

PLEASE NOTE THE VENUE AND TIME

SWANWICK PARISH COUNCIL

Clerk to the Council
76 – 80 Derby Road
Swanwick
Derbyshire DE55 1BG
Email: clerk@swanwickparishcouncil.org.uk
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10th October 2016

Dear Councillor

You are summoned to attend the **Full Council Meeting** to be held at **Meeting Rooms, rear of Baptist Church, Derby Road, Swanwick** on **Thursday 20th October 2016** at 7.15pm when the business set out below will be transacted.

Members are asked to sign the attendance sheet for the meeting and to complete the Declarations Sheet (if appropriate), both available at the meeting.

Please note there is a meeting of the Well Dressing 2017 Working Group at 6.30pm prior to the Parish Council meeting.

Clerk to the Council

AGENDA

1. Apologies

Members are reminded to give their apologies direct to the Clerk.

2. Variation of Order of Business

3. Declarations of Interest

Members must fill out the Declaration of Interests Forms for submission. Members are requested to declare any personal or prejudicial interest they may have in any item of the evening's business, and to explain the nature of that interest.

Where a member indicates that they have a prejudicial interest, but wish to make representation regarding the item before leaving the meeting, they must do so under item 4(D) of Public Participation.

4. Public Participation

A) Public Attendance & Speaking: Residents wishing to speak need to book in with the Clerk, preferably prior to the meeting by email/phone or immediately prior to the start of the meeting.

Whether wishing to speak or not, each member of the public is required to indicate whether or not they consent to have their name and/ or organisation recorded and published in the minutes of the meeting. Minutes are published on the Parish Council website and are available to the public under the Freedom of Information Act 2000.

At the start of the meeting a period is available for members of the public to ask questions, make representations or submit comments. This is **LIMITED TO THREE MINUTES PER PERSON** – at the sole discretion of the Chair.

B) Parish Council Members' observations will be taken alongside Reports from any Borough and County Councillors attending.

C) Police Matters

An Officer in attendance may offer information or respond to questions on Police Matters.

D) Representations or Evidence from Members Declaring a Prejudicial Interest

Members indicating that they have a prejudicial interest in an agenda item and who wish to make a representation before leaving the meeting shall do so at this stage.

5. Minutes of Full Council

5.1 To receive the Minutes of the Meeting held 15th September 2016.

6. Planning Matters

6.1 Planning Applications for comment: All applications can be viewed at www.ambervalley.gov.uk click on Planning and then click on Planning Applications and use the AVA reference number to search.

AVA/2016/0781 Proposed replacement of illuminated and non illuminated signs and repainting to exterior of the building, Cross Keys Inn Derby Road Swanwick Alfreton Derbyshire DE55 1BG. **Decision is anticipated by 18/Sep/16** under the Delegated Powers

Undetermined Planning Applications 09/10/2016

AVA/2014/0803 New Rugby Club facility including the erection of a single storey clubhouse, 3 new rugby pitches, floodlighting, associated access, car parking and hard/soft landscaping Land Lying North Of Slack Lane Riddings Alfreton Derbyshire **Decision is anticipated by 17/Oct/16 by the Planning Board.** Please note there is a revised target determination date of 02/Dec/16 due to an extension of time agreement.

AVA/2015/0114 Outline planning permission for residential development of up to 45 dwellings with all matters reserved other than access (This is a Departure from the Adopted Development Plan)
SoS has decided not to call in this planning application and leave it to be determined by the LPA. **Decision is anticipated by 11/Jul/16 by the Planning Board.** Please note there is a revised target determination date of 14/Oct/16 due to an extension of time agreement

AVA/2016/0996 Prior Notification of Proposed Demolition of 11 buildings at Lily Street Farm **Decision is anticipated by 25/Oct/16 under the Delegated Powers.**

AVA/2016/0967 Prior Notification of Proposed Demolition of Wood Working Workshops and Stores Land Adj 70 and 81 Derby Road Swanwick Alfreton Derbyshire **Decision is anticipated by 12/Oct/16 under the Delegated Powers.**

AVA/2016/0964 Single Storey Rear Extension & Conservatory to Rear 5 Prospect Gardens Swanwick Alfreton Derbyshire DE55 1EY **Decision is anticipated by 09/Nov/16 under the Delegated Powers.**

6.2 Planning Decision Notices:

AVA/2016/0707 Installation of an antenna mast for the use of amateur radio operation. This is to be sited to the rear of the property. 10 Brackendale Road Swanwick Alfreton Derbyshire DE55 1DJ
Application was approved on 09/Aug/16.

AVA/2016/0730 Outline Application with All Matters Reserved for Single Dwelling
 (This application represents a Departure from the Amber Valley Borough Local Plan
 2006) The Woodland Derby Road Swanwick Alfreton Derbyshire
The application was refused on 09/Sep/16

6.3 Neighbourhood Plan

The referendum on the Swanwick Neighbourhood Plan is taking place today.
 At time of writing it has not been confirmed when the results are expected.

7. Clerk's Report

- 7.1 Floodlight maintenance – proposals from St Andrew's Church
- 7.2 Utility services update
- 7.3 Nether Close Allotments – boundary issues and proposals
- 7.4 Asset Register – report on registration of all Parish Council Land with Land Registry
- 7.5 Shirley Road Allotments – Update
- 7.6 Christmas Lights Contract – proposed review of current contract
- 7.7 Non-domestic Business Rates and demolition proposal for unoccupied buildings
- 7.8 Removal of trees, hedge shrubs and weeds
- 7.9 Refurbishment of Coal tubs/ Miners cars at Butterley end of Village
- 7.10 Public Liability Claim Repudiated

8. Chair's Report (see attached)

9. Councillors' Updates

Well Dressing 2017 Meeting on 20/10/2016
 Remembrance Sunday Parade & Service assemble for 10.40 start

10. Correspondence & Circulars (copies are available on the website)

- 10.1 DALC 15 – 2016
- 10.2 Pitch Playing Strategy AVBC Review - Town and Parish Councils

11. Accounts

11.1 To approve urgent payments made to the following:

Date	Cheque	To Whom Payable	Reason	Amount £
14.09.16	3600	Severn Trent Water Ltd	New Connection fee	137.88
	3601	CANCELLED		0.00
22.09.16	3602	G Soudah	Reimbursement	166.22
01.10.16	3603	Newleaf Ltd	Contract Payment 7	1125.00
01.10.16	3604	R Castledine Mth 6		1244.50
01.10.16	3605	HMRC	Tax & NI Mth 6	302.88
01.10.16	3606	AVBC	Non-Domestic Rates	934.35
04.10.16	3607	East Midlands Environmental Services Ltd	Asbestos Survey	540.00
06.10.16	3608	MH-P (Invoice 3031)	Updating Plan F 01.12.16 to 30.11.17	588.00
			Total	5038.83

11.2 To approve payments to the following:

To Whom Payable	Reason	Amount	£
		Total	0.00

11.3 Income Received:

Date	Remittance		Amount	£
14.09.16	601356		Reimbursement fr CoE Girls School Trust (Returned Keys)	20.00
22.09.16	BACS	Swanwick PCA	September 2016 precept	54,000.00
			Total	54020.00

12. Bank Reconciliation

As at 10th October 2016

Current account statement 30 th September 2016	£123,841.55
Cheques issued to 10 th October 2016	£4,900.45
Balance in account	£118,941.10

13. Exclusion of Press & Public

'That pursuant to section 1(2) of the Public Bodies (Admission to Meetings) Act 1960, the press and public be excluded from the meeting for Agenda Item(s) below by reason of the confidential nature of the business to be transacted'.

14. Items for the next Agenda

Items are invited for inclusion in next month's agenda

15. Date of Next Meeting: 17th November 2016 @ 7.15pm at the Meeting Room at the rear of the Baptist Church, Derby Road.

**SWANWICK PARISH COUNCIL
MINUTES OF THE PARISH COUNCIL MEETING
THURSDAY 15 September 2016**

Present: Cllrs Soudah, Barnett, Davies, King, Payne

Members of the Public

Members of the public listed waived their right to anonymity under the Data Protection Act

John Briggs

John Payne

David Hewett

Rob Castledine

AVB Cllr David Wilson(Part meeting)

213/2016 APOLOGIES

Cllrs Adams, Briggs, Dale

Apologies were approved.

214/2016 VARIATION OF ORDER OF BUSINESS

An addendum to item 6.3 was issued at the meeting to provide an update of events since the agenda was issued.

214.1/2016 Neighbourhood Plan

RESOLVED:

Item 6.3 is brought forward in view of developments since the agenda was issued, and to allow members of the public to be released early following the item.

Following a National Planning Casework Unit enquire to AVBC asking what is the Council's five year housing supply and when the Swanwick Neighbourhood Plan is due to go to referendum, it came to light that Amber Valley had on 24th August 2016 proposed a date for the referendum. A letter from AVBC to the polling station booking agent also provided information that the original date of 10th November was being brought forward to 20th October 2016.

None of this information was provided to Swanwick Parish Council by AVBC, and the parish council was not consulted or received any communication about the proposed dates. This is contrary to the explicit assurances from Cabinet Members and the Council that the Parish Council will be consulted or at the very least be kept informed of progress to referendum.

Following detailed correspondence with both Officers and Cabinet Members of Amber Valley Borough Council, a formal complaint was sent to the Council. It has been acknowledged. Following an investigation, a reply is due in 10 days.

There was no consultation with the Parish Council prior to the preparation of the Officer's report to Cabinet. Effectively there was no opportunity presented to the Parish Council to re-consider any aspect of the plan before AVBC Cabinet decided to accept all the recommended modifications.

The view of the Parish Council and the Neighbourhood Steering Group is that the plan originally submitted has been so drastically changed that the modified plan, on which the referendum is being held no longer represent the aspirations of the Swanwick Community.

It was proposed that

1 That Swanwick Parish Council formally write to Amber Valley Borough Council as the Local Planning Authority requesting that the Swanwick Neighbourhood Plan, as modified, is withdrawn from referendum as it is not likely to succeed without the support of Swanwick Parish Council and the Swanwick Neighbourhood Plan Steering Group.

2 In the event that the modified Neighbourhood Plan continues to progress to referendum, that Swanwick Parish Council and the Swanwick Neighbourhood Plan Steering Group campaign and actively promote a 'NO' vote.

In response to correspondence, AVBC advise that the regulations state that a qualifying body can only withdraw the proposed plan before the Planning Authority consider the modifications recommended by the Independent Examiner. As the Cabinet made a decision on 29th June 2016, AVBC will not accede to a request to withdraw the plan.

There is also a question whether Swanwick Parish Council can campaign during the period leading to the referendum, whether for or against the Swanwick Neighbourhood Plan. The Parish Council can only publish factual information or correct inaccurate information published by other campaigns. However, the Swanwick Neighbourhood Plan Steering Group is not a formal committee of the Parish Council, but an advisory and public engagement group and is at liberty to campaign.

214.2/2016 Amendment proposed

In the light of the restrictions on the Parish Council, it was proposed under SO 18.1 to amend proposal 2 accordingly to read

2 In the event that the modified Neighbourhood Plan continues to progress to referendum, that Swanwick Parish Council recognises the Swanwick Neighbourhood Plan Steering Group campaign that will actively promote a 'NO' vote.

RESOLVED:

214.3/2016 To accept the amendment.

RESOLVED:

214.4/2016 That Swanwick Parish Council formally write to Amber Valley Borough Council as the Local Planning Authority requesting that the Swanwick Neighbourhood Plan, as modified, is withdrawn from referendum as it is not likely to succeed without the support of Swanwick Parish Council and the Swanwick Neighbourhood Plan Steering Group.

214.5/2016 That in the event that the modified Neighbourhood Plan continues to progress to referendum, that Swanwick Parish Council recognises the Swanwick Neighbourhood Plan Steering Group campaign that will actively promote a 'NO' vote.

215/2016 DECLARATIONS OF INTEREST

None

216/2016 PUBLIC PARTICIPATION

216.1/2016 Public Speaking

Cllr David Wilson read out a statement regarding Amber Valley Borough Council's position on the issue of 'Fracking'. In summary AVBC cannot hold a policy decision on 'Fracking' as this could be construed as pre-determination of a planning application. Each application will be considered on its merits.

216.2/2016 Members' Observations:

Cllr Mary Barnett raised the issue of non-residents parking in Orchard Crescent. This is a matter for Futures Housing Group to address with DCC Highways. Cllr Barnett also observed that only one street name plate had been replaced. It was pointed out that this is common practice by AVBC.

Cllr Brenda Payne raised the issue of inconsiderate parking at junction of Broadway and The Green.

216.3/2016 Police & Crime Prevention

No Police attended the meeting

216.4/2016 Representations or Evidence from Members Declaring a Prejudicial Interest

None

217/2016 MINUTES OF FULL COUNCIL HELD 21st July 2016

RESOLVED:

That the Minutes of Full Council held on 21 July 2016 be received as correct account of the meeting. The minutes were signed by the Chair.

218/2016 PLANNING MATTERS

218.1/2016 Planning Applications

Applications were noted. No comments received.

218.2/2016 Planning Decision Notices

The decisions were noted

219/2016 CLERK'S REPORT

The Clerk's report was presented by the Chair.

219.1/2016 Parish Office has relocated to 'new' premises'

RESOLVED:

To approve minor works necessary to bring the working conditions to an acceptable standard within a maximum budget of £500 on refurbishment.

219.2/2016 Increase in buildings insurance cover for catastrophic events

RESOLVED:

To approve and note that the additional insurance secured only covers the clearance of the site debris in the event of a catastrophic event

219.3/2016 Utility services update

RESOLVED:

To approve that all the utility services be tested and where appropriate alternative suppliers found.

**219.4/2016 Open Gardens 2016 – claim for re-
imbursement of costs**

RESOLVED:

To approve the re-direction of funds approved in Min 203.2/2016 to pay outstanding invoices held by Open Garden 2016.

**219.5/2016 Nether Close Allotments – boundary issues
and proposals**

RESOLVED:

219.5.1/2016 To reject the proposed compromise solutions and inform the owner of the adjoining property of the Council's decision accordingly.

219.5.2/2016 To seek legal opinion with regard to registration in the Council's favour of the area of land in dispute and instruct solicitors.

**219.6/2016 Asset Register – report on registration of
all Parish Council Land with Land Registry**

RESOLVED:

To instruct solicitors to register all land owned by Swanwick Parish Council

**219.7/2016 Shirley Road Allotments – Review of
Agreement with Swanwick Allotments Association, site visit on 1st
September**

RESOLVED:

219.7.1/2016 The PC writes to adjoining property owners to define property boundaries and re-instate fences.

219.7.2/2016 To purchase in-fill material for remedial work to parts of the track.

219.7.3/2016 To undertake the hedge cutting required.

**219.8/2016 Christmas Lights Contract – proposed
review of current contract**

RESOLVED:

219.8.1/2016 To obtain three quotes for the supply and installation of Christmas lights.

219.8.2/2016 To authorise the Chair/clerk to accept the most appropriate quotation

**219.9/2016 Non-domestic Business Rates and proposal
for demolition of unoccupied buildings**

RESOLVED:

To authorise the Chair/clerk to receive the quotations and appoint appropriate contractors to undertake the necessary works, subject to scrutiny of the quotations and necessary planning approvals. The Chair/clerk is to report back to PC at the next appropriate meeting

219.10/2016 Removal of trees, hedge shrubs and weeds

RESOLVED:

To authorise the Chair/clerk to receive the quotations and appoint appropriate contractors to undertake the necessary works, subject to

scrutiny of the quotations. The Chair/clerk is to report back to PC at the next appropriate meeting.

220/2016 Chair's Report

The report was received.

221/2016 Councillors' Updates

Cllr Brenda Payne updated the meeting on three planned Community events

1. Remembrance Day parade and service starting at 10.40am on 13th November 2016
2. Civic Carol Service at 7.15pm on 12th December 2016
3. Well Dressing 2017 on 13th May 2017

222/2016 Correspondence & Circulars (copies are available on the website)

All circulars and correspondence was received

223/2016 ACCOUNTS

223.1/2016 RESOLVED: To approve urgent payments made to the following:

Date	Cheque	To Whom Payable	Reason	Amount £
01.08.16	3588	Newleaf Ltd	Contract Payment 5	1125.00
01.08.16	3589	CANCELLED JH HALL	Open Gardens Min 203.2/2016	0.00
02.08.16	3590	R Castledine Mth4		1244.70
02.08.16	3591	HMRC	Tax & NI Mth 4	302.88
02.08.16	3592	Iansprint Ltd	Open Gardens Min 203.2/2016	370.00
10.08.16	3593	Iansprint Ltd	Printing/Copying	51.55
17.08.16	CHAPS	Broadbents Sol. LLP Client A/c	Purchase of Land, Stamp duty & Disbursements	520515.50
17.08.16	CHAPS	Yorkshire Bank	Chaps fee	29.00
22.08.16	3594	Swan CoE Girls School Trust	Rent Qtr 3 to 31.08.16	383.84
22.08.16	3595	Zurich Municipal	Insurance add. Cover	85.80
01.09.16	3596	R Castledine Mth5		1244.50
01.09.16	3597	HMRC	Tax & NI Mth 5	303.08
01.09.16	3598	Kiwa CMT Testing Ltd	SLC Testing	1338.00
01.09.16	3599	Newleaf Ltd	Contract Payment 6	1125.00
			Total	528118.85

223.2/2016 RESOLVED: to approve payments to the following:

To Whom Payable	Reason	Amount £
		0
	TOTAL	0

223.3/2016 Income Received

Date	Remittance	Amount	£
10.08.16	PWLB Loan Draw Down (£150K minus £52.50 PWLB Fee)	149,947.50	
		Total	149947.50

224/2016 Bank Reconciliation

Verbal report given

225/2016 Exclusion of Press & Public

'That pursuant to section 1(2) of the Public Bodies (Admission to Meetings) Act 1960, the press and public be excluded from the meeting for Agenda Item(s) 13 by reason of the confidential nature of the business to be transacted'.

225.1/2016 Recruitment of Clerk to the Parish Council – deferred pending HR advice

225.2/2016 Quotations were considered and awarded for:

Removal of trees, hedge shrubs and weeds

Asbestos survey

Electrical survey and disconnection to stores & workshops

Gas boiler service and disconnection to stores & workshops

Water supply disconnection to stores & workshops

225.3/2016 Quotations for the following are still pending

Demolition of unoccupied buildings - stores & workshops

New water supply to office

226/2016 WEBSITE INFORMATION ARISING FROM MEETING

Addendum item 6.3 to be added to Meetings page

227/2016 Items for the next agenda

Pentrich Revolution Bicentennial

228/2016 Date of Next Meeting: 20th October 2016 @ 7.15pm at the Meeting Room at the rear of the Baptist Church, Derby Road

Members were reminded that the Parish Council does not meet during August.

A meeting of the Well Dressing 2017 Group will be held at 6.30pm on 20th October 2016 at the Meeting Room at the rear of the Baptist Church, Derby Road.

Meeting Closed at 20.55

Signed:

Date:

7. Clerk's Report to Swanwick Parish Council meeting 20th October 2016

7.1 Floodlight maintenance – proposals from St Andrew's Church

Councillors will recall that we considered Floodlighting Maintenance at the meeting in June 2016. Council Minute 180.2/2016 St Andrew's Church – Floodlighting Maintenance Funding records the decision as follows:

RESOLVED:

To fund 50% of the maintenance costs for the rest of the administrative life of this Council, i.e. until the next Parish Council Elections in May 2020 subject to a number of conditions.

The conditions are as follows:

- 1. Application for re-imbursement of 50% of the maintenance cost must be submitted in-year. We will not accept any costs being carried over from one financial year to the next or one administration to the next.*
- 2. Evidence must be provided that the Church has sought three quotations for the work and justify any decision not to accept the lowest quotation.*
- 3. If the Church is claiming a refund of VAT on the total cost of maintenance, then the Parish Council will only contribute 50% of the cost ex VAT. You will need to provide evidence that you have not claimed a refund of VAT.*

The Parish Council acknowledges that these conditions cannot be applied retrospectively to the claim submitted in the letter 1st February 2016. In the circumstances the Council will grant an additional award under Section 137 to cover the current maintenance claim of £262-60.

Prior to the above report and resolution, there was an intention to review the floodlighting maintenance costs and the rental of the office at The Old School House. The Trustee has now written to the Clerk with the following proposal:

Over an eight year period, 2008 to 2015 inclusive, invoices totalling £2153.64 have been paid by St. Andrew's church, £1076.65 of which has been recouped from the Parish Council over the same period, giving an average annual contribution from the Parish Council of £134.58. These figures do not include the cost of electricity, by the way, which is included in the church's electricity bills.

May we suggest for the PC's consideration that from the period of 2016 to the 2020 Elections, the Parish Council sets aside by whatever means may be appropriate a sum of £130.00 per annum towards the maintenance of the floodlights. This equates to slightly less than the average to date, and represents both the Parish and Parochial Church Councils paying £2.50 per week for what is in essence a village enhancement. Any additional expenditure would be paid by St. Andrew's Church.

Whilst writing, I would like to mention that floodlighting maintenance is carried out in conjunction with annual portable appliance testing and electrical inspection, therefore

obtaining three separate quotations for floodlighting related costs would be impractical.

The proposal will mean that the Parish Council can predict future expenditure until the end of this current administration (4th May 2020). The annual figure will be fixed at £130.00. Any additional cost of floodlight maintenance will be met by St Andrew's Parochial Council. The total for the period will amount to 4 x £130 = £520.00.

The Proposal:

- 7.1.1 To revoke the resolution recorded at Minute 180.2/2016 and the Parish Council to fund the flood lighting maintenance by way of fixed annual contribution of £130.00 until 4th May 2020.

7.2 Utility services update

Electricity – The supply has been cut to the buildings that will be demolished. The electrical system in the Office has been tested and a report on the system will be supplied. There are still two meters, three phase and single phase, which are incurring standing charges. The current supplier was contacted when we occupied the site. However the sales team has not been in contact to resolve matters. I have now asked the supplier to remove the redundant meter.

Water – without water the central heating, toilet and wash basin are not useable. The water supply to the site is through one of the stores where the stop-cock is located. As this building is to be demolished, the supply will be temporarily disconnected during demolition.

Severn Trent has responded to a request for a new supply. The surveyor attended on 5th October. As we cannot be definite about our future needs when the site is developed, the only option is a 25mm supply to the office. Indications are that this is likely to be disproportionately expensive due to the need to excavate the middle of Derby Road with 3-way Traffic management. The quotation is £6,930.44 (incl. VAT). An alternative is to extend the existing supply from the demolished store to the office, with sufficient insulation to offer winter protection. This will be discussed with the plumbing contractor on 13th October.

Water & Gas – the plumbing and gas contractor did not attend on 6th October as arranged. The contractor has promised to attend on 13th October.

Telephone – At present there is no specific need to reinstate a land line.

7.3 Nether Close Allotments – boundary issues and proposals

The sale/purchase of land at the rear of a property on Derby Road has resulted in a dispute about the boundary line between the plot and the Nether Close Allotments. The purchaser has removed all the hedging, leaving stumps until the situation is resolved.

Legal opinion is that the assumptions made by the other party are not sound; therefore the two compromise solutions are not workable.

I have written to the owner of the adjoining property in line with the Minute 219.5.1/2016 To reject the proposed compromise solutions and inform the owner of the adjoining property of the Council's decision accordingly.

Arrangements have been made to meet the owner of the adjoining property on his return from abroad on 13th October to try to reach an agreement on the boundary. Any agreement will then be prepared by the solicitor to be attached to the respective title deeds.

Meetings with the new owner have resulted in two proposed solutions that 'appear' to reach a compromise. However, the proposed solutions are predicated on assumptions, by the purchaser, that the set-back fence line of the adjoining allotment plot 1b denotes the boundary. The new owner is claiming that the land he purchased extends beyond the natural hedge line and up to the existing fence line of the allotment and that the fence of plot 1a is encroaching onto his land.

7.4 Asset Register – report on registration of all Parish Council Land with Land Registry

Registration is on-going and subject to clarifying the boundary of the Nether Close Allotments and the southern boundary of the Shirley Road Allotments.

7.5 Shirley Road Allotments – Update

I have written to the owners of properties on Delves Bank Road and undertaken visits to speak with current occupiers. In addition to the need to define the boundaries with the allotments and to ensure that the allotments are secure a number of the owners are not cultivating the land as allotment land. Following the site visits I will be consulting the Swanwick Allotment Association and then write to adjoining property owners with appropriate advice in each case.

7.6 Christmas Lights Contract – proposed review of current contract

No response has been received from our current contractor. I have alternative suppliers/installers and will be asking for quotations for new contracts.

7.7 Non-domestic rate demand (Business Rates) and Demolition proposal for unoccupied buildings

The first instalment of Non Domestic Rates has been paid. The next instalment is due in November. As soon as demolition commences AVBC will be informed that the buildings are no longer capable of being used. The NDR will still be payable on the Office and will be subject to re-assessment by the Valuation Office.

The Asbestos Survey has been completed and the report has been passed to the demolition contractors from whom the Parish Council received quotations for the demolition of the workshops and stores. Both contractors have revised the figures – upwards of course. However I have negotiated with one of the contractors, that had included all the visible asbestos concrete sheeting in the original quotation, to reduce the proposed increase from £2000 to £250. Unsuccessful contractors have been notified and provided with appropriate feedback.

This contractor has now been awarded the contract in line with Minute 219.9/2016. Demolition will start on 24th October or earlier if the contractor is able. At the time of writing this report no objections have been recorded in respect of the Planning Application which the Parish Council has submitted. If nothing is heard from AVBC by 12th October then demolition work can commence.

7.8 Removal of trees, hedge shrubs and weeds

The contract for the removal of trees, hedge, shrubs and weeds has been awarded and the work has started. It is anticipated that the work will be completed before the beginning of the demolition work. All unsuccessful contractors have been notified and provided with appropriate feedback.

7.9 Refurbishment of Coal tubs/ Miners cars at Butterley end of Village

The tubs are a significant feature at the entrance to the village. The miners cars are a symbol of the mining history of Swanwick and feature on the website home page.

The sleepers under coal tubs alongside Butterley reservoir have deteriorated considerably to the point that the tubs are in danger of collapse and possibly causing an obstruction to the public highway/pavement or at worse personal injury to passers-by.

The Midland Railway Trust's affiliate organisation, the Golden Valley Light Railway Association (i.e. MRT's Narrow Gauge department) was approached for a quotation. They have offered to undertake the work for the sum of £300, to be undertaken sometime in September or October 2016.

At the same time, it is appropriate to look at the condition of the tubs and rails. These are in need of refurbishment. It is an opportune time to have the tubs shot blasted and powder coated before returning them to the display position.

I have obtained three quotations for the necessary work. Two of the companies are still waiting for transport costs from and back to site.

The Proposal

- 7.9.1 To authorise the Chair/ Clerk to accept the quotation from Golden Valley Light Railway Association.
- 7.9.2 To authorise the Chair/Clerk to receive quotations for the refurbishment of the coal tubs and appoint appropriate contractors to undertake the necessary works, subject to scrutiny of the quotations. The Chair/clerk is to report back to PC at the next appropriate meeting.

7.10 Public Liability Claim Repudiated

Members may recall that the Parish Council was subject of a personal injury claim as a result of an accident at the corner Pentrich Road/Bolton Street. The incident date was 02/03/2016, but was only reported to the Parish Council a month later on 05/04/2016. It involved a member of the public allegedly tripping over the planter half barrels placed off the pavement at the corner of Pentrich Road/ Bolton Road.

The claim was handled by Aviva on behalf of the Parish Council's previous insurers AON. On 23rd September 2016 Aviva confirmed that the claim was successfully repudiated.

Chair's Report – October 2016

Chair's Report to the Swanwick Parish Council Meeting held on 20th October 2016.

Co-option

I repeat, we still have vacancies, so please encourage other potential candidates to attend. It is wise to invite possible candidates to attend a few meetings to see us in action and to share with fellow councillors what range of skill and expertise they can bring to the Council.

Planning applications update

Following a meeting with residents from Larkhill, Cllr David Wilson, and Nigel Mills MP on 15th July 2016, I wrote to the SoS requesting a call-in of the planning application Development on Land at Sleetmoor Lane/ Derby Road AVA/2015/0114.

I have now received the following response:

Dear Mr Soudah

Town and Country Planning Act 1990

AVA/2015/0114: Outline planning permission for residential development of up to 45 dwellings

Land at Sleetmoor Lane, Swanwick

In my email of 5 August I promised to let you know the outcome on the above application.

The Government remains committed to giving more power to councils and communities to make their own decisions on planning issues, and believe that planning decisions should be made at the local level wherever possible. The call-in policy makes it clear that the power to call in a case will only be used very selectively.

The Secretary of State has decided, having had regard to this policy, not to call in this application. He is satisfied that the application should be determined at a local level.

I appreciate that this is not the preferred outcome for you and I understand that there will be great disappointment as a result. It is however, now for the Council to determine this application and a copy of our letter to the Council is attached for your information.

Kind regards

Laura

Swanwick Neighbourhood Plan

Naturally there has been some reaction to the referendum with a number of people asking what the referendum is all about. A newsletter has been sent out. As Members will be aware the Parish Council is restricted in campaigning by legislation. What else is there to say?

Village Hall Working Group (VHWG)

I now have a total of 8 independent members for the VHWG. This is a dynamic group; we may require people with particular expertise or knowledge to join the group at specific phases in the future. I am proposing a site meeting as soon as possible. Councillors will be invited and I will ensure that you are notified of the time and date.

Meetings attended include

Nigel Mills MP 19 September 2016 to discuss questions to SoS re Neighbourhood Plan
Somercotes & Swanwick Safer Neighbourhood Team Local Panel 19 October 2016

Just as a reminder

What are the hallmarks of a good council?

Imaginative agendas, encouragement of open debate and getting people involved are the hallmarks of an achieving council.

Your Council will work to a set of standards, for example:-

** Meetings must be in public and agendas published.*

** There will be rules of business conduct, finance and personal conduct of Councillors.*

** Communication and consultation policies will be in place.*

** Forward planning and budgeting of future projects will be a regular feature of meetings and dealings with the community.*

** The Council will work in harmony with other groups in the Parish.*

George Soudah

Derbyshire Association of Local Councils



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Circular No. 15/2016

To all Member Town and Parish Councils and Parish Meetings

GENERAL CIRCULAR

In this Circular:

- **Council Tax Referendum Principles**
- **New DALC Advice Service - cemeteries and burial grounds**
- **Tesco Bags of Help update**
- **Neighbourhood Planning**

1. COUNCIL TAX REFERENDUM PRINCIPLES

The Department for Communities and Local Government (DCLG) has published the **Local Government Finance Settlement Technical Consultation** which includes proposals regarding council tax referendum principles for local parish and town councils.

The term referendum principles refers to the requirement to hold a local referendum if the proposed council tax increase exceeds a set threshold; the consultation is considering setting the threshold at which the referendum principles would take effect for a rise in precept of 2% or £5 per year, whichever is higher, as currently applied to principal councils.

There are two important parts of the consultation affecting local councils:

- firstly the government is minded to extend referendum principles to a number of larger, higher spending local councils;
- secondly the paper states the government is aware that increases in precepts continue to concern local taxpayers and is therefore prepared to consider extending referendums to ALL parishes.

The chairman of NALC Councillor Ken Browse wrote to the local government minister Marcus Jones MP seeking an urgent meeting with him to discuss the consultation proposals and related issues, and a meeting is being organised to take place in early October. Jonathan Owen CO NALC says " I think it goes without saying this is a significant threat to council tax referenda principles being extended to our sector and I want to encourage all county associations and local councils to work with and actively support our lobbying."

The consultation can be accessed via this link <https://www.gov.uk/government/consultations/local-government-finance-settlement-2017-to-2018-technical-consultation> and the consultation period will run for 6 weeks from **15 September to 28 October 2016**.

2. NEW DALC ADVICE SERVICE – CEMETERIES AND BURIAL GROUNDS

Following on from the very informative training on the management of cemeteries and closed churchyards, Alan Fairchild MBE will now be offering free initial advice to DALC Member councils on any burials matter. Alan is a FILCM Cemetery Advisor of the Society of Local Council Clerks, a Member of the Ministry of Justice Burials & Cremation Advisory Group & Board Member of the British Register of Accredited Memorial Masons (BRAMM). Please, in the first instance, direct your queries through the DALC office.

3. TESCO BAGS OF HELP UPDATE

As you may be aware of, Groundwork have been working with Tesco in order to help get funding for local green space projects. All the money raised is from the 5p carrier bag levy and Tesco stores are being used to fund thousands of community projects across the UK. The projects must meet the criteria of promoting community participation in the development of outdoor spaces.

The project has altered slightly since the last round and as of September 2016, three projects in each region will be shortlisted to go forward to a public vote in each of the Tesco regions every month.

The projects will be awarded a grant based upon the number of votes received: **first place receives up to £5,000, second place up to £2,000 and third place up to £1,000.**

All projects must deliver a physical environmental improvement and/or encourage use and long term sustainability of outdoor spaces. Grants will be awarded to voluntary or community organisations (incl registered charities/ companies), schools, health bodies, **Parish/Town Councils**, local authorities and social housing providers. *Please note, this list is not exhaustive and many other types of organisations may be funded.*

If you would like more information on this scheme and to find out if you're eligible to apply, please visit: <http://www.groundwork.org.uk/Sites/tescocommunityscheme> or contact Sophie Easdon, Marketing, Community & Support Officer, Groundwork Creswell, Ashfield and Mansfield & Crestra Ltd on 01246 570977 / Mob: 07971 107694

4. NEIGHBOURHOOD PLANNING

Cllr Guy Martin is a Neighbourhood Planning Champion under the scheme set up by the Minister of State for Housing & Planning through the Department for Communities and Local Government.

Guy states "I have been involved in Neighbourhood Planning for over five years, with the Chapel-en-le-Frith Parish Area Neighbourhood Plan, which is now in place, having been a member of the Steering Committee and the Housing and Transport Working Groups. During that period I was the Neighbourhood Planning for Derbyshire set up by CPRE & NALC, which soon ran out of funding but I carried on myself and visited Councils all over Derbyshire, as well as Yorkshire and Staffordshire.

My brief now is to promote Neighbourhood Planning and to help Councils, Parish Meetings or Local Forums to decide if they want to have a Neighbourhood Plan for their area and, if so, help them in getting started.

I give advice on how to set up a Steering Committee, various Working Groups, Public Meetings, Consultation with residents, Contacts with Borough/District Councils and The Peak District National Park Authority, where to apply for a grant and one or two pitfalls to avoid! I make no charge to visit a Council or Parish meeting but do claim mileage to be paid at the DALC rate of £0.45 per mile.

I have been give some limited funding by Locality so there will be no cost for any visit, until the funding has been used up."

Guy can be contacted by phone Tel: 01298 815133 or Email: martinguy@aol.com

**Sarita Presland
Chief Officer**

September 2016

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Member Councils”***

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TRAINING & EVENTS DIARY

DATE	SUBJECT	CIRCULAR REF	VENUE
27.09.2016 (10am – 1pm)	Transparency Funding workshop	14/2016	Aldern House, Bakewell
29.09.2016 (10am – 3pm)	Employment of the Clerk Basics of Employment and Mediation (with lunch)		Stretton Village Hall
29.09.2016 (6.30pm – 8.30pm)	Finance for Councillors		Ripley Town Hall
06.10.2016 (10am – 1.30pm)	Annual Executive Meeting & AGM	10/2016	Chatsworth House, Bakewell
06.10.2016 (6pm – 8pm)	Chair Skills Training Course	03/2016	Stretton Village Hall
18.10.2016 (10am – 1pm)	Towards a Better Understanding of the Planning Process and the role of Local Councils		Aldern House, Bakewell

Parish and Town Council Clerks

Our Ref :
Your Ref :
Date : 26 Sept 2016
Ask For : Kirk Monk
Ext : 1646
Direct Dial : 01773 841646
Email : kirk.monk@ambervalley.gov.uk

Dear Clerk,

A Sport Pitch Playing Strategy for Amber Valley

I am writing to ask for your help in completing an important strategic review of 'Sport Pitches' in Amber Valley. The review includes all football, cricket, rugby and hockey pitches, provided by the Borough Council, Town and Parish Councils, Schools, independent sports clubs or the voluntary sector.

The Council's current Playing Pitch Strategy was first completed in late 2012. Sport England has encouraged Amber Valley Borough Council to undertake a refresh of the Strategy as part of the evidence base for the development of the Council's Local Plan. The Strategy will shape forward planning for sports pitch provision, assess future demand and guide the strategic use of these important community assets.

It will also underpin those Town and Parish Council's developing, or intending to develop a Neighbourhood Plan.

The Council has appointed Neil Allen Associates to undertake the review. The review will be completed in compliance with Sport England's guidance and will involve a quality assessment of the existing pitches and use, extensive consultation with providers, clubs, users and other stakeholders and detailed analysis to take into account future population growth and changes in demand. This is a major piece of work, which will take 5 months to complete.

Hazel Barber, from Neil Allen Associates will be project managing the review. She has asked me to write to you in the first instance to inform your Members that the review is taking place. Over the next few weeks she will be making contact with you directly to progress the review and to ask for your help, initially in completing a survey. It would be useful in the meantime if you could gather any information you have regarding pitches in your Town / Parish Council's ownership, who is using them (with contact details if possible) and any specific issues you may be facing (such as poor drainage leading to cancellations) or known potential users who you cannot currently accommodate.

Please do not hesitate to contact me if you require further clarification regarding the review.

Further details of Neil Allen Associates can be found on www.neilallenassociates.co.uk

If you require further information on the reasons that Sport England are encouraging local authorities to complete the review please visit their website www.sportengland.org and search for the key document 'Playing Pitch Strategy Guidance'.

I look forward to working with you to complete this important strategy for Amber Valley and will be happy to provide you with a copy on completion of the work.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Kirk Monk', written in a cursive style.

Kirk Monk
Assistant Director (Wellbeing)