

# Foston and Scropton Parish Council

## Minutes of Foston and Scropton Parish Council Meeting Held on Tuesday 13<sup>th</sup> February 2024 at 7.30pm

<b>Present:</b>	Cllr. V. Blackshaw Cllr. P. Groom Cllr. A. Dolley Cllr. G. Andrew
<b>OPM090124/01 – To receive apologies for absence:</b> <ul style="list-style-type: none"> <li>➤ Cllr. J. Davies</li> <li>➤ Cllr. N. Hickman</li> <li>➤ Cllr. S. Meghani</li> </ul>	
<b>OPM130224/02 - Variation of Order of Business (if required)</b> <ul style="list-style-type: none"> <li>➤ None</li> </ul>	
<b>OPM130224/03 - Declaration of Members' Interests appertaining to agenda items.</b> <ul style="list-style-type: none"> <li>➤ Cllr. Pete Groom item 10 - Allotment review Community Hall</li> </ul>	
<b>OPM130224/04 - Public Speaking, including County, District and Police Representation.</b> <ul style="list-style-type: none"> <li>➤ <b>Flood Signs:-</b> Permanent Flood Signs:- Reported of permanent dropdown flooding signs not being closed after flooded.  Temporary Road Signs:- Delay in removal by Highways refer to Cllr. Julie Patten to assist. Being left is economic and ecological waste.</li> <li>▪ <b>District Cllr Grahame Andrew</b> Involved in a couple of complaints about Planning enforcement issues on Dove Valley Business Park, following the removal of the Turkey Sheds and the use of the site by 38t tankers (both allegedly contrary to Planning Regulations).  Involved assisting a Council Housing tenant with various issues with the Council.  Pleased to report positive response from Environment Agency around a reported case of contaminated water in a drainage ditch around Marston on Dove.  I've recently secured a large number of free sandbags from SDDC for Hilton Parish Council.  Very involved with Hilton Harriers FC and Hilton Parish Council in developing a scheme to expand the club with several new pitches and an all-weather pitch, as part of a wider "sports village" including Tennis and Bowling facilities.</li> </ul>	

I have been informed the Section 106 funding for the bus stop opposite Avara Foods, has been paid to DCC despite there being no bus services – I recommend this is something for Cllr. Julie Patten to look into, to see if the funds can be used to overhaul the dilapidated bus stop in Foston that is still in use.

I've chased up the Planning Enforcement team about issues with the Mill Green Development and they have responded positively.

In wider news, members of the Parish may be interested to know there is now a Planning Application for another Supermarket in Hilton available for public viewing.

I undertook to ask SDDC to look into the missing payment. POST MEETING NOTE – I believe this has now been sorted?

Cllr. Jayne Davies and myself and are now running District Councillor surgeries at Don Amott's Café on the 3<sup>rd</sup> Thursday of every month @ 1:30pm.

**OPM130224/05 To Confirm and agree as a true record the minutes of the Ordinary Foston and Scropton Parish Council Meeting held on 9<sup>th</sup> January 2024**

Approved

Proposed: Cllr. P. Groom

Seconded: Cllr. A. Dolley

**OPM130224/06 – Finance**

**Parish Council Expenditure cheques to be approved:**

Date	Payee	Description	Amount
13/02/2024	M Hayes	Lengthsman wages	£136.50
13/02/2024	J Allen	Parish Clerk Wages	£153.60
13/02/2024	HMRC	Month 10	£38.40
13/02/2024	Greenwater Services	Legionella Monitoring	£72.00
13/02/2024	Stuart Reeves	Installation of 2 noticeboards	£398.36

**Parish Council Income:**

Date	Name	Description	Amount
13/02/2024	J. Allen	Refund of Expenses	£5.00

**Parish Hall Expenditure Cheques to be approved:**

Date	Name	Description	Amount
13/02/2024	Yu Energy	Electric Bill	£116.07

**Parish Hall Income**

Date	Name	Description	Amount
13/02/2024	DCC	Grant Payment	£1,049.00
13/02/2024	Community Hall Group	Burns/Bingo Night	£280.00

- Repton PC letter to SDDC in response to their budget consultation on concurrent funding. Agreement to support Repton Parish Council by letter to SDDC in response to their budget consultation on concurrent funding. *Letter sent 18<sup>th</sup> February.*
- INVOICE NO: 2023/5 Area forum Meeting 5<sup>th</sup> September 2023 £36.00 unpaid – Parish Clerk to forward to Cllr. G. Andrew. *Completed*

Proposed: Cllr. P. Groom.

Seconded: Cllr. A. Dolley

All agreed.

### OPM130224/07 - Planning Applications

- **Application ref. DMPA/2024/0066:** Conversion of existing garage and erection of a two storey front extension, first storey side extension over the garage and single storey rear extension at Brook House, Leathersley Lane, Scropton, DE65 5PN.  
*No Observations*

### OPM130224/08 – Correspondence

- Playground - Response to report submitted by Doug Belfield of Streetscape products re his visit with Cllr. Pete Groom to the problems with the play equipment at Scropton on 30<sup>th</sup> Jan.  
My opinion on Doug's report taking his bullet points in the order they appear are as follows:-

#### Bench

Replacing the seat lath and rubbing down the rest of the table followed by staining is in my opinion a bodge and I really feel the timbers used for the bench are of poor quality and need upgrading. As it is the lath to be replaced has now been 'repaired' twice along with 2 other laths that were worked on with an angle grinder after our first comments shortly after installation, when they should quite clearly have been replaced at an earlier stage. A photograph I have of the bench shows different the various timbers lying at different angles which suggests to me that the bench has not been installed level and would need attention to remedy this.

Conclusion, I consider the timbers all need *replacing* not post installation remedial work.

#### Galvanised spray the dish roundabout in situ.

As this is almost a brand new item which appears to have been hot dip galvanised, post production, I would not have expected rust spots to be appearing at such an early stage. Galvanised spraying in situ is an unsuitable remedy at such an early stage of the life of this item and I believe that it should be removed and either re-galvanised or replaced.

Conclusion I do not believe that a spray repair is acceptable on a new item.

#### Swings

The swings show visually that there is incorrect levelling of the horizontal cross members. Doug states that the swing beam does have a bow but we are happy it is within manufacturing tolerances. It has been independently inspected and passed. I suggest we request from Doug, drawings which show what the manufacturing tolerances are, as I can see no reason for the cross members to have any bowing and to have not been installed in a perfectly level horizontal manner. Re the inspection, yes it has been inspected and passed but this is for its functional and compliance with standards and not for aesthetics which is the reason for our complaint.

Conclusion, wait to hear from Doug re our request for drawings and then consider pursuing having the swings reworked to be horizontal and looking aesthetically correct.

#### Remove marker pen letters and respray mismatched patches on the legs

The way the legs have been boded with a paint of a totally different colour and no attempt to smooth it in and make it look like new is an indicator of the standard to which the equipment has been installed. Leaving marker pen letters adds to this opinion.

Conclusion, wait and see what the repairs and cleaning look like and reassess afterwards.

#### Spinner on Tri-box

When looking at safety issues the first consideration, as agreed by Doug, is that a risk is eliminated if at all possible. Only if this cannot be done should mitigating actions be undertaken. The joint of the spinner to its ground mount is approximately 100mm above ground level and some attempt has been made to minimise the problem by mounding earth and turf around the joint which has subsequently been covered with the protective matting. I looked at this with Doug and pointed out that this risk could be eliminated by having sunk the ground mount further into the ground at either ground level or below. There is in my opinion the capability to have done this by adjustments either linearly or

radially to the spinner itself as there is sufficient spindle standing proud of its top mounting bearing to allow for the spinner to have been mounted at least 150ml further into the ground which would have eliminated completely the risk of this joint being a hazard.

Conclusion, Request that the ground mount is repositioned to let the joint between it and the spinner be at either ground level or below.

Cllr. Pete Groom to attend inspection with ROSPA in May. Charge approx. £42.00 + VAT.

Pictures below- appendix 1.

- **DALC Response:-**

Request from Heidelberg Materials regarding the Derbyshire and Derby Minerals Local Plan for a confidential non-public meeting basis meeting with a suggestion to meet at our PC meeting in March. This was referred to DALC who responded by advising:- "I agree with you, I don't see a valid reason for a 'confidential' meeting and, as you say, doing so may appear that the Parish Council is in some way favouring the development".

Respond to Heidelberg Materials we will host a meeting (non Parish Council) at a time suitable for them. Date suggested week commencing 18<sup>th</sup> March. (*email sent 18<sup>th</sup> February*)

- **Footpath Poster**

Response from DCC via Cllr. Julie Patten

Thank you for your e-mail. I've been in touch with our Legal Department who are best placed to answer your queries. One of their Senior Legal Assistants has come back to me with the following:-

*There is no requirement to inform a parish council. The notices are posted on site (for s15A) and on the council's website. We also email a small number who have requested notification, such as Peak and Northern Footpaths Society.*

*To explain further:*

*Derbyshire County Council is the registration authority for the county of Derbyshire (excluding Derby City) and has a statutory duty to maintain a register of landowner declarations made under s31(6) Highways Act 1980 and s15A of the Commons Act 2006.*

*When DCC receives an application it checks the application is duly made and if so, will add it to the register of declarations and advertise the application according to the legislation.*

*The Notice to which you refer relates to a combined landowner statement made under Section 15A of the Commons Act 2006 and under section 31(6) of the Highways Act 1980 respectively.*

*S31(6) enables a landowner to deposit a map and statement with the local authority which acknowledges the existing definitive public rights of way on the land shown on the accompanying map, while at the same time declaring that they have no intention to dedicate any further public rights of way. The landowner may then deposit a declaration within the next 20 years in order to maintain the protection afforded by the original statement.*

*S15A enables a landowner to deposit a map and statement with the local authority which declares that they have no intention to dedicate any of the land shown on the accompanying map as a town or village green.*

*It helps to understand how town and village green rights and public rights of way and can be acquired.*

*Simply put, to acquire a public right of way based on usage, a route must be used by the public for a period of 20 years and that use must be 'as of right' – i.e. without force, without secrecy and without permission. To acquire town and village green rights also requires 20 years use of the land by the public, but for 'lawful sports and pastimes'.*

*The s31(6) and 15A statements essentially interrupt any ongoing period of use and so helps the landowner prevent public rights from being acquired. However, if land has been used for the 20 years before the statement then any claim for public rights based on user of the preceding 20 year period may still be valid.*

*Landowners have the right to protect their land from acquiring public rights. It is a decision solely for the individual landowner to make and is not something that a County Council has any influence or control over.*

There is no legal requirement for the County Council to post notice on site of a S31(6) statement or declaration but there is a legal requirement to post on site a notice of a statement made under S15A. The Notice is posted on the boundary of the land affected by the statement and at a point where access would appear most likely.

There is no requirement for the County Council to consult on these matters as it is the right of the landowner to deposit such statements with the Council. As stated above, the County Council has a requirement to keep a register of the statements, which can be found at the following link <https://www.derbyshire.gov.uk/leisure/countryside/access/rights-of-way/declaration-register/declaration-register.aspx> and it also posts Notice of such statement on the Derbyshire County Council Website, which can be viewed at the following link <https://www.derbyshire.gov.uk/council/public-and-statutory-notice/public-and-statutory-notice.aspx>

There is further information on the gov.uk website which can be found at the following link <https://www.gov.uk/government/publications/commons-act-2006-landowner-statements-highways-statements-and-declarations-form>  
<https://www.gov.uk/government/publications/commons-act-2006-landowner-statements-highways-statements-and-declarations-form>.

Poster was also in Somersall Herbert

#### **OPM130224/09 – Community Hall**

To consider request to utilise/ open-up Community Hall for use during Church/ village Fete Saturday 8th June 24.

Approved.

Proposed: Cllr. P. Groom.

Seconded: Cllr. A. Dolley

All agreed.

#### **OPM130224/10 – Allotments Update**

- From Cllr. P Groom - **All on waiting list have had an allotment plot allocated, spreadsheet updated.**
- Approval New Allotment agreement for existing plot holders - **Approved**
- Allotment Holders Meeting to be arranged / Presentation of voucher. **Date in May, Clerk to arrange.**
- Allotment holders' invoices to be issued. **Clerk to deal. Issued w/c 18<sup>th</sup> February**

#### **OPM130224/15 – Action Tracker**

- Lengthsman job description completed
- Signs requests still outstanding

#### **OPM130224/16 – Chairman Report**

- Community Hall Group - February report – see appendix 2 below
- Warm Space Grant received for 2023 and 2024 – spend register to be kept for audit.
- Cllr. Alistair Dolley has obtained stackable chairs for the community hall FOC. A number of existing chairs may need to be kept for the chair exercise classes.
- Community Hall event – Quiz night in April
- Playground Fencing – Quotes to be obtained next financial year. Cllr Pete Croom organising.  
Wooden Gates: Pedestrian and vehicle  
Fencing: Post and rail

#### **OPM130224/17 - Clerk's Monthly report/Items**

- ❖ Hedges to be cut.  
Cllrs A. Dolley and P. Groom volunteered to cut the hedge in playground. Needs to be completed within the next 6 weeks. Neighbours to be notified, Clerk to arrange. *Done*
- ❖ Temporary road signs still in Scropton - see item OPM130224/04

❖ Chair Exercise Classes / fall in numbers. Request for one off reduction needs to be from the ladies. Clerk assisting with an advertising campaign to increase numbers. *On F&S Noticeboards and website*

**OPM130224/18 - Date of Next Parish Council Meeting**

➤ 12<sup>th</sup> March 2024

**OPM130224/19 – Exclusion of the Press and Public Pursuant to Section 1(2) of the Public Bodies (Admission to Meetings) Act 1960, the press and public be excluded from the Meeting due to the confidential nature of the business to be transacted.**

➤ None

<b>Signed:</b>	
<b>Date of issue:</b>	

Appendix 1



<b>Appendix 2 - Community Hall Working Group</b>			
<b>Summary to Sole Trustee</b>			
<b>Date of submission</b>	5-2-24	<b>Submitter</b>	Victoria Blackshaw
<b>Please provide information below;</b> remember to add if this is for 'Info Only', 'Discussion' or 'Approval'.			
<b>Area</b>			
<b>1. Burns Night Bingo Event.</b> Hot toddies, haggis & house' themed Bingo was held 26th January attended by 42 people and raised £280. Dave & Chris Bamford ran the bingo, the community group			Info Only.

<p>provided refreshment, décor &amp; ran a raffle . Irene recited Burn’s ‘address to a Haggis’ to open the night and prizes were donated by the community.</p>	
<p><b>2. Warm Spaces Grant</b> Confirmation has been received that the Warm Spaces Grant for 2023/24 has been awarded but awaiting receipt into the bank account. The amount will be £850.38 plus £195.50 still pending from the 22/23 award and includes £210 allocated for hall heating/lighting.</p>	Info Only.
<p><b>3. Park Official opening</b> The ‘play park’ official opening will be run alongside the village fete this summer. The church fete will be held <b>Saturday 8th June 1pm</b>. Colin Woodward, Church Warden held a well-attended meeting at the church 27th January to form a group to plan and run the event. There is representation from the Community Hall Group on this group. Further meeting in March to confirm stalls and responsibilities.</p>	Info Only.
<p><b>4. Church &amp; Park Tidy-up</b> After a Facebook appeal, a group of c.30 volunteers met 3rd February for around 1.5hours to begin a ‘Spruce Up’ of the churchyard walls, the Play Park and roadside verge in readiness for the fete. Tasks included clearing ivy, brambles and obstructive tree branches. Great progress was made, and the areas are transforming!</p>	Info Only.
<p><b>5. Upcoming Events</b></p> <ul style="list-style-type: none"> <li>• Library (second Saturday of the month)</li> <li>• March 12<sup>th</sup> – Quiz Night</li> </ul>	Info Only.
<p><b>1. Date of next meeting – TBC March 23</b></p>	Info Only