

**Findern Parish Council**  
**Clerk: Mrs Clare Orme**  
**Findern Parish Rooms, Lower Green, Findern, Derbyshire. DE65 6AD**  
**Tel: 0771 9599132**

**MINUTES OF MONTHLY FINDERN PARISH COUNCIL MEETING HELD ON THURSDAY 12TH FEBRUARY 2015 AT FINDERN PARISH ROOMS COMMENCING AT 7.00PM**

**Present:**

Cllr Hudson (in the Chair)

Cllr Williamson, Cllr Bell, Cllr Johnson, Cllr Nash, Cllr Goodall, Cllr Woodhouse, Cllr S Brook and Cllr R Brook

1 County Council Representative and 8 members of the public were in attendance at the meeting.

**AGENDA**

**PART I – NON EXEMPT INFORMATION**

**1. Minute Number 1413/15 - To receive apologies for absence**

There were no apologies for absence.

**2. Minute Number 1414/15 - Variation of the Order of Business**

There were no Variations to the order of Business.

**3. Minute Number 1415/15 - Declaration of Members Interests.**

***Resolved: Cllr Woodhouse declared a Personal and Prejudicial Interest in Part 2 of the agenda, Exempt Information, item c) Rental Contract PC Land.***

**4. Minute Number 1416/15 - Public Speaking – (10 Minutes)**

**Minute Number 1416/15/A – Public Speaking**

Members of the Public raised the following matters.

- It was reported that over the last 10 years the trees on the bank near Doles Lane had grown so big that it was causing issues to resident's properties. The resident explained that they had been required to repair their drive twice in past years. The resident had contacted DCC on several occasions but they had not replied. – **It was agreed that the Clerk would contact DCC to try and get this matter resolved.**
- The Parish Council were asked if they had any powers to ask residents to remove the Save the Wheel signs as it was deemed that they had been up long enough. It was reported that the Parish Council could not do anything about the signs as they were on private property. A Councillor reported that he had spoken to 2 of the residents with the signs, however they were positive that they would not be taking the signs down. Cllr Ford was asked if planning permission was required to have such big signs installed on private property in public view. Cllr Ford replied that if planning permission was required SDDC would have already dealt with this matter.
- A member of Footpaths Group asked why the expired lease agreement for Stanhope Wood and Stanhope Hole was not on the agenda for discussion. The Clerk replied that she had not been asked to add this matter to the agenda – **It was agreed that the Clerk would add this matter to the agenda for March 2015**
- A member of the Footpaths Group asked the Parish Council if they could consider booking 19.08.2015 and 02.09.2015 for the Sportsmobile as Footpaths Group wanted to do a Teddy Bears Picnic on the same days. A reply was given that this would be discussed later during the meeting. The Clerk replied that these dates could be considered but she could not promise that the dates requested would be available.
- A member of the public explained that he had attended the December 2014 Parish Council Meeting and had attended tonight to hear the decision about the footpath across the Village Green. He said that he found it curious that the Parish Council 50 years ago wanted to beautify the Village Green and removed the paths, now 50 years later the current Parish Council was proposing to install a new footpath across the Village Green. He explained that it was lucky that the residents around the Village Green took pride in their properties which added to the beauty of the Village Green. He explained that SDDC Planning Department imposed rules on the developments around the Village Green and they will have an interest in the Village Greens heritage. He asked the Parish Council that if the Covenant for the Village Green was discovered would the Parish Council give a copy of this document to the Findern Historical Group for their records.

- A resident informed the Parish Council that the Safer Neighbourhoods Team were talking about adopting/setting up a dog walking group.
- The Chairman of the Badger Group was in attendance to discuss the problem with the hire of the Parish Rooms on a Monday evening. He had spoken to 2 Findern Parish Councillors who had asked him to attend the meeting and explain their position. The Chairman of the Badger Group read out a letter of complaint to the Parish Council at this stage of the meeting.
- A resident raised her concerns over items in Exempt and asked what each item was. The Clerk explained that items in exempt relate to either Contracts, tenders or employment matters as a rule, however the Clerk explained that the letter of thanks should not have been under exempt as this was just a Clerks note which she had forgotten to take off the draft agenda. It was for the Parish Council Members to sign the thank you card which was going around the table for a Member of the Footpaths Group. The resident asked the Clerk to let her have the actual wording and meaning for exempt items at the next meeting.
- It was reported that the lighting on the Parish Rooms was not working correctly. Cllr Woodhouse replied that he was dealing with this matter.
- The Booking Clerk was asked to replace the battery in the smoke alarm that was beeping in the Parish Rooms.
- A Councillor asked the Clerk if she could contact DCC and ask that the road at the side of the Parish Rooms be resurfaced as it was in a bad state of repair. – The Clerk agreed to contact DCC.
- The Clerk reminded all Councillors and members of the public of the procedure in relation to the agenda and Public Speaking. She explained that this section of the meeting was to raise matters relating to items already on the agenda. If Councillors or members of the public wished to raise other items they must inform the Clerk at least 14 days prior to a meeting for this to be added to the appropriate agenda. The Clerk explained that resolutions could not be passed under Public Speaking.

#### **Minute Number 1416/15/B – Police Representatives Report**

There were no Police Representatives present at the meeting and there was nothing to report.

#### **Minute Number 1416/15/C – District Council Representatives Report**

Cllr Hood gave her apologies.

Cllr Ford said that he could give a District Council Report but had nothing to report.

#### **Minute Number 1416/15/D – County Council representatives Report**

Cllr Ford was present at the meeting and gave his report as follows:

- He reported that DCC and the Derbyshire Constabulary have increased their proportion of the Council Tax, however SDDC have frozen theirs for a further year.
- He reported that an agreement had been made that the Parish council concurrent Expenses will be increased for the financial year 2015/2016.
- He reported that work had commenced on the clearing of the ditch on Burton Road, a trash screen will also be installed as part of the work.
- He reported that the administrators of Porters Farm had been informed of the complaints made in relation to the state of the land. They have been informed that if the area is not cleaned up an enforcement order will be issued.
- He reported that SDDC were still struggling with the Local Plan
- He reported that a plan was coming together in relation to the D2 Combined Authority. He explained that this should work well if all parties can agree.
- He reported that the Gas Pipeline at Willington had now been given permission.
- He reported that Swadlincote had won the Derbyshire round of the Food and Drink Festival. Swadlincote had now been put forward to the national finals.

#### **5. Minute Number 1617/15 - To confirm the Non-Exempt Minutes of the monthly Findern Parish Council Meeting held on 15<sup>th</sup> January 2015.**

***Resolved: The Non-Exempt Minutes of the Findern Parish Council Meeting held on Thursday 15<sup>th</sup> January 2015 having been circulated were approved and signed as a true record.***

#### **6. Minute Number 1618/15 - Approval of the Policy and Protocol on Filming and recording Findern Parish Council Meetings.**

***Resolved: Findern Parish Council approved the Policy and Protocol on filming and recording Findern Parish Council Meetings.***

**7. Minute Number 1619/15 - To determine which items if any from Part 1 of the Agenda should be taken with the public excluded.**

There were no items from Part 1 of the agenda taken with the Public excluded.

**8. Minute Number 1620/15 - Chairman's report**

The Chair gave his report as follows:

- He thanked Cllr Goodall for all her hard work in arranging the Christmas Concert and Fair. He reported that it was also very special to give Julian Ayres a certificate for his work and dedication over the years at Findern Village Hall.
- He had seen a report on Midlands Today in relation to the Marina and all the hard work they are doing to help the wild life in that area.

**9. Minute Number 1621/15 - Report of the Parish Clerk**

- a) Update to have a defibrillator at the Findern Parish Rooms – Previously reported under minute number 1249/14, 1278/14, 1296/14, 1315/14, 1332/14, 1349/14, 1367/14, 1384/14, 1402/15 – Clerks Report.

Cllr Goodall gave her report as follows:

- The defibrillator at the school has now been fitted and is now active
- A further training session has been booked at the school on 18.02.2015 commencing at 5.30pm for anyone who wishes to attend. Posters have been installed around the village advertising the training session.
- The lighting over the defibrillator at the Village Hall will be resolved on 13.02.2015.

- b) Footpath through the Village Green update on the covenant – Previously reported under minute number 1278/14, 1296/14, 1315/14, 1332/14, 1349/14, 1367/14, 1384/14, 1402/15 – Clerks Report

Cllr Bell gave his report as follows:

- He reported that the former Clerk had originally raised the issue of the Covenant.
- He had been to the DCC archives and had looked through all the minutes from the years in question but there was no mention of a Covenant being discussed.
- He had visited J H Powell & Co but they hold no documents in relation to this matter either or hold any previously indexed information.
- He had come across some information in relation to Village Greens being registered and this was from 1965 which was during the Chairmanship in question. It was thought that the Chairman at that time went to London to register the Village Green under this act. It was thought that DCC should have a record of such a registration, should one have been completed.
- The Clerk explained that the minutes of the Parish Council Meetings were a legal and binding document of all resolutions passed by a Parish Council. She explained that if there was no mention or record of a Covenant within the minutes in the archives, then this probably meant that no such Covenant was ever discussed or exists.

***Resolved: Findern Parish Council agreed that it was very unlikely that the Village Green had a Covenant as there were no record of such a Covenant or a discussion of a Covenant within the old minutes. There was also no such information in relation to a Covenant attached to the deeds for the Village Green held by the Parish Council.***

***Resolved: Findern Parish Council agreed that it was likely that the former Clerk was thinking of a registration under the registering of Village Greens Act from 1965.***

***Resolved: Cllr Bell was given delegated powers to investigate if the Village Green was registered as a Village Green in or around 1965 to 1970.***

***Resolved: Standing Orders were suspended to allow a member of the public to speak.***

The member of the public explained to the Parish council that the Village Green was purchased from the Crown and said that a bill of sale must exist. Cllr Bell replied that the Parish Council had a copy of the deed for the Village Green which included the purchase of the land on 29.08.1967.

***Resolved: Standing Orders were reinstated.***

- c) A 50 Bus Shelter - proposal for the Parish Council to reinstate the bus shelter with DCC 50% funding contribution – Previously reported under minute number 1332/14, 1349/15, 1367/15, 1402/15 – Clerks Report.

The Clerk reported that the paperwork had been completed and sent back to DCC. The Clerk did not yet have an installation date for the work to be carried out.

- d) Camel Rocker Missing from King George Playing Field – Previously reported under minute number 1367/14 – Clerks Report

The Clerk had contacted Wickstead on several occasions but they had not got back to her. Cllr Johnson had also contacted Wickstead.

- e) Goal Posts and Benches on the King George Playing Field Previously Reported under minute number 1367/14 – Clerks Report

Cllr Johnson gave his report as follows:

- He had been speaking to Aucuba Landscapes and he would install the goal posts free of charge to see if the solution that he had come up with would work.

**Resolved: The Clerk to contact Aucuba Landscapes and chase him up to complete the goal posts, the bench and the posts around the Parish Rooms and Village Green.**

- f) Repairs to the Parish Council notice boards – Previously reported under minute number 1367/14 – Clerks Report

**Resolved: The Clerk to obtain prices for a new upright notice board for the Parish Council meeting to be held in March 2015.**

- g) Village Pump

The Clerk reported that she was in contact with DCC on this matter and DCC were trying to establish the ownership of the pump. It has been confirmed that the pump is not highway property.

- h) Filing of the Annual Return with the Charity Commission for the King George Playing Field

The Clerk reported that a nil return had been filed as normal.

- i) Grass Cutting of the Green prior to the Village Fete.

**Resolved: The Clerk to ask Aucuba Landscapes to mow the Village Green a few days prior to the Village Fete to be held on 20.06.2015.**

- j) Sportsmobile provision 2015/2016

**Resolved: The Clerk to book 2 dates for the same or similar equipment as in 2014/2015. The Clerk to try and obtain the dates as discussed in Public Speaking.**

- k) Purchase of a further Defibrillator for Burton Road end of Findern.

**Resolved: Findern Parish Council agreed to purchase a further defibrillator to cover Burton Road.**

**Resolved: The Clerk to speak to DCC to see if approval could be obtained to install a defibrillator to the bus shelter using the bus shelters electricity.**

**Resolved: Cllr Goodall was given delegated powers to speak to Wyvale Garden Centre to see if they would give permission to install the defibrillator on their wall and to use their electricity.**

## **10. Minute Number 1622/15 - Planning Matters for Decision**

There was nothing to report.

## **11. Minute Number 1623/15 - Committee Reports**

- a. Footpaths Committee

Cllr Johnson read out the Footpaths Group Report as follows:

This time of year is very quiet, however the Footpaths Group managed to get trees planted along the canal with the help of the Payback Team and CRT. The Payback Team put in 112 hours of unpaid work in January.

We are now hoping to make a start on the BBQ stands and signage now that the funding is in place.

The group are still awaiting the plans from the new owner of Stanhope Wood and Stanhope Hole. Members of the group attended the Primary School and were very impressed by the plans etc the children had drawn up and another meeting has been arranged for 02.03.2015 and a further working day on 25.03.2015.

Plans are now completed for the Fun on the Green event to be held on 11.02.2015, as well as old favourites there will be new activities.

The Group were very sad to learn that Liz Froggatt had been required to cease her activities with the Footpaths Group due to health problems, she will be greatly missed.

The group held a special meeting so that the many activities that Liz was responsible for could be shared out among the members.

The group are litter picking along the canal on the 28.02.2015 commencing at 10am meeting at the Nadee.

The Group have ordered a number of leaflet holders with lids, 2 to be sited on the map on the Village Green, and they would like to fix 2 at the side of the Parish Rooms door. The holders will hold the maps of Footpaths within Findern and be accessible to the general public.

There were no updates in relation to Rushy Meadow.

***Resolved: Findern Parish Council gave permission to Findern Footpaths Group to install the holders on the Parish Rooms and the map on the Village Green.***

#### **12. Minute Number 1624/15 - Reports from Councillor's that have attended any other Meetings.**

- a) Toyota Community Liaison Committee

There was nothing to report.

- b) Village Hall

There was nothing to report

- c) Other meetings attended

Cllr Nash gave her report as follows:

- She had attended the Area Forum and Safer Neighbourhood meeting held at Repton on 03.02.2015

#### **Safer Neighbourhoods Meeting:**

The first part of the meeting was well attended and most of the questions raised were about problems in Stenson Fields. The Police had 2 general points of interest.

- 1) The introduction of new anti-social behaviour tools and powers.
  - a. There's civil injunctions which replace the stand alone anti-social behaviour orders.
  - b. A criminal behaviour order replacing the ASBO.
  - c. Police dispersal powers used to move groups or individuals on causing a nuisance with no return for 48 hours.
  - d. Community Protection Notice (CPN) for offences such as graffiti, littering, dog fouling etc.
  - e. Public Space Order (PSPO) covers public drinking, dog control orders and closing problem pathways.

Early intervention is preferable using various strategies, community trigger. This gives those affected by anti-social behaviour the right to request a case review of the response to their complaint. The Safer South Derbyshire Partnership is the contact: [community.safety@south-derbys.gov.uk](mailto:community.safety@south-derbys.gov.uk).

- 2) Green Dog Walkers

An idea to change attitudes to dog fouling. Sign the pledge in the special leaflet or sign up on line at [www.south-derbys.gov.uk](http://www.south-derbys.gov.uk). You will receive a special armband, or dog lead cover which shows others you undertake to clean up after your dog, carry extra doggie bags so one can be given to someone not prepared!.

#### **Area Forum Meeting:**

This meeting had very poor attendance and most questions were on Stenson Fields again.

Pothole reporting can be done by anyone, just go to the DCC website and give details of the location(s) of holes.

Frank McArdle the Chiref Executive of SDDC gave some good news about the District Council as follows:

- They have a balanced budget this year.
- They have joined a pooling system with the County Council to get better value for products and services.
- It is proposed that Council Tax is to be frozen for the 5th year running, the decision will be made in March 2015
- Concurrent funding for Parish Councils will be staying the same
- Community Partnership Grants to be introduced. Min grant £1000.00 for projects to benefit community, eg. Not cost of repairs to church building but alterations to enable community use. For further information contact Ian Hey at SDDC.

d) Notification of forthcoming meetings  
There was nothing to report.

### **13. Minute Number 1625/15 – Finance**

***Resolved: Findern Parish Council approved the following payments.***

a) Items for Payment

<b>Cheque No</b>	<b>Payee</b>	<b>Description</b>	<b>Amount</b>
002410	Viking Direct	Stationery	174.10
002411	Belmond Van and Mower	Service	332.42
002412 to 002416	Salaries, Tax and NICs		841.40
002417	P D Hawker	Maintenance	20.00

### **14. Minute Number 1626/15 - Items for discussion**

There was nothing to report.

### **15. Minute Number 1627/15 - Items for Information**

***Resolved: Findern Parish Council noted the following information.***

- a) Derbyshire Asbestos Support Team – Hidden Killer
- b) DCC – Consultation on the D2 Combined Authority Proposal – Visit [www.derbyshire.gov.uk/CA](http://www.derbyshire.gov.uk/CA)
- c) Clerk and Council Direct Magazine

### **16. Minute Number 1628/15 - Derbyshire Association of Local Councils**

***Resolved: Findern Parish Council noted the following information.***

- d) Circular 27/2014
  - 2014-2016 NJC Pay award frequently asked questions
  - Internal Audit
  - Congratulations to Belper! - Great British High Street Awards 2014
  - Councillor Induction Training
  - DALC Spring Seminar
  - New Mills Town Council Vacancy – RFO
  - Morton Parish Council Vacancy – Clerk/RFO
  - DALC Christmas break closure
- e) Circular 01/2015
  - INDEX OF MOST IMPORTANT ELEMENTS OF 2014 DALC CIRCULARS
- f) Circular 02/2015
  - DALC Banking Details
  - Abolition of the Public Works Loan Board
  - Local Council Award Scheme
  - DALC Spring Seminar
  - Vacancies

### **17. Minute Number 1629/15 - Date of the next Parish Council Meeting to be confirmed**

***Resolved: The next meeting of Findern Parish Council was confirmed as 12<sup>th</sup> March 2015 at the Findern Parish Rooms commencing at 7pm.***

***Resolved: In view of the confidential nature of the business to be transacted, it was advisable in the public interest, that the press and public be temporarily excluded and were instructed to withdraw from the meeting.***

**Agenda Part 2 – Exempt Information**

**Minute Number 1630/15 – Exempt Information**

a) Hirer Complaint

**Resolved: Findern Parish Council agreed that there was now a new booking procedure in place.**

**Resolved: Findern Parish Council agreed that the Badger Group would need to change their day from a Monday to another day as bookings were now on a first come first served basis. The new booking to remain on a Monday evening.**

**Resolved: Findern Parish Council agreed to continue to allow the Badger Group to use the Parish Rooms as their registered address.**

**Resolved: If the Badger Group decide to move out of the Parish Rooms they will be required to remove their cabinet and hand back the keys to the Parish Rooms.**

**Resolved: It was agreed that the Booking Clerk's contact number would be amended to her mobile number on the website.**

b) Website

Cllr S Brooks and Cllr R Brooks gave their report as follows:

- There had been some issues with Devmac updating the website. There were problems with broken pages and pages not loading correctly. It had taken Devmac 2 weeks to sort the problems which had now been resolved.
- Cllr S Brooks and Cllr R Brooks were now in the process of updating the information required for the website but more content was still needed.

**Resolved: The Clerk to add the approval of the newsletter to the agenda for March 2015.**

**Resolved: The Clerk to draft a questionnaire to add to the newsletter in relation to funding for the Church.**

**Resolved: Cllr Goodall, Cllr Nash and Cllr Bell were given delegated powers to obtain a copy of the Churches last Audited Accounts and a copy of the quotes for the drainage work.**

**Resolved: The Clerk to obtain a quote from Aucuba in relation to the path work.**

**Resolved: The Clerk to add the quotes for the path work to the agenda for March 2015.**

c) Rental Contract PC land

**Resolved: Cllr Woodhouse had declared a Personal and Prejudicial Interest in this item and left the room.**

**Resolved: Findern Parish Council agreed that they would like Woodgrow to continue with the lease agreement on the land but this needed to be updated.**

**Resolved: Findern Parish Council agreed that the new lease should be for a 10 year period.**

**Resolved: Cllr Williamson was given delegated power to look at commercial rents and how they had performed in the last 9 years to be able to review the rent for the land.**

Signed.....Dated.....