpark etc. This is a complex matter involving land registry deeds, covenants and on/off correspondence between LCC and Parish Council solicitors over a decade concluding in 2012. A scoping meeting is being arranged with the council's solicitors to obtain a quotation for obtaining the advice we need on our ability to impose charges for the use of the car park and MUGA, and also identifying any restriction that might prevent us from building a sports pavilion. This will be a virtual meeting involving the solicitor, and the Parish Council's clerk and Vice Chair. The outcome will be reported to the March meeting and authority requested on whether to proceed.

Investigations are also being carried out into the prospects for the Parish Council obtaining grant funding to support the building of a sports pavilion/club house. This will be discussed at a future meeting.

This matter has not yet been shared with the sports clubs whose activity will be seriously impeded if showers cannot be reinstated. There is a real possibility that the adult football and the two cricket clubs may have to cease use of Claypole sports ground if showers cannot be provided.

Copies of Mr Wells' email and a separate letter from Mrs L Burke of LCC legal Department have been copied to councillors. This brief summary of the relevant history is made for a clearer understanding of the situation.

### **Early 1980s onwards**

The existing changing rooms and school hall formed a part of a new village hall built under a scheme funded equally by the community and Lincs CC. Showers were provided in the changing rooms and used by sports clubs using the original football pitch and cricket field.

The new village hall passed into the full ownership of LCC and were taken over by the school in the early 2000s. Shower and changing facilities continued to be offered.

Around 2012 the school removed the showers at their expense. No notice or formal explanation was provided to the community or sports clubs. The lack of showers jeopardised continued football and the league progression of the cricket club, both of which were subject to "association" requirements.

## **2015**

A Partnership Agreement was signed by Mr Wells, headteacher and Claire Simonds, Chair of the Parish Council. This was a Parish Council initiative. Amongst other matters, the Parish Council undertook to respond to a request from the school to make the playing fields secure; and the School undertook to work towards the reinstatement of shower facilities.

Irregular dialogue took place with the headteacher over the development of the Community Park, to consult and invite the school to indicate any provision it might like to see and to ensure that work undertaken caused minimal disturbance to the school. This dialogue has continued throughout and has included consultations over the proposed new MUGA and its eventual use, and the establishment by the Parish Council of its "sports hub".

## **2018**

The Parish Council had by now fulfilled its undertaking by having the public footpath that ran through the sports field diverted, and by installing fencing around the field, at a total cost circa £13k.

The headteacher agreed to proceed with reinstating the showers, and referred the matter to the school governing body. The governors agreed and began work seeking tenders. A tender for £13800 (excl VAT) was identified as the best offer and the school made funding applications to Sport England and to the SKDC Community Fund. Both applications were for 50% of the costs. The Parish Council provided some assistance with the applications.

## **2019**

Sport England agreed the funding bid in January 2019, but SKDC did not. In the absence of other likely funders and the need to proceed, the Parish Council agreed to become joint funder at £6900.

Representations were made to the school to have the showers installed during the Easter school holidays 2019.

A regular dialogue was maintained with the headteacher who explained that he had been advised that there may be some question of the ownership of the changing rooms that should be resolved before proceeding. This entirely spurious concern was allowed to delay any action to proceed for many months throughout the year before being finally dismissed in early 2020.

## **2020**

Work commenced to establish Claypole Community Park as a sports hub and establishing the Community Park website and associated functions. The promised reinstatement of showers was a key element in attracting adult football back, and gaining assurances about the return of cricket led to the Parish Council investing in rebuilding the cricket square (a cost of £6500).

Dialogue between the headmaster and John Freeman continued in a constructive and friendly manner from April through to November. In April it was gently suggested to Mr Wells that with the school then closed through the Covid lockdown it would be a good time for the work to be carried out.

In May an unexpected letter was received from Mr Wells imposing conditions on the installation, but this letter was speedily withdrawn with a fulsome apology following the intervention of the Chair of the governing body.

In June and July, emails from the school assured us that the showers would be installed in August, and in August that it would be September. All of these were positive with no hint at any unsurmountable difficulties. Dialogue was friendly with the Parish Council responding positively to a request from the school for the timber removed from the old tennis courts for the school to make "raised beds".

In September there was a virtual meeting between Mr Wells and John Freeman and agreed notes from that meeting show that in September "the present delay is due to awaiting Sport England's legal dept clearance of (the school's) community use agreement. This and all other requirements from SE have been discharged. A response is expected from them next week and your contractor is ready to proceed."

On 2 November, Mr Wells emailed to state that "The final document to be completed was a 'Community User Agreement.' " and the only outstanding matter was Sport England's approval of same.

Enquiries were made of Sport England to ascertain their position and they indicated that the only outstanding matter remained agreement of the Community Use Agreement in which "the Parish Council would have an interest". On 21 November John Freeman emailed Mr Wells "I understand from Sport England that the only outstanding matter is the finalisation of the Community Use Agreement that needs some sign off from the Parish Council.

If there is a document you want me to look at, it would be helpful to have this quickly so that we would have the opportunity to iron out any issues and look to the next Parish Council meeting on 2 December to give a formal endorsement if needed."

No response was received to that request. No further communication was received from the school until Mr Wells' email on 22 January.

### **Action**

Attached to this report is a draft response to Mr Wells on behalf of the Parish Council. Separate from this report, the draft letter is CONFIDENTIAL.

Council is invited to:

1. Accept this report
2. Agree a formal response to Mr Wells.



# Amendments to the Financial Regulations. - February 2021

## PROPOSED AMENDMENTS TO FINANCIAL REGULATIONS 2019

### Section 1

*This section is adequate for the time being. Amendments may be brought to the Council at a later date*

### Section 2

*This section is adequate for the time being. Amendments may be brought to the Council at a later date. However, it should be noted that this section requires the appointment of an internal auditor in addition to the external auditor. Views are invited on whether the Council should create this function and its relationship with other financial functions separate from the scrutiny and authorisation of payments (for example, the Budget Group). Note the existing regulation (2.6) states that the internal auditor should have “no involvement in the financial decision making, management or control of the council”. It may be that this would prove difficult to fulfil given the small size of the Council.*

### Section 3

*This section currently makes reference to “the budget committee” without any definition.*

3.1 The Council, at its annual meeting, will appoint a Budget Committee comprising three or four councillors, one of whom shall be the Vice Chair. Meetings of the Budget committee will be chaired by the Vice Chair of the Council and will be attended by the RFO/clerk to the Council.

3.2 The RFO must each year, by no later than the end of November [*currently “by no later than December”*] prepare detailed estimates of all receipts and payments, including the use of reserves and all sources of funding for the following financial year to inform the Budget Committee at its meeting.

*Remaining sections unchanged*

### Section 4

*Unchanged except for amendments below:*

4.5 Amend “chairman” to “Chairperson”

4.8 The RFO shall provide to the Council on a monthly basis, a statement of receipts and payments to date under each head of the budgets, comparing actual expenditure and income to the appropriate date against that planned as shown in the budget.

### Section 5

5.1 The Council's banking arrangements, including the bank mandate, shall be made by the RFO and approved by the Council; banking arrangements may not be delegated to a committee. They shall be regularly reviewed for safety and efficiency. *[as at present]*

5.2 The Council will elect, at its annual meeting, a sub-group of three councillors who will act as scrutineers of invoices and authorisers of payments. One of the three shall always be the Chair or Vice-Chair of the Council.

5.3 The payment of invoices will be at the earliest opportunity. On receipt of an invoice the RFO will be responsible for confirming that the invoice is genuine, that the sum charged equates to a minute of the council authorising the expenditure, and that the goods or services to which the invoice relates have been satisfactorily received or provided.

5.4 The clerk will provide to each member of the scrutiny sub-group a copy of the invoice, together with confirmation that it is genuine and that the goods/services have been received/provided, and a copy of the minute authorising the expenditure. Normally, members of the scrutiny sub-group will authorise the payment by Bacs immediately.

5.5 In the event that the clerk cannot confirm that the invoice is authentic, *or* that if there is an issue with the goods received or services provided, *or* if the sum charged on the invoice does not equate to a minute of the council, then the invoice should not be passed to the subgroup, but rather presented to the next meeting of the Council for determination.

5.6 If any member of the scrutiny sub-group is not satisfied with the reconciliation provided by the clerk, the then matter should be resolved with the clerk in the first instance. If two members of the sub-group are dissatisfied and so the payment is not authorised, then the matter shall be referred to the next meeting of the Council for determination.

5.7 to 5.13 *[Existing 5.5 to 5.11 unchanged and renumbered]*

## Section 6

*Replace existing 6.1 to 6.4 with*

6.1 All payments will be made speedily and efficiently in accordance with regulation 5

6.2 All payments shall be made by bank transfer or, exceptionally by cheque, unless otherwise determined by a resolution of the Council.

6.3 Bank transfers, or cheque payments, shall be authorised (or signed as appropriate) by two members of the Council in accordance with Regulation 5. A member who has any connection by virtue of family or business relationships with the beneficiary of a payment, should not, under normal circumstances, authorise a BACS transfer or cheque payment.

6.5 *Delete*

6.6 *Delete*

6.7 *Unchanged, as at present; renumber 6.4*

6.8 *Unchanged, as at present; renumber 6.5*

6.9 to 6.11 *Delete*

6.12 *Unchanged, as at present; renumber 6.6*

6.13 to 6.15 *Delete*

6.16 *Unchanged, as at present; renumber 6.7*

6.17 *Unchanged, as at present; renumber 6.8*

6.18 The Council will not provide a debit or corporate credit card for use by the RFO or council member. *Renumber 6.9*

6.19 to 6.20 *Delete*

6.21 *Unchanged, as at present; renumber 6.10*

**No amendments proposed to subsequent sections**