



ELVASTON PARISH COUNCIL

MINUTES OF THE EXTRAORDINARY MEETING HELD ON MONDAY 9TH MARCH 2020 AT ELVASTON VILLAGE HALL, ELVASTON, DERBYSHIRE

Present: Cllr P Bickerton (Chairman) Cllr C Bennett (Vice Chairman), Cllr S Leuenberger, Cllr G Dodson, Cllr R Bullivant, Cllr B Slater, Cllr T Mansfield, DCllr P Watson, DCllr D Corbin, Fiona Stanbrook, Locum Clerk and 19 members of Public

| Minute Ref | Agenda Item | | Action |
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| 62/20 | Apologies for Absence | Cllr S Spenser (work commitments) Cllr E Beech (illness) DCllr N Atkin, Cllr R Bullivant left the meeting at 10pm | |
| 63/20 | Declaration of Members Interests | Cllr T Mansfield declared an interest regarding the website. Cllr Bennett and Bickerton declared an interest in agenda items relating to Elvaston Communities Group, but not until the discussions regarding this group became heated. | |
| 64/20 | Variation of Order of Business | Request from Cllr T Mansfield to hear reports from other community groups prior to District and County Council reports. Item 16d was RESOLVED to be moved to directly after public participation. | |
| 65/20 | Tony Clarke – Persimmon Homes | Tony Clarke attended to give an update from Persimmon Homes regarding works on Snelsmoor Lane which are in progress until August 2020 in 5 phases. Phase 1 – installation of a roundabout near to the A6, opposite existing housing. This is a footpath link and trees have already been cleared in this area. Phase 2 – works will commence to remove the ghost island at the far end of Snelsmoor Lane alongside work continuing from Phase 1 Phase 3 – work will commence on the opposite side to existing house and will include verge work Phase 4 – a continuation of works to see phase 1-3 to completion Phase 5 – resurfacing of whole carriageway from A6 to beyond ghost island. | |



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| | | <p>Hedging is not going to be replaced where it has been removed in Phase 1 and Tony Clarke was unable to comment on what percentage of tree cover will remain at the end of the works. This information will be provided to the Clerk as soon as it is available, along with regular updates for the Parish Council Facebook page, to inform of traffic restrictions at specific times.</p> <p>The speed limit is currently 30mph for the duration of the works, however it is thought that the plan is to return to national speed limit after the works - this needs to be clarified as there is some confusion over whether this will be a 40 limit. It was RESOLVED the Clerk will check this with DCC Highways. There will be to exits from Snelsmoor Lane to the right and one exit on the left, until such time that a park and ride for buses opens, at which time there will be two left hand exits.</p> <p>There are regular liaison meetings with the Parish Council, DCC Highways and the relationship with the public is now much better than previously. Indeed, DCllr Peter Watson commended Tony Clarke on his positive attitude towards answering questions and engaging with residents.</p> | |
| 66/20 | Public Participation | <p>A resident raised concerns about the Buttercup Leys leasehold/freehold situation and Facebook bullying – the Clerk advised that this is not a matter for Parish Council and should be reported to the police on 101 if concerns are serious to warrant this, and any other issues relating to freehold/leasehold should be bought up directly with Persimmon as the Parish Council have no say on this at all.</p> <p>A resident asked for comments to be minuted regarding the former Clerk and a breach of code of conduct and gave many examples.</p> <p>A resident asked what reassurances were in place to ensure that a similar situation does not arise with any future Clerk. Cllr Mansfield advised on future possible checks for the employment of any future Clerk.</p> <p>A resident asked about plans in terms of future flooding and was advised accordingly.</p> | |
| 67/20 | Reports from Outside Bodies | <p>District Cllr P Watson – Commendation to Kevin Birch for the report he gave on flooding. Our City Our River have stated no works will take place in Derby City which will cause an effect downstream. There was a prediction that Ambaston would be inundated, but it did not happen. The Environment Agency have agreed to rebuild the flood bank to the level of the sandbags that were put in place in Novemeber - this will happen in the summer. There is a meeting in March with Tarmac and the situation regarding drainage will be discussed. There is also a meeting with Elvaston Country Park and drainage will be on the agenda for this meeting too. There is guidance coming from central government regarding the dredging of drains. Trees situation will be looked into with SDDC</p> | |



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| | | <p>and Rosliston Forestry Centre do have trees available annually. DCllr Watson will also look at the tree cover percentage on Buttercup Leys estate. Bellway Homes are being unresponsive regarding any information and developments concerning the bridge over Snelsmoor Brook. DCllr Watson will continue to chase this matter. DCllr Watson advised, for the avoidance of doubt; the next meeting is the AGM for the Parish Council and elections for Chairman and Vice Chairman will be the first agenda item. The Annual Meeting of the Parish is where the District Council are required to give an annual report along with all Community Groups who wish to attend.</p> <p>DCllr Watson ended his report by giving some figures regarding Council Tax, as follows: Council tax notification will increase by 1.95%, Adult Care and Welfare will increase by 2%, Derbyshire County Council will not increase. Police will increase by 4.6%, Fire Service will increase by 1.9% - giving a total increase of 2.31% plus precept. Precept request has not been requested for this Parish this year so will show as a decrease because of the increase in houses.</p> <p>District Cllr D Corbin spoke about the recent flooding and gave information about flood relief available to any affected residents. These forms are available from the Locum Clerk.</p> | |
| <p>68/20</p> | <p>Minutes of meetings from 10th February and 24th February (extraordinary meeting)</p> | <p>The minutes of the meeting held on 10th February 2020 which were circulated prior to the meeting and the following amendments were requested:</p> <p>Public Participation 27/20 – the resident did not apologise for the actions of others and disruptive behaviour, but pointed out that the intention was to leave without disruption to the meeting.</p> <p>Elvaston Communities Group 35/20 – a resident offered assistance with the collating of the Parish Plan and was rebuked by the Chairman of this group as the plan is already to be distributed. It has been asked that it be minuted that this plan has not yet been seen or approved by the Parish Council and a full draft copy of the plan should be circulated to all member Cllrs prior to printing. Following these amendments the minutes were recorded to be a true and accurate copy of the meeting and were signed by Cllr P Bickerton. Proposed by Cllr Dodson and seconded by Cllr Slater.</p> <p>Minutes of the Extraordinary Meeting held on Monday 24th February 2020 which were circulated prior to the meeting were recorded to be a true and accurate copy of the meeting and were signed by Cllr P Bickerton. Proposed by Cllr Leuenberger and seconded by Cllr Mansfield.</p> | |



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| 69/ 20 | Update on Actions | Updates were given regarding the previous Clerk and banking arrangements. | |
| 70/ 20 | Clerk's Report | <p>Previously circulated as follows:</p> <p>Following the extraordinary meeting on 24th February, work has continued around policies and governance. Finance remains an issue and bank account access has still not been granted – though this is in progress.</p> <p>I met with the previous Clerk on Thursday last week to collect the old PC laptop – this has been returned complete with a new screen, battery and the original hard drive. At the time of writing, this laptop has not been tested but the previous Clerk informed me that the hard drive had been wiped despite there being no authorisation for this to happen. There is evidence available to suggest this was not the case and the hard drive was uncorrupted with all files recovered – since being returned to the previous Clerk, it has been wiped.</p> <p>The memory stick has been returned to the previous Clerk as requested, and there was no reason for this not to happen following the police viewing the memory stick.</p> <p>The previous Clerk has not, to my knowledge, requested any intervention from SLCC regarding his dismissal from employment and the date for receipt of any representation has now passed.</p> <p>I have circulated the DALC Training Schedule for the forthcoming year. New Cllrs are booked on to Essential Cllr Training on 28th April 2020 at Repton Village Hall. There is a Chair Skills training session on 20th April 2020 and this will be for existing or newly appointed Chairmen. The Chairman for the 2020/21 term will be appointed at the next meeting on 6th April 2020 so there will be plenty of time to book the correct delegate place if required.</p> <p>Clerk job evaluation is booked in for 18th March 2020 as requested with DALC and will happen at the Locum Clerk's house – this does not need to be conducted in a public place.</p> <p>Viewtec Signs have confirmed installation of the signs ordered during week commencing 16th March 2020.</p> <p>A new Facebook page has been created for Elvaston Parish Council following an email received to inform that the Elvaston Communities Group page will be closing. I have added Faye Simnett as an editor to the page as she has done a great job with keeping the ECG group page updated in the past.</p> <p>The new Facebook page will be for the sharing of relevant PC information and events of local interest, along with police updates, road closures, flood reports and any other relevant information.</p> <p>Meeting with Faye Simnett arranged for next week to go through Lone Working Policy and Risk Assessment.</p> <p>Contact details have been updated as far as currently possible.</p> | |



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| | | <p>Preparations for financial year end are underway, however I am under no illusions that we will pass the external Annual Governance and Accountability Return without recommendations. I have already made plans for this event and will look to implementing policies to reflect good internal financial controls from the beginning of the new financial year.</p> <p>The accounts and budget, although resolved may still require some additional work as currently, the budget shows a deficit of almost £5k before any work on projects or improvements is implemented – although this does not take into account year end bank balances or concurrent functions payments.</p> | |
| 71/20 | Chairman's Report | <p>Cllr Bickerton gave a further update on the situation with the previous Clerk and informed the meeting that Dr J Irons was dismissed on 11th February 2020. He has not made any challenge to this decision and the time limit to put forward such a challenge ended on 24th February 2020.</p> <p>Cllr Bickerton offered thanks to the Locum Clerk for the advice given so far and the amount of work that has been completed to ensure the Parish Council are compliant going forwards.</p> | |
| 72/20 | Lengthsman's Report | <p>The Locum Clerk has been in close contact with the Lengthsman and a date has been arranged to complete a risk assessment and ensure the Lengthsman contract is compliant with Employment Law. It was RESOLVED the Locum Clerk will ensure the Lengthsman has correct, well-fitting PPE, including S3 boots to comply with Health & Safety laws.</p> <p>There have been reports regarding fallen trees, brooks which are blocked and in need of dredging, compacted drains and additional litter. The Locum Clerk will report as much as possible via the Love Clean Streets app, and the lengthsman is on board with using this app too.</p> | |
| 73/20 | Bank Account & Signatories | <p>There was a lot of discussion regarding bank accounts and signatories. The Locum Clerk advised steps have been taken to close the account with Unity Trust Bank as resolved at the previous extraordinary meeting. Access to Natwest is being progressed and a new base mandate has been completed. Once access is granted, the Locum Clerk will then be able to request that the account is updated to the latest available account and request online access, which will enable a two-factor authentication for the payment of bills.</p> <p>There was some confusion regarding this additional security measure and a heated discussion ensued.</p> | |
| 74/20 | Website | <p>There are several alternative web providers/hosts available and a resolution will be made at the next meeting. Cllr Mansfield advised that the current website can be moved in its entirety to a new provider and the web address can remain the same.</p> | |



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| 75/ 20 | Allotment Gate | Cllr Bullivant presented 2 x quotations for the installation of gates. It was RESOLVED to ask the previous installer to look at the gates and in the event of them not being able to help on this occasion, it was RESOLVED to accept the quote for double gates as supplied. The Locum Clerk will contact the previous installer of the gates and ask if they have any availability to advise or quote for a repair or maintenance, or a new installation. | |
| 76/ 20 | Digital Derbyshire | Digital Derbyshire is now complete. Everyone should now be able to receive internet at 24mbps and in Ambaston the current rate is 305mpbs. There was some discussion that the new homes on Buttercup Leys have no provision or infrastructure for internet and this is something that needs to be discussed with Persimmon Homes as the developer responsible for providing the infrastructure. | |
| 77/ 20 | Reports from other Community Groups | <p>Elvaston Castle Action Group – No report for this meeting.</p> <p>Elvaston Communities Group – the Locum Clerk asked for the Parish Plan to be supplied in its current format as there are some Councillors who have yet to view the document. The Locum Clerk also asked for any plans to distribute the plan be placed on hold until the document has been agreed by all Councillors. There are concerns with regard to the questions being asked, largely as there is no provision for the collection of any quantifiable data. This angered a resident greatly, causing them to raise their voice in a manner which is not acceptable within a Parish Council meeting. This resident was asked to leave the meeting by the Chairman.</p> <p>Mrs Eve Wilson, Chairman of the Elvaston Communities Group detailed that their belief is that the Steering Group, as they were originally called, are employed by the Parish Council to complete this plan and therefore the Parish Council have no right to question their actions. The Locum Clerk advised this is not correct and any information being distributed to residents in the name of the Parish Council absolutely has to be agreed by a majority and resolved at a meeting. This has not happened. The Locum Clerk also advised that Parish Plans have changed significantly since the last one was created in 2009/10. Eve Wilson has not taken this into account and nor has she been willing to accept help from experienced residents in the community with regard to writing a new plan. The Locum Clerk also questioned the constitution of the group and asked if all meetings had been held as per the constitution, i.e. in public with a clear agenda. It is apparent that this is not the case. The Locum Clerk also questioned what the most recent grant application was for, having delivered a cheque for over £1400 at the meeting in February. It was RESOLVED the Clerk will revisit the constitution of this group and will bring further information to the next meeting. Cllrs Bennett and Bickerton are members of this group and neither have made any information available to the Locum Clerk, or raised any concerns over the constitution of this group. Both</p> | |



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| | <p>Councillors declared an interest in this matter and chose not to participate in the discussions when the discussions became heated.</p> <p>It was RESOLVED the Locum Clerk will attempt to locate the previous Parish Plan prior to the next meeting. Eve Wilson offered thanks on behalf of the Elvaston Communities Group to Mr and Mrs Tongue for their dedication and hard work over many years, and expressed it is with sadness they have decided to stand down from the group.</p> <p>Elvaston Castle Gardens Trust – gave a very short report and detailed the unveiling of the Clock Tower is anticipated in May following the restoration process.</p> <p>Councillor Reports/Updates –</p> <p>Cllr Bennett asked for an update on additional bin requested for Buttercup Leys cut through with Sevenlands Drive. Bin has not been emptied for three weeks now and has been covered with an SDDC bag and taped up. The Clerk will check with SDDC and follow up, as well as asking for an additional dog waste bin to be installed. Bins are also required at bus stops, bringing the total additional bins required to 3. The new play park in Buttercup Leys is predominantly being used by dog walkers who are allowing their dogs to exercise off the lead. It was RESOLVED the Locum Clerk will order some signage to indicate dogs are not allowed in this area. Cllr Bennett also advised there has been a significantly damaged car parked on Colwell Drive for approximately 6 months – this is not within the jurisdiction of the Parish Council and if it remains taxed and MOTd, and is parked legally, there is little action that can be taken by any authority. Cllr Dodson informed there may be a health and safety aspect if the car is dangerously damaged with sharp edges. Cllr Bennett will provide some photographs and the Locum Clerk will investigate and report as required.</p> <p>Cllr Mansfield raised a query regarding the health of Cllr Spenser as he has been absent for quite some time. Cllr Bickerton agreed to enquire regarding future attendance. Cllr Mansfield also advised that a resident has asked if the Chairman and Vice-Chairman should be elected with respect to the rural ward and the Boulton Moor ward, i.e. if the Chairman is from the rural ward, then should the Vice Chairman be from Boulton Moor ward. This raised some additional questions with regard to the maximum term a Chairman should hold office for and it was RESOLVED to propose an amendment to the Standing Orders to reflect this. The Locum Clerk will progress this and circulate to all prior to the next meeting.</p> | |
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| | | <p>Cllr Leuenberger asked if Oak Road at the junction with the A6 could have the slip road reinstated. It was RESOLVED the Locum Clerk will ask Derby Roads Policing Unit for accident data for this junction and relay to DCC Highways with a request to reinstate the slip road. A request was also made for road markings to be reinstated at the junction for the Harrington Arms car park with Grove Close. Cllr Leuenberger advised on tree planting within the parishes and has asked for some joined up working with neighbouring parishes to identify any parcels of land available for tree planting. If land can be identified, Woodland Trust will supply sapplings. Approximately 40 trees have been lost at Elvaston Castle recently with the inclement weather and there needs to be 10 trees planted for each lost tree. Cllr Leuenberger asked for all residents present to identify any pockets of land available. Cllr Leuenberger attended the funeral of a very well-known and respected member of the community this week and advised there is a metal sculpture of a dog being created in his memory. A request was made for an appropriate place in Thulston where this memorial may be placed along with any future commemorative plaques for benches.</p> | |
| 78/20 | Parish/Neighbourhood Plan | <p>This was discussed during the Elvaston Communities Group report and it was RESOLVED that the plan will not be distributed until it has been viewed and agreed by all member Councillors. The Locum Clerk will try to locate the previous plan from 2009/10. It was discussed that any data collected needs to be quantifiable, and in the current format as collated by Elvaston Communities Group, this is not the case.</p> | |
| 79/20 | Assets of Community Value | <p>RESOLVED to carry forward to the meeting in April</p> | |
| 80/20 | Annual Parish Meeting | <p>It was RESOLVED to hold the Annual Parish Meeting in May. The Locum Clerk will suggest some available dates and find a suitable venue.</p> | |
| 81/20 | Flooding and Gravel | <p>Kevin Birch addressed the meeting and reported that Our City Our River project has increased flow from upstream which has exacerbated problems in Elvaston. SDDC have a flood application form available for completion, which will be compensated if the Government allow any monies to be allocated to SDDC. Derbyshire County Council have not maintained culverts and there is no plan for this to be reinstated. Kevin Birch plans to distribute a leaflet for the flood forum to vulnerable properties. The Locum Clerk will investigate if brooks have been dredged by DCC and ask if Tarmac have fulfilled their responsibilities. A6 drains are heavily compacted with</p> | |



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| | | <p>leaves and need to be cleared as a matter of urgency, this will be reported via Love Clean Streets and followed up with an email copied to District Councillors.</p> <p>Poor management in the Elvaston Castle Country Park grounds is making the problems with flooding much worse and though there has been unprecedented rain recently, it was requested that this be bought up with the Elvaston Castle management team to request the clearing work is completed as a priority. Road surfaces are also being destroyed by the constant flooding. Ambaston/Elvaston has a very robust drainage system and would work much better if it was maintained. Elvaston Castle Action Group are aware of the issues with the drainage and this does feature in the future plan. Historic knowledge of the castle grounds and drainage system is key to good maintenance. The park manager was unaware of any plans with regard to drainage systems and this needs to be addressed.</p> | |
| 82/20 | Clerk Vacancy | <p>The Locum Clerk advised that the Clerk Vacancy needs to be advertised externally, and it needs to follow a fair recruitment process. Prior to the vacancy being advertised, their needs to be a full evaluation of the job role, which has been arranged via DALC for Wednesday 18th March. This evaluation will detail the number of Clerk hours required and the pay scale which should be applied.</p> <p>It was RESOLVED the Locum Clerk will stay in position until a replacement Clerk is appointed. It is anticipated this could be until the end of April.</p> | |
| 83/20 | Policies and Procedures | <p>It was RESOLVED to add an amendment to the Standing Orders adopted in February 2020 with regard to the length of office of a Chairman and Vice Chairman. The Locum Clerk will circulate the wording of the amendment to all member Councillors and amend the Standing Orders as required.</p> <p>It was RESOLVED to accept the Social Media Policy. The Locum Clerk gave examples of inappropriate postings on social media and urged all Councillors to ensure their privacy settings are set to private if they wish to make posts which could call the Council into disrepute. Cllr Bennett advised the member Cllrs that items of a pornographic nature are fine as long as not viewed on Parish Council property.</p> | |
| 84/20 | Correspondence | No correspondence requiring an action not already circulated to all and responded to. | |
| 85/20 | Planning | <p>DMPA/2019/1323 – Demolition of existing garage and erection of a detached dwelling with associated parking and garden on land to the side of 33 Grove Close, Thulston</p> <p>DMPA/2020/0200 – Garage conversion and the extension of dropped kerbs at 45 Grove Close, Thulston</p> | |



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| | | DMPA/2020/0232 – Erection of 20m replacement monopole, 12 antennas and associated cabinets and Equipment at land at the Junction off Snelsmoor Lane and Shardlow Road, Boulton Moor, Derby It was RESOLVED to ask for an extension to both planning applications for Grove Close. There were no comments to be made in relation to the replacement phone mast. | |
| 86/20 | Community Speedwatch | RESOLVED to carry forward to the next meeting. | |
| 87/20 | Finance | i) Invoices due for payment – RESOLVED ii) Income Received – N /A iii) Budget matters – requires further analysis. | |
| 88/20 | Date and Time of next meeting. | The next meeting will be held on Monday 6 th April 2020, 7.0.30pm at Nunsfield House, Boulton Lane, Alvaston, Derby | |

The chairman thanked everyone for attending and the meeting was closed at 10.40pm

Signed _____ Chairman / Vice Chairman