

SWANWICK PARISH COUNCIL

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16 September 2021

Dear Councillor

You are summoned to attend the **FULL PARISH COUNCIL MEETING** to be held on Thursday 23rd September 2021 at 7.00 pm at the Meeting Rooms at rear of the Baptist Church, Derby Road, Swanwick.

Arrangements for members of the public: if you are a resident of Swanwick and would like to attend this meeting then please email clerk@swanwickparishcouncil.org.uk to register your intention to attend. Due to continuing COVID restrictions and the need to maintain social distancing the numbers permitted in the venue will be restricted. Attendance will be on a First Come First Served basis.

If you are a resident who cannot attend, any questions or comments on any agenda item can be made in writing by either email or posting to the address above and submitted by 12.00pm on 22nd September 2021. These will be responded to in Public Speaking as usual.

Clerk to the Council

AGENDA

1. Apologies

Members are reminded to give their apologies direct to the Clerk; these must be made **well in advance** (barring last minute emergencies) of the meeting giving the Clerk enough time to cancel if there is a prospect of the meeting not being quorate.

2. Variation of Order of Business

- 2.1. Cllr R Grant's Report on Using the Village Hall site as Temporary Car Park (Max 30mins). No report or additional information has been received in time for inclusion with this agenda.
- 2.2. Social Media Councillors use of 3rd Party Sites (Max 10mins)

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 (4.4) of Public Participation.

4. Public Participation

4.1. Public Attendance & Speaking:

Residents wishing to speak will 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 this part 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.

4.2. Parish Council Members' observations

Member's observations will be taken alongside Reports from any Borough and County Councillors attending.

4.3. Police Matters

Information is on the following web pages - www.police.uk/derbyshire/NR06/.

4.4. 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 Virtual Meeting held 15 July 2021

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.

6.2. Planning application AVA/2021/0879 - Proposed new rugby club facility including the erection of a single storey clubhouse, 3 x new rugby pitches, floodlighting, associated access, car parking and hard/soft landscaping, Land Lying North Of Slack Lane Riddings Alfreton Derbyshire - Objection & Comments submitted on 27/08/2021. Copy sent to Councillors and will appear on AVBC website as comment received.

7. Clerk's Report

Copy attached

7.1. Completion of External Audit

7.2. Minster Way Entrance

- 7.3. Anti-social behaviour Memorial Gardens
- 7.4. Christmas Tree 2021
- 7.5. Street Lighting Columns Stress Testing
- 7.6. Remembrance Sunday & Lamp post poppies
- 7.7. Permit to attach to SLC
- 7.8. Grit Bin request
- 7.9. Replacement Planters
- 7.10. Replacement Bus Shelters
- 7.11. Defibrillator lighting & Replacement pads
- 7.12. Summer planting

8. Chair's Report

(Verbal Report)

- 8.1. Queen's Platinum Jubilee 2022 (papers circulated by email prior to previous meeting) No suggestions received to date
- 8.2. Update on Counsel's opinion re misappropriation of allotment land Plot 48b

- 8.3. Utility Bills

9. Village Hall

No meetings of VHWG held since last meeting

10. Swanwick Recreation Ground (Charity No. 520525)

As Swanwick Parish Council is the sole Trustee for the Charity, Swanwick Recreation Ground, all matters relating to the management of the charity and the Swanwick Recreation Ground will be a separate agenda item at all future meetings of the Parish Council.

- 10.1 Charity Commission Registration
- 10.2 Registration of Title with Land Registry
- 10.3 Reports to Police of Anti-social Behaviour
- 10.4 Tree Maintenance
- 10.5 Pitch Perimeter Growth
- 10.6 Use of Changing Rooms
- 10.7 Replacement Goal Posts
- 10.8 Ball Stop Netting
- 10.9 Play Area & Vandalism/ Anti-social behaviour
- 10.10 Fencing around Play Area
- 10.11 Notices about Public Spaces Prohibition Orders

11. Correspondence & Circulars

Previously circulated to Members

12. Accounts

12.1. To approve urgent payments made to the following:

Date	Payment Method	To Whom Payable	Reason	Amount £
06.07.21	BACS	Staff salary	Mth 3 Salary	1,397.60
08.07.21	BACS	Staff salary	Test Transfer	0.01
09.07.21	BACS	Chapman & Chubb	Ref 12733/001 re Ropewalk Chambers re 389344	900.00
19.07.21	DD	British Gas	Inv 520584364 1/6/2021-30/06/2021	124.65
22.07.21	Debit Card	Zoom	Inv 98286957 21/07/21-20/08/21	14.39
23.07.21	BACS	St Andrews PCC	S137 Grant Floodlighting	150.00
26.07.21	DD	Nest	Mth 4 Pension Contribution	72.61
27.07.21	Debit Card	O2	Clerks Phone Inv 93528573 27/06/21-26.07.21	13.94
30.07.21	BACS	Grasstrack	Inv 0447 Grounds Maintenance June 2021	850.00
30.07.21	BACS	Grasstrack	Inv 0448 SRG Football Grounds maintenance	96.00
30.07.21	BACS	AA Tree Surgeons Ltd	Inv 1325 Crown & Make safe T4 Mature Oak SRG	540.00
30.07.21	BACS	AA Tree Surgeons Ltd	Inv 1326 Fell & grind stump Play Area SRG	540.00
30.07.21	BACS	Woolley Moor Nurseries	Inv SI-658 Winter Planting	1,740.00
30.07.21	BACS	Staff salary	Mth 4 Salary	319.99
30.07.21	BACS	Staff salary	Mth 4 Salary	981.01
30.07.21	BACS	HMRC	Mth 4 Employee Tax & NI	94.84
30.07.21	BACS	HMRC	Mth 4 Employer NI Contribution	41.45
31.07.21	Debit Card	Land Registry	Purchase of documents Title & Plan	6.00
31.07.21	Debit Card	Land Registry	Purchase of documents Title & Plan	6.00
04.08.21	BACS	Grasstrack	Inv 0469 SRG Football Grounds Maintenance	96.00
04.08.21	BACS	Grasstrack	Inv 0470 Grounds Maintenance July 2021	850.00
10.08.21	BACS	AA Tree Surgeons Ltd	Inv 1350 Emergency Tree Surgery T2 Oak	450.00
10.08.21	DD	PWLB	Loan repayment instalment PW504972	4,778.81
15.08.21	BACS	Chapman & Chubb	Ref 12733/001 Balance Bill No. 27537	814.64
15.08.21	BACS	Chapman & Chubb	Disbursements Land Registry Fee Bill No. 27537	12.00
16.08.21	BACS	PKF Littlejohn LLP	Invoice Ext Audit	480.00
17.08.21	DD	British Gas	Inv 280999741 1/07/21 -	126.87

Date	Payment Method	To Whom Payable	Reason	Amount £
			31/07/21	
31.08.21	BACS	Staff Salary	Mth 5 Salary	360.00
31.08.21	BACS	Staff Salary	Mth 5 Salary	832.83
31.08.21	BACS	HMRC	Mth5 Employee Tax & NI	66.30
31.08.21	BACS	HMRC	Mth5 Employer NI Contribution	14.60
31.08.21	DD	NEST	Mth 5 Pension contribution	58.99
			Total	16829.53

12.2. To approve payments to the following:

To Whom Payable	Payment Ref	Reason	Amount £
			0
		Total	0.00

12.3. Income Received:

Date	Remittance	Source	Amount £
13.07.21		Money Cashback	0.10
27.07.21		Contribution to Defibrillator Fund (VP)	100.01
18.08.21		Money Cashback	0.10
19.08.21		Tree surgery contribution (SD)	225.00
		Total	325.21

13. Bank Reconciliation

Row Headings	£	Sub-Totals
Opening Balance 01.04.2021	558652.1	
Receipts to 31.08.2021	89853.73	
Sub Total		648505.83
Payments to 31.08.2021	54446.53	
Unpresented Cheques	0	
Sub Total		54446.53
Closing Balance 31.08.2021		594059.3
Bank Balance 31.08.2021		594059.3

14. 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'.

Items for the next Agenda

Items are invited for inclusion in next month's agenda

15. Date of Next Meeting: 18th November 2021

**SWANWICK PARISH COUNCIL
MINUTES OF SWANWICK PARISH COUNCIL MEETING
THURSDAY 7th July 2021 at 7.00pm**

Present: Cllrs Chidlow, Goodier, Grant, Payne, Soudah, Trenear

Members of the Public:

D Smith

Cllr D Wilson (AVBC & DCC)

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

958/2021 APOLOGIES

Cllrs Barnett, King, Bevan, and Bates

959/2021 VARIATION OF ORDER OF BUSINESS

None

960/2021 DECLARATIONS OF INTEREST

Members were 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.

Cllr Soudah declared personal interest in item 12.1; remained in meeting

961/2021 PUBLIC PARTICIPATION

961.1/2021 Public Speaking –

Four members of the public submitted questions for the meeting; the Chair read out the emails.

DS (in attendance) asked if the Parish Council had been consulted by Royal Mail about changes to collection times from the post box at Crays Hill. No, other councillors confirmed that collection times had changed at other locations.

DS asked what the purpose was of the small layby after the junction of Sleetmoor Lane and Derby Road on the approach to Swanwick. This is provided for Traffic light service engineers.

DS commented on the layout and directional road signs at the newly constructed junction and expressed concern that this was an accident waiting to happen. The Chair confirmed that this was a DCC Highways issue and that correspondence had already been sent to DCC Highways. A reply is still awaited.

PW emailed three questions. Expressing concern about the speed of vehicles through the village, are there any options to have permanent speed cameras installed?

PW asked if speed humps are an option to reduce speeding on residential streets in particular on the Larkhill estate.

Again these are issues for the Police and DCC Highways; correspondence to DCC Highways included these two concerns.

PW also raised the parking along Derby Road and asked why the wasteland cannot be bulldozed, gravelled and made into a free parking zone then install double yellow lines on the main road? This item was on the agenda and was discussed later in the meeting.

BN emailed as a Baptist Church Trustee. He raised concerns about the traffic issues on Derby Road and suggested that at least the parking component of the village hall development could be implemented to alleviate risk of damage to parked vehicles.

BN also expressed willingness of the Church Community to discuss possible sharing arrangements in the use of the Baptist Church pending progress on the village hall.

AVBC Community Support Officer (CSO) emailed a complaint he had received about litter picking. As the CSO was unable to provide details of the complainant or the location of the observation, there is nothing on which to base any action. Swanwick Parish Council has a complaints procedure which is published on the website. As a Parish Council we do not respond to anonymous complaints.

961.2/2021 Members' Observations

Cllr Trenear expressed concern that the location of defibrillators was not readily visible, e.g. on Larkhill, and that the information is not readily accessible on the Parish website. The Chair/clerk will list locations on Home page on website and post on Facebook.

Cllr Goodier commented that the planters in the village looked sparse and two wooden planters had collapsed. Was there any possibility to relocate spare concrete planters. Concern was also expressed about migrating gravel at the entrance to Minster Way. Chair/clerk will arrange a site meeting with Hallam Land.

Cllr Chidlow expressed concern that the weeds on the verge around the seat at Sleetmoor /Derby junction had overgrown. Chair/clerk to check who is responsible for maintenance.

Cllr D Wilson (AVBC & DCC) offered to help out in any way to represent the views of the Parish Council at AVBC and DCC about the development of the village hall site and the traffic issues identified. He informed the meeting of funding that will be available to celebrate the Platinum Jubilee and would welcome suggestions and ideas.

961.3/2021 Police Matters

Cllr Grant mentioned the recent spate of burglaries along Pentrich Road.

962.4/2021 Representations or Evidence from Members Declaring A Prejudicial Interest

None

963/2021 MINUTES OF FULL COUNCIL

RESOLVED:

Minutes of the Virtual Annual Parish Council Meeting held 6 May 2021 be received as correct account of the meeting.

The minutes were signed by the Chair.

964/2021 PLANNING MATTERS

No matters arising

965/2021 CLERK'S REPORT

965.1/2021 S137 Grants

RESOLVED:

To award the full £150-00 grant request to St Andrew's Parochial Church Council to assist with maintenance of the floodlighting.

965.2/2021 Minster Way Entrance

Progress was noted and details of transfer of title will be brought to Council, when available, for further consideration and approval.

965.3/2021 Tree Preservation Order TPO444/2021

Members noted the confirmation and that Amber Valley Borough Council are the enforcing authority.

965.4/2021 Tree Maintenance on Swanwick Recreation Grounds

RESOLVED:

To approve the action taken by the Chair/Clerk and the cost of the tree maintenance (T4) works of £450-00 plus VAT

965.5/2021 Fencing of Play Area Revised Quotation

RESOLVED:

965.5.1/2021 To authorise the Chair/Clerk to accept the revised quotation for the fencing installation and repair, on the eastern side of the play area, of £4077.06 plus VAT

965.5.2/2021 To authorise the Chair/Clerk to accept the quotation of £450-00 plus VAT to remove the Elm and Sycamore trees obstructing the installation of the fence.

965.6/2021 Anti-Social Behaviour & broken glass

Members considered the report presented by the Chair/Clerk and the proposal to extend the fencing right around the play area to restrict access and anti-social behaviour. **Cllr Grant** proposed a site visit to see the extent of the additional fencing before committing the additional expenditure (£13,928-00 plus VAT). The meeting adjourned for a site meeting.

Cllr Grant proposed that the existing bow-top fencing plus locking the gates (from 9.00pm to 9.00am) may be sufficient to deter entry to the play area after dusk. The proposal to extend the fencing will be re-considered in 6 months after a review of any incidents.

965.7/2021 Goal Post Removal

The meeting noted the removal of the goal posts. The goals were stored behind the changing rooms. Some users of the recreation grounds have re-erected one goal. This unauthorised action may pose a health and safety risk. The goal will be removed and stored within the changing rooms as on previous occasions.

Attempts to find a contractor to remove the old square goal sockets and install new round sockets is ongoing. AVBC Landscape Maintenance Manager has replied to our request for a quotation for the work. Unfortunately they do not have sufficient capacity to undertake the work.

965.8/2021 Review of SPC-SAA Agreement

RESOLVED:

To authorise the Chair/Clerk to re-draft a new 5 year tenancy agreement and submit this to the SAA for consideration and agreement before the expiry date in April 2022.

949.9/2021 Business Current Account Charges

Members were informed that the Parish Council Bankers have updated the terms and conditions of account held. With effect of 15 September 2021 there will be a fixed monthly service fee of £6.50.

966/2021 CHAIR'S REPORT

Queen's Platinum Jubilee 2022

Members were circulated prior to the meeting with papers from the National Organising Body. No comments or proposals have been received prior to the meeting. Cllr. D Wilson (AVBC & DCC) reminded members that he held some funds to assist in community based events to commemorate the Jubilee. Members agreed to consider and submit proposals for the next meeting.

966.1/2021 Allotments – Boundary Dispute

Members noted that the potential cost of the preliminary action will be in the order £2000-00.

RESOLVED:

966.1.1/2021 To approve the advanced payments on account of £750-00 to cover costs of the instructed solicitor and £750-00 to cover Counsel's costs.

966.2 Swanwick Recreation Grounds – Derbyshire County FA/ FF Funding

Members noted the brief report. The new system to acquire funding will require a lead club with a service level agreement to apply for grass pitch improvement and maintenance funding.

967/2021 Councillor Updates

967.1/2021 Village Hall Working Group

VHWG had not met since the last council meeting. Next meeting will be focussed on fundraising.

967.2/2021 Proposals for Village Hall site to be used as Temporary Car Park

Cllr. Grant introduced his report. There was a discussion on the merits of the case as presented. Members felt that insufficient information was available to the meeting on which to make an informed decision.

The Chair suggested that Cllr Grant should personally undertake the necessary research and obtain quotations where appropriate to be presented to the next meeting.

968/2021 Correspondence & Circulars

968.1/2021 **NOTED** DALC – 2021 July Newsletter circulated separately

969/2021 Accounts**969.1/2021 RESOLVED: To approve urgent payments**

Date	Payment Method	To Whom Payable	Reason	Amount £
28.04.21	DD	NEST	Mth 1 Pension Contribution	118.00
30.04.21	BACS	HMRC	Mth 1 Employee Tax & NI	220.44
30.04.21	BACS	HMRC	Mth 1 Employer NI Contribution	130.92
30.04.21	BACS	Clerk	Mth 1 Salary	1,397.80
30.04.21	BACS	Grasstrack	Inv 0399 Grounds Maintenance March 2021	896.00
30.04.21	BACS	Grasstrack	Inv 0400 SRG 3x cuts & Mark out April 2021	216.00
30.04.21	BACS	Grasstrack	Inv 0401 Remove planter & Turf	60.00
30.04.21	BACS	Grasstrack	Inv 0412 Repair 5 slabs Memorial Gardens	192.00
30.04.21	BACS	Grasstrack	Inv 0415 Grounds Maintenance April 2021	850.00
30.04.21	BACS	Grasstrack	Inv 0416 SRG Cut & Mark out April 2021	96.00
30.04.21	BACS	Somercotes PC	Relief Caretaker	450.00
30.04.21	BACS	Smart Homes Electrical	Investigate energy consumption Chapel Str	42.00
04.05.21	Debit Card	Tesco	Printer paper x3 packets	9.20
07.05.21	BACS	DALC	Inv SI-2595 Subscription 2021-22	1,045.32
07.05.21	BACS	Ground Support Services Ltd	Ground Stabilisation - Account balance	24,320.00
11.05.21	BACS	Water Plus - Changing Rooms	Inv 04856730 Water 1/2/21 - 01/05/21	52.13
14.05.21	BACS	B Wood	Inv 49/21/45 Internal Audit Yr end March 2021	100.00
19.05.21	DD	British Gas	Inv 975568048 01/04/2021-30/04/2021 Changing Rooms Chapel Street	185.02
	Credit Note	British Gas	Inv 715769107 (For Inv 975568048) Changing Rooms Chapel Street	-185.02
19.05.21	DD	British Gas	Revised Inv 715769119 01/04/21-30/04/21 Changing Rooms Chapel Street	170.28
24.05.21	Debit Card	Zoom	Inv 87334745 21/05/2021-20/06/2021	14.39
25.05.21	BACS	MSE	Inv 4593 Boundary Survey Shirley Rd Allotments	639.60
27.05.21	Debit Card	O2	Inv 91256051 27/04/21-26/05/21	13.94
28.05.21	DD	Nest	Mth 2 Pension Contribution	118.00
28.05.21	BACS	Clerk	Mth 2 Salary	1,398.60
28.05.21	BACS	HMRC	Mth 2 Employee Tax & NI	220.64
28.05.21	BACS	HMRC	Mth 2 Employer NI Contribution	130.72
28.05.21	BACS	Somercotes	Relief Caretaker	400.00

Date	Payment Method	To Whom Payable	Reason	Amount £
		PC		
28.05.21	BACS	Zurich Town & Parish	Inv 507048975 01/06/2021 - 31/05/2022	1,421.22
17.06.21	DD	British Gas	Inv 956749047 01/05/2021 - 31/05/2021	145.13
22.06.21	Debit Card	Zoom	Inv 92834644 21/06/21 - 20/07/21	14.39
24.06.21	BACS	Chapman & Chubb	Ref 12733/001	750.00
28.06.21	Debit Card	O2	Inv 91256051 27/05/21 - 26/06/21	13.94
28.06.21	BACS	Grasstrack	Inv 0430 Grounds Maintenance May 2021	850.00
28.06.21	BACS	Grasstrack	Inv 0431 SRG Football grounds maintenance	96.00
28.06.21	BACS	G Soudah	Chair's Allowance Ist half year	400.00
30.06.21	DD	Nest	Mth 3 Pension Contribution	118.00
30.06.21	BACS	HMRC	Mth3 Employee Tax & NI	220.64
30.06.21	BACS	HMRC	Mth3 Employer NI Contribution	130.92
			Total	37462.22

969.2/2021 RESOLVED: To approve the following payment

To Whom Payable	Payment Ref	Reason	Amount £
			0
		Total	0.00

969.3/2021 Income Received - Noted

Date	Remittance	Source	Amount
7.05.21	Inv 20210505(1)	Swanwick Allotments Association Rental 1st Half Year	225.00
10.05.21	Inv 20210510/4	Sleetmoor United Pitch Fee (KC)	60.00
16.05.21	Inv 20210510/2	Boot FC Pitch Rental (LT)	150.00
28.05.21	Inv 20210510/1	Inter Belper (HE)	180.00
10.06.21	Inv 20210510/2	Pear Tree FC (CF)	90.00
14.06.21		Bank Money Cashback	0.10
		Total	705.10

970/2020 Bank Reconciliation

Noted:

Row Headings	£	Sub Totals
Opening Balance 01.04.2021	558652.1	
Receipts to 06.07.2021	89528.52	
Sub Total		648180.62
Payments to 06.07.2021	39764.6	
Unpresented Cheques	0	
Sub Total		39764.6
Closing Balance 06.07.2021		608416.02
Bank Balance 06.07.2021		608416.02

971/2021 Exclusion of Press & Public

None

972/2021 Items for the next agenda

None

973/2021 Date & Time of Next MeetingDate of Next Meeting: 16th September 2021**Meeting closed at 9.15pm**Signed: *G Soudah*

Date: 25/07/2021

Planning application AVA/2021/0879 - Proposed new rugby club facility including the erection of a single storey clubhouse

Objection

On grounds that the proposed built development is in the Green Belt. Pitch no.3 will impact the amenity of residents in Peveril Drive and Peveril Close.

Comments

The content of Transport Assessment (TA) dated 2014 is still being relied on within the updated Transport Statement/ Letter dated 02 July 2021.

The original application was for **two** pitches and it is not clear when the application was converted to an application is for **three** rugby pitches. The TAs have not taken into account any potential increase in trips.

Public Transport availability is described as sufficient but is only addressed at peak times and does not address availability at match times or 'licenced opening times'. Presumably licenced opening times have not yet been agreed in association with this application. Elsewhere and in contradictory terms (para 3.1.3) the site is described as remote from primary road network; which effectively means that people will rely on car transport to and from the site.

The main aspect on which concern has been expressed by residents is the use of the third grass pitch adjacent to properties on Peveril Drive and Perveril Close. Residents are concerned that their amenity will be impacted by match noise and anti-social behaviour.

The consultation leading to the Statement of Community Involvement was obviously impacted by the pandemic restrictions. However a total of 35 questionnaire responses to 7200 leaflets that were distributed as part of the public consultation hardly qualify as a neutral response. The figures produce a 0.48% return.

The main objection remains that the proposed built development, particularly of the Club House, is within the Green Belt.

Submitted on behalf of Swanwick Parish Council 27/08/2021

7. Clerk's Report to Swanwick Parish Council on 23rd September 2021

7.1 Completion of External Audit

Confirmation has been received from PFK Littlejohn that the audit was satisfactory. Notices have been posted in noticeboards and on the Parish Council website.

7.2 Minster Way Entrance

The work appears to have come to a standstill. The contractors have been advised about the problems of the Heras Fencing being down during the interim. I have written to Hallam Land about the migrating gravel and the message has been passed to the contractors.

I have signalled that unless the gravel issue possess potential liabilities for the Parish Council and that Derbyshire Highways should be consulted.

7.3 Anti-social behaviour Memorial Gardens

There have been several instances of vandalism within the Memorial Gardens; slabs have been broken and lifted with pieces strewn into the grass, lower branches of trees have been damaged and benches have been up-ended. There is no security apart from closing the gate permanently, though this will hardly deter the determined vandal. I will try to approach nearby residents to see if they are willing to co-operate by extending the range of the cctv where it is available or by being willing to have additional cameras.

7.4 Christmas Tree 2021

Time to choose the Christmas tree! Cllr Goodier did offer to help choose the tree from the supplier. It may be helpful if two councillors were involved. In recent years this has been left to the supplier, but has meant that the trees that were delivered looked rather emaciated. The adage 'you get what you pay for' is true when the choice is left with the supplier. I recommend that a budget of £600-£800 is available within which councillors can exercise their judgement.

I will then confirm with the supplier dates on which it is to be installed and removed. Provisionally the tree should be in place week commencing 23 November and be dismantled after twelfth night 7/8 January 2022.

7.5 Street Lighting Columns Stress Testing

Annual inspection of metal street lighting columns is required in order to obtain a permit to attach the lights and later in the spring, the floral displays. I have received some quotations and recommend the company that undertook the stress testing the previous year.

Proposal

7.5.1 To authorise the Clerk/Chair to contact a specialist firm to undertake the stress testing of street lighting columns (x40) at a cost of £12.50 per column.

7.6 Remembrance Sunday & Lamp post poppies

As we are still in 'pandemic mode' there is some uncertainty about the Remembrance Day Parade and assembly outside St Andrew's for a service of

remembrance. The Parochial Council and the Group executive of the Scouts will be meeting shortly to consider the desirability of a parade and service.

My personal view is that each organisation can send a representative to lay wreaths and attend a shortened service of remembrance.

Members are asked their views and if there is a volunteer councillor to attend as representative of Swanwick Parish Council.

Lamp-post poppies can augment the remembrance. There has been an offer by a resident to collect funds towards the cost. 30 poppies will probably suffice and if any further contributions/funds are forthcoming, the number can be increased.

Proposal

7.6.1 To authorise the Clerk/Chair to order 30 lamp-post poppies from the British Legion.

7.7 Permit to attach to SLC

Application must be made to Derbyshire County Council for a permit to attach any item to a street lighting column. There is no fee but there conditions. For the Christmas lights, method statements, competency certificates and public and employer liability insurance must be submitted by the contractor; for the floral displays similar insurances must be submitted by gardening contractor. The Parish Council must also provide copies of its Public Liability Insurance.

7.8 Grit Bin request

A request for a replacement grit bin has been received. I have started a survey of existing grit bins before proposing a programme of replacement or refurbishment; 100 litre grit bins cost on average £80.

7.9 Replacement Planters

The wooden planters at the entrance to Broadway, by the Jubilee Well are falling apart and need to be removed or replaced. It was suggested at a previous meeting that the surplus concrete planters from Minster Way can be relocated. This may be an interim measure but can only be done when works are nearing completion.

The other option is to look for recycled-moulded planters that look like wood. Members are asked for their views.

7.10 Replacement Bus Shelters

Derbyshire County Council have been in touch with proposals to replace 4 bus shelters on condition that Swanwick Parish Council took responsibility for future repairs and maintenance. Supply, erection and electricity consumption will be met by DCC. I have tentatively accepted the invitation; however there is the question of current ownership between AVBC and Swanwick Parish Council. AVBC at first was not interested, hence the approach to us, then they changed their minds. Watch this space as this is a forward programme for 2022.

7.11 Defibrillator lighting & Replacement pads

The led lighting in two defibrillator cabinets has failed and the cost of replacement from the supplier is £24 per unit. The cost of the same purchased through Amazon works out at £6.25 each. Four units have been purchased.

The life of pads used in the defibrillator is regularly monitored. The sets in two defibrillator cabinets expire at the end of October and must be replaced. Each defibrillator must have two sets of pads within date. The replacement pads cost between £49 and £65 each.

Proposal

7.11.1 To authorise the Clerk/Chair to purchase 6 sets of pads.

7.12 Summer planting

A number of complaints have been received about the quality of the planting and the condition of the plants in the beds at the end of High Street and at the entrance to Broadway. I have spoken with the contractor and he has undertaken to provide additional feed for the season in the hope that that will remedy the situation. I have also demanded a significant discount which the contractor has agreed to.

10. Swanwick Recreation Grounds (Charity No. 520525)

Report for Meeting held on 23 September 2021

As Swanwick Parish Council is the sole Trustee for the Charity, Swanwick Recreation Grounds, all matters relating to the management of the charity and the Swanwick Recreation Grounds will be a separate agenda item at all future meetings of the Parish Council.

10.1 Charity Commission

The details of the charity registration had not been amended by AVBC at the time of the transfer of trusteeship / responsibilities in April 2020. This became evident when trying to access the registration details. The details also erroneously included responsibility for another charity Alma Street Recreation Grounds, Alfreton.

This has now been updated by Swanwick Parish Council. In future the trustees will be responsible for uploading statutory returns e.g. financial and accounting returns.

The financial return, a simple receipts and expenditure accounts, for the year ending March 2021 will be available at the next meeting for approval before being uploaded to the Charity Commission.

10.2 Registration of Title with Land Registry

AVBC had not executed the transfer of title of the recreation grounds when the trusteeship was transferred in April 2020. This has caused delays in securing additional grants from the Football Foundation as title could not be evidenced.

Negotiations with AVBC had to be leveraged with the threat of invoicing that Council with the costs incurred since April 2020 by Swanwick Parish Council, before action was prompted. The necessary documents have now been delivered to the Clerk/ Chair and need to be executed in accordance with the Parish Council's Standing Orders 23:

- a A legal deed shall not be executed on behalf of the Council unless authorised by a resolution.
- b Subject to standing order 22(a), two councillors of whom one must be the Chair may sign, on behalf of the Council, any deed required by law and the Proper Officer shall witness their signatures.

As part of the transfer, two additional documents are required; AP1 Application to change the register and RX1 Application to enter a restriction, both incur a fee.

The restriction is to protect the property and any potential disposition. The wording is as follows: - *No disposition by the registered proprietor of the registered estate to which section 117-121 or section 124 of the Charities Act 2011 applies is to be registered unless the instrument contains a certificate complying with section 122(3) or section 125(2) of the Act as appropriate.*

Proposal

To authorise the Proper Officer to execute the deed of Transfer of title TR1 and submit the same to Land Registry (including payment of appropriate fees)

10.2.1 To mandate Cllr Brenda Payne to sign as Vice Chair, Cllr Amanda Trenear to sign as second signatory and Cllr G Soudah as Acting (unpaid) Clerk/RFO to witness.

10.2.2 To authorise Clerk/Chair to submit Forms AP1 and RX1, ancillary documents, to Land Registry to enter into the register.

10.3 Reports to Police of Anti-social Behaviour

During the period since the last PC meeting three reports have been made to the Police.

The first was to report the theft of two goal upright posts from behind the changing rooms and the erection by persons unknown of a goal adjacent to the play area.

The second report was for anti-social behaviour on 8th September when some youths removed barrier tape from the gate and play equipment erected by the contractors repairing the soft play surfaces. The tape had been erected to prevent any use of the play equipment and allow time for the soft play material to cure.

The third report was for anti-social behaviour on 11th September when the barrier tape and poles were once again removed and strewn all over the play area with bits of wood with exposed nails, parts of traffic cones from the Centenary Centre, gravel and a fly tipped electric radiator.

The Police will decide if there are any prosecutable offences and in meantime have agreed to increase surveillance of the area.

10.4 Tree Maintenance

A significant number of trees and groups of trees on the Recreation Grounds are protected by statutory Tree Preservation Orders (TPO 0444/2021). As Trustees,

action when action is required on health and safety grounds, the Clerk/Chair have to act and authorise works to mitigate any liabilities to the Trustees.

On 23 July, the work necessary on Mature Oak Tree T4 was undertaken at a cost of £540.00 authorised by members at the council meeting held on 15 July 2021.

In late July two branches split from a further Mature Oak tree T2 adjoining properties on Stoneleigh Way and dropped into the residents' garden and onto the recreation grounds. This required urgent work to make safe. Ownership of the tree T2 is in dispute and is the subject of further discussion with residents. In meantime tree surgeons have attended to make safe and assess what additional works are required.

An application for the additional work has been submitted to AVBC pending discussion of ownership of the tree T2. Subject to more detailed examination of conveyancing documents, it may be necessary to enter into an agreement on future maintenance of T2. This work is not urgent but needs to be addressed. The cost of additional work will be £540.00

The Clerk/Chair requested half the cost of the urgent works from the resident on Stoneleigh Way. This was paid and will appear as a receipt.

Proposal

10.4.1 To approve the expenditure of £450.00 by the Clerk/Chair to make the tree safe on health and safety grounds.

10.4.2 To authorise the Clerk/ Chair to discuss and agree the boundary line between Swanwick Recreation Ground and two properties on Stoneleigh Way.

10.5 Pitch Perimeter Growth

Examination of the perimeter of the pitches has revealed that there is substantial under-utilised space which is over grown with brambles, shrubs and thistles. In addition the football teams have remarked that they have not been able to retrieve balls due to the over growth.

An option is to open this space up for public use such as seating and wild flower meadow or additional space for dog walking. This will require clearing the ground by flailing the scrubland on 3 sides of the parkland up to within 1-2m boundary trees or property fence lines and where necessary to crown lift the groups of trees currently under a TPO to provide 2.5 metres clearance from ground level on individual trees to allow foot traffic under the crowns. Trees right on the boundary can be left as a screen to the adjoining properties. The quotation for this work is £750.00 (ex VAT) for flailing the undergrowth and £250.00 (ex VAT) for the tree work

An application for work on the trees covered by the TPO has already been submitted to AVBC.

Proposal

10.5.1 To authorise the Clerk/Chair to instruct the contractor to undertake the works described at a total cost of £1200.00 (inclusive VAT).

10.6 Use of Changing Rooms

The changing rooms have been closed since March 2020. There was an intention to refurbish the facilities discussed at various previous meetings. However we have not prepared or submitted any funding applications. In view of this the changing rooms remain closed.

10.7 Replacement Goal Posts

With the loss of goal post uprights, it was necessary to proceed to purchase replacement goal posts. Application was made to the Football Foundation for 75% grant funding. After providing two written quotations the grant was awarded up to £1873.00. A second signatory was required to confirm acceptance of the grant online. On this basis, the goal posts were ordered from Networld Sports Ltd in the hope they would be delivered and installed in time for the new season. Despite a next day delivery promise, the order was delivered over two weeks later after much chasing and without the agreed prior notice.

Delivery eventually took place on 2nd September. Delivery lorry, despite assurances to the contrary, was unable to access the Changing Rooms due to the narrowness of Chapel Street and did not carry any forklift equipment to help off load the pallet. Urgent help was negotiated from Seals Fodder Ltd. The company helped off load the pallet and store it securely overnight until our gardening contractors were available to transport the packages to the Changing rooms the following morning at 7.30am before Seals became busy. The delivery was accepted unchecked as the packages had to remain intact for onward transportation.

Gardeners had to hire additional equipment to remove old sockets. Whilst preparing to install the sockets, I noticed that the sockets were not lockable as described. This meant that the work of installing the new goals had to be delayed while contact was made with supplier about the misrepresentation of the specifications of the sockets.

Supplier stated that goals were no longer provided with lockable sockets despite advertising such on the website. Following extensive negotiations, the supplier has undertaken to revert to the manufacturer of goals to make purpose built lockable sockets with matching profiles. The cost estimated at approximately £500.00 will be met by the supplier. Lead time on delivery is 3 to 4 weeks.

The installation will not be in time for the scheduled matches to be played on the pitches. One pitch will have the old goals re-instated in the meantime in order to make it available.

Proposal

10.7.1 To authorise the Clerk/Chair to pay the supplier invoice of £2407.00 (inc VAT) only on the delivery of the lockable sockets

10.8 Ball Stop Netting

Following several complaints from adjacent residents Arlington Close, there is an urgent need to replace the ball stop netting that is no longer fit for purpose.

An application to the Football Foundation has been made for grant funding toward the total projected cost £3021.00 (ex VAT). The cost is £2021.00 (ex VAT) plus professional installation estimated at £1000.00 (ex VAT). The potential grant is £2271.00. The requirements of the application are

- a) Photographs of the existing site, indicating where the netting will be installed
- b) A marked-up drawing or aerial photograph of the site, indicating the location of the proposed netting
- c) Specification / schedule of works
- d) Two like-for-like quotations, based upon the design details and specification
- e) Evidence of the additional partnership funding
- f) Evidence of security of tenure or land ownership (freehold title document)
- g) Planning approval notice (if applicable) or written evidence that no planning permission required

Items a) to d) have already been submitted as part of the application process.

In order to provide item e) Evidence of the additional partnership funding the Parish Council is asked to provide written evidence that it will fund up to £750.00 as a contribution toward the total cost.

Proposal

10.8.1 To authorise the Clerk/Chair to issue a letter of intent to fund up to £750.00 toward the cost of supply and installation.

Evidence of freehold title has been described earlier in the report. It is unclear how long it will take for Land Registry to process the application/ documentation identified in para 10.2 above. In the meantime it is proposed to submit a copy of the executed Deed of Transfer of title TR1 as interim evidence to see if it accepted.

Several emails have been exchanged with the Planning Authority about whether planning permission is required to install the ball stop netting. Initially an application was required as this installation was above ground. When eventually the Planning department officers escalated the decision up the line, and they fully understood that the sockets will be buried and the support poles were removable it was agreed that

no planning permission was required due to the temporary nature of the installation above ground during matches only.

Confirmation email has been submitted in support of Item g).

The decision on the grant will take 3-4 weeks and only then can the ball stop netting be ordered from the supplier. There is a lead time of 2-3 weeks for delivery.

Members to Note

Members are asked to note that a resident in adjoining property has suggested that no matches should be played on the top pitch until the ball stop netting is in place. Email conversations with this resident have reached a fractious point; on Friday 3rd September during a telephone call he threatened to seek a legal injunction prohibiting the playing of matches in the interim. However he did acknowledge that the time scale was rather tight for the Sunday Match.

The football club were advised accordingly of the possible reaction to wayward balls. The team management of the team that played on Sunday 5th September did take time out to speak to residents before the match

10.9 Play Area & Vandalism/ Anti-social behaviour

Members will recall that the edges of the Soft Play surfaces were lifted and presented a trip hazard to young users of the play equipment. Contractors attended the site on 8 September. Work to cut out the damaged surfaces took place on first day. They were asked to secure the area with posts and barrier tape and put up a sign stating that the play area was closed during works.

That evening vandals tore down the tape and signage. This was reported to the Parish Clerk. The primary concern was that the play area was accessible with the added trip hazards of uneven surfaces around the play equipment.

I posted on Facebook and asked for information to identify 3 youths who were alleged to be responsible. Within 5 minutes I received a call putting names to the youths with varying degrees of certainty. Following that a tirade of additional calls were received criticising the Parish Council for posting the picture of the 3 youths. Incidentally only one person's face was visible; the remaining two were pictured from the back but were identifiable by the distinctive colour of clothing.

Facebook was also inundated with comments in reaction; these included being called a bully by a parent, an employer who confirmed that one of the youths was apprenticed to his firm and a direct message calling Swanwick Parish paedophile. One caller was adamant that unless there is a No Trespass sign on a gate then it is not illegal for one of the youths to climb the 6ft locked gate to the Centenary Centre to retrieve his £20 football.

Interestingly, one call was from one of the youths self-identifying him; but he was only prepared to give his first name (totally unaware that he had left his mobile number too!). He was pleading his innocence and challenging the posting of pictures of minors without prior parental consent.

Eventually, I took down the picture pending contact with the Police to report the incident and ask for specific advice about posting pictures to identify young people. The advice was that it was not illegal if they were in a public space.

Following the take down of the picture, the self-identifier then posted a screen shot of the original post including the picture with his name in full.

The reaction continued through the following day. I received several calls from an insurance company who were responding to my alleged request for life insurance.

The contractors were asked to re-erect a sturdier barrier tape to allow the soft ply material to cure without anyone damaging their work. That barrier tape was also vandalised over the weekend. Vandals left the tape in tatters, wooden stick with nails, a broken oil radiator traffic cone bases removed from the Centenary Centre (even though the gates were locked). The management of the Centenary Centre were contacted as it was obvious that someone had entered the grounds.

Again Facebook comments appear to criticise the Parish Council suggesting that this was 'retaliation' for blaming youths and was justly deserved.

I have reported the second incident to the Police once I was made aware of the vandalism. I have since had a discussion with the Safer Neighbourhood Team.

Proposal

10.9.1 To authorise the Clerk/Chair to discuss anti-social and security measures with the Scouts and the Police.

10.10 Fencing around Play Area

The installation of fencing separating the play area from the pitches, which has been approved by Members at the Parish Council meeting in July 2021, has not started. I have chased the company up.

Members will recall considering a proposal to fence all the play area at the last meeting. The decision was subject to a review after six months.

10.11 Notices about Public Spaces Prohibition Orders

Alcohol was seen to be consumed at the football match on 5th September by a member of the public watching the match despite the area being covered by a Public Spaces Prohibition Order (Consumption of Alcohol)

A request for additional notices will be submitted to Amber Valley Borough Council to be located at all entrances to the grounds.