

Killamarsh Parish Council

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Draft minutes are subject to approval at the next parish council meeting.

Minutes of a Meeting of Killamarsh Parish Council Held on Monday 27th June 2022 at the Parish Suite, Killamarsh

Commenced: 7pm – Concluded: 9:08pm*

*Standing Order 3x was suspended in order that the meeting could continue after a period of 2 hours.

Councillors Present: Nick Challenger, Brian Clamp, Steve Clough [Chair], Chris Curzon, David Drabble, Susan Jackson, Carol Lacey, Tony Lacey, Alex Platts, Mo Potts, Bill Rice, Eva Thompson, Wendy Tinley, John Windle.

Absent Councillors: None

Officers: Cllr. Steve Clough [Chairman], nominated and approved temporary Responsible Person/Proper Officer. Judy France [Deputy Parish Clerk, minute taker].

Members of the Public: Nine members of the public were in attendance.

2022/102 (FC)	<p><u>Item 1: Chairman's Announcements</u> To receive the Chairman's opening announcements.</p> <p>The Chairman welcomed everyone to the meeting. There were no announcements.</p>
2022/103 (FC)	<p><u>Item 2: Apologies for Absence</u> To receive and approve apologies for absence and reasons given to the Clerk prior to the meeting.</p> <p>All members were present.</p>
2022/104 (FC)	<p><u>Item 3: Declarations of Disclosable Pecuniary and Other Interests</u></p> <p><u>Item 3.1</u> - To receive declarations of disclosable pecuniary interests (DPI) and personal and prejudicial interests from members on matters to be considered at the meeting in accordance with the Localism Act 2011 (section 30 to 33). Officers are required to make a formal declaration about council contracts where the employee has a financial interest in accordance with the LGA 1972, s117.</p> <p>Cllr Brian Clamp declared that is a member of the Institute of Advanced Motorists, which is a registered charity, and he is currently doing some work with the Sheffield branch.</p> <p><u>Item 3.2</u> - To receive, consider and record Councillors requests for DPI dispensation (section 31 Localism Act 2011) in connection with items on this agenda. Applications for this must be made in writing to the Clerk prior to the meeting.</p> <p>None.</p>

2022/105 (FC)	<p><u>Item 4: Adjournment for Public Participation</u> To adjourn the meeting for 15 minutes to allow members of the public to make representation on the business of the agenda for the meeting. No resolutions can be made under public participation.</p> <p>There were no representations from members of the public present.</p>
2022/106 (FC)	<p><u>Item 5: Reports from County / District Councillors and Invited Guests</u> To receive reports from County Councillors, District Councillors, and any invited guests. A period of no more than 3 minutes will be allowed for each report and must be a report on their business environment only.</p> <p>Cllr Mark Foster from Derbyshire County Council was present and gave an update on some planning concerns notably that no date for the appeal regarding the proposed Primrose development has yet been set, however when it is Cllr Foster would appreciate it if members of the Parish Council could attend. With regards to the proposed Westhorpe development, this was in the early stages, but would likely go to the appeal stage as well.</p> <p>Cllrs Rice, Clamp and C Lacey commented on the traffic issues within Killamarsh that new developments would increase and the pros and cons of asking for a Traffic Impact assessment were discussed.</p>
2022/107 (FC)	<p><u>Item 6: Exclusion of Press and Public - Public Bodies (Admission to Meetings Act) 1960</u> To consider and resolve any agenda items that require the exclusion of the Press and Public in accordance with the Public Bodies (Admissions to Meetings) Act 1960 for matters appertaining to confidential or exempt information.</p> <p>RESOLVED:</p> <p>1) Cllr Thompson asked that Item 13 - Canal Bridge Update - be moved to closed session. All were in favour.</p>
2022/108 (FC)	<p><u>Item 7: Minutes</u></p> <p>Draft minutes had previously been previously circulated for comments.</p> <p>7.1 To approve the draft minutes of the Extraordinary Full Council meeting held on Thursday 19th May 2022.</p> <p>RESOLVED:</p> <p>1) That the draft minutes be approved. Cllr Windle moved and Cllr Tinley seconded. All in favour.</p> <p>7.2 To approve the draft minutes of the Annual Parish Meeting held on Monday 30th May 2022.</p> <p>RESOLVED:</p> <p>2) That the draft minutes be approved. Cllr Thompson moved and Cllr Drabble seconded. All in favour.</p> <p>7.3 To approve the draft minutes of the Annual Parish Council Meeting held on Monday 30th May 2022.</p> <p>Cllr Thompson referred to Item 6.1 and that she had not been allowed to comment on the minutes</p>

	<p>of the meeting held on 25th April 2022. The Chair re-iterated that the minutes had been circulated previously and members had been asked to feedback prior to the meeting but no comments were received.</p> <p>RESOLVED:</p> <p>3) That the draft minutes be approved. All in favour.</p>
<p>2022/109 (FC)</p>	<p><u>Item 8: Co-option</u></p> <p>The co-option position for West Ward was advertised on 26th April 2022 with the closing date being 24th May 2022. 3 applications were received, with one withdrawing (remaining 2 are attached). Each candidate will be given up to 5 minutes to present their reasons for wanting to represent the Parish Council, as a standing Councillor.</p> <p>To review the application forms received, their presentation and to co-opt to the Parish Councillor position.</p> <p>There had been three applications for the vacant position. One had since withdrawn their application and the other two had been invited to this meeting. One applicant had not replied to the email invitation and had been contacted by telephone on the 27th June and the office had been informed that the applicant would not be attending for personal reasons.</p> <p>There was a discussion around the delay with the co-option process as some members were unhappy with how long it had taken. Cllr Thompson stated that as far as she was aware one of the candidates had not attended a council meeting previously, which was a condition of the co-option policy. The Chair said this was not the case and the candidate had attended a meeting.</p> <p>Mary Ann Richie gave a short speech to state why she wanted to be elected as a councillor for West Ward, including her work as a founder member of the Killamarsh Wombles and her commitment to improving the environment in Killamarsh for all residents.</p> <p>Cllr Potts moved that she was happy to support Mary Ann Richie as parish councillor for West Ward and Cllr Drabble seconded. A vote was taken with 9 members in favour, 1 against and 4 abstentions.</p> <p>RESOLVED:</p> <p>1) Mary Ann Richie was co-opted onto the council and signed the declaration of acceptance of office witnessed by the acting proper officer and in the presence of the full council. She was then able to take a seat at the council table.</p>
<p>2022/110 (FC)</p>	<p><u>Item 9: Environment & Climate Change Committee Membership</u></p> <p>At the Annual Parish Council meeting on Monday 30 May 2022 the committee membership was appointed however, it has been noted that the information on the member requests was not mirrored on the panel section and as such it is recommended that Cllr David Drabble is replaced with Cllr Susan Jackson, in line with the member request.</p> <p>Cllr Tinley moved and Cllr Challenger seconded. There was one abstention and all the rest were in favour.</p> <p>RESOLVED:</p> <p>1) That Cllr Susan Jackson will replace Cllr David Drabble on the Environment & Climate Change Committee.</p>
<p>2022/111 (FC)</p>	<p><u>Item 10: Parish Suite Refurbishment</u></p> <p>Chair of Events & Communication Committee to update on the current position and to determine</p>

the next steps (Feasibility Cost Report attached).

Cllr Platts gave an update on the current position with the parish suite refurbishment as discussed at the Events and Communications Committee Meeting on 22nd June 2022 and referred to the subsequent report sent by Cllr Clough in answer to some questions from members that had arisen at the meeting. A discussion followed with some specific comments and questions from Cllrs as follows:

- Cllr C lacey asked about the £220k loan that had been budgeted for the refurbishment and Cllr Clough answered that the aim was to apply for grant funding so this could be reduced.
- Cllr Windle asked about timeframes for applying for grant funding and Cllr Clough said one bid was in motion and another application would be sent in September when the next round of Veolia funding opens.
- Cllr Thompson wanted information about VAT and loan interest clarifying.
- Cllr Windle said we would probably have to find £40k per year to pay back the loan and Cllr Clough stated the council were previously losing £90k plus per year on the parish suite.
- Cllr Rice asked for the vision of what the refurbished parish suite would be. Cllr Challenger said it would need to be multi-functional to cater for corporate and community events and that changes needed to be made to more than just the main room to accommodate this.
- Cllr Potts said that the council did not know what the residents wanted and there should be a public consultation into the use of the building. She questioned the feasibility study figures and commented that we needed to get three quotes, one for low level refurbishment, one for average refurbishment and one for high end refurbishment. Cllr Clough said a supplier had been appointed under a framework, through Bolsover procurement and that they would deal with the quotation process, so three quotes would be obtained as part of the main process, he also went on to highlight that frameworks are excellent value for money as they provide economies of scale and help reduce excessive costs. Cllr Potts said she had not been aware that the £220k was going to be a loan, or that it was in the budget and said that she would not vote in favour of the feasibility study progressing to the next stage.
- Cllr Curzon agreed it was a lot of money, however the refurbishment was needed as the alternative could be to have an empty building that was not fit for purpose.
- Cllr Thompson asked to see a plan for the refurbishment and Cllr Clough said detailed plans and images would be drawn up in the next stage of the process.
- Cllr Challenger agreed that the proposed costs were expensive, however a quote of £180k for the refurbishment had been turned down by the council in 2021 and it is likely that the costs would rise again if we left it another year.
- Cllr Clough highlighted that the £180k quote would have been based on work taking place at the same time as the Sports Centre refurbishment by the same builder but now we would have to pick up excess costs to meet CDM (Construction Design Management) Regulations 2015.

Cllr Rice proposed a public referendum on the refurbishment, seconded by Cllr Windle. Cllr Potts commented this would be very expensive, potentially up to £10k. Cllr Windle asked for a recorded vote, results as follows:

Cllr	For	Against	Abstained
Clough		X	
Challenger		X	
Clamp		X	
Curzon		X	
Drabble		X	
Jackson		X	

C Lacey	X		
T Lacey	X		
Platts		X	
Potts	X		
Rice	X		
Richie		X	
Thompson	X		
Tinley		X	
Windle	X		

Results of the recorded vote = 6 for and 9 against

RESOLVED:

- 1) That the proposal for a public referendum was not carried.**

Cllr Clough proposed and Cllr Challenger seconded that the council should move to the next stage of the refurbishment so that detailed plans could be drawn up. Cllr Windle asked for a recorded vote, which was as follows:

Cllr	For	Against	Abstained
Clough	X		
Challenger	X		
Clamp	X		
Curzon	X		
Drabble	X		
Jackson	X		
C Lacey		X	
T Lacey		X	
Platts	X		
Potts		X	
Rice		X	
Richie	X		
Thompson		X	
Tinley	X		
Windle		X	

Results of the recorded vote = 9 for and 6 against

RESOLVED:

- 1) That the proposal to move to the next stage of the refurbishment was carried.**

2022/112
(FC)

Item 11: Motion Proposed by Cllr Tinley

The land at the top of Pingle Road has been a concern for both Councillors and many residents over a period of time. The land is thought to be privately owned and Derbyshire County Council (DCC) last year agreed to take some responsibility for the area, as there is a public footpath running through it and agreed to try and identify the owner. They put some temporary measures in place to monitor any potential land movement due to the cracks that had appeared. A group of volunteers worked to clear the area in 2021 but unfortunately we now find the condition of the vegetation on the land in an appalling state again, so DCC have been contacted and are to arrange a clearance of the site.

With this motion I propose that we work jointly with DCC and once the area has been cleared, we task our handypersons with carrying out fortnightly checks to keep the vegetation growth to a

	<p>minimum. I know the land is not known to be our property however, I do feel we do have a duty as a Parish Council to minimise any potential risks in the best way we can and as this will only be a temporary intervention, it will allow time for the owner to be identified. It should be noted that if the land owner cannot be identified then there is a potential that the land would fall to the crown and need to be registered as such, which is usually the planning authority but could be DCC or the Parish dependant on the legal standing at the time e.g. Village Green.</p> <p>This is not about setting any precedent, it is about working alongside DCC and ensuring the safety of our residents that use this public area daily.</p> <p>There was a discussion about the land at Pingle Road. Cllrs Windle and Potts stated that until the owner is identified it should be the responsibility of Derbyshire Council Council, and should not have to be maintained at the expense of the parish council.</p> <p>Cllr Challenger seconded the proposed motion and a vote was taken with 9 being in favour of the motion, 5 against and 1 abstention.</p> <p>RESOLVED: 1) That the motion proposed by Cllr Tinley be carried.</p>
<p>2022/113 (FC)</p>	<p><u>Item 12: Motion Proposed by Cllr Clough</u></p> <p>The recently refused planning application for 397 houses on land at Westthorpe has highlighted the vulnerability we face in Killamarsh from development on our Greenbelt/greenfield sites, as the planning authority have classified and continually classify us as the most sustainable town in the north of Derbyshire. We know this not to be a true reflection of life in Killamarsh and as such we need to plan for any further planning applications and/or appeals.</p> <p>I have made enquiries in to the viability of having a Traffic Impact Assessment (TIA) carried out and I am proposing that we as a Council commission a TIA (cost to follow), so we can provide evidence of the impact any development of this size would have on our already traffic burdened town and hopefully evidence our town is not as sustainable, as its made out to be, today, let alone in the future.</p> <p>Obviously this alone will not prevent future building but it will play a part in helping to fight our case.</p> <p>There was a discussion around the proposed motion and Cllr Clough confirmed that the cost of the TIA would be no more than £4k. Cllr Potts asked that this cost should be the maximum figure paid.</p> <p>Cllr Drabble seconded the motion and a vote was taken. All were in favour.</p> <p>RESOLVED: 1) That the motion proposed by Cllr Clough be carried.</p>
<p>2022/114 (FC)</p>	<p><u>Item 13: Canal Bridge Update (discussed in closed session)</u></p> <p>Verbal update on the current position and any potential steps that need to be taken.</p> <p>13.1 To discuss and agree a way forward</p> <p>An update was given by the deputy clerk and decisions were made on the next steps.</p> <p>RESOLVED: 1) That the office follow up the next required steps.</p>

<p>2022/115 (FC)</p>	<p><u>Item 14: Income and Expenditure</u></p> <p>14.1 To note the income and expenditure for Month 3, June 2022 and identify any points of concern. (attached)</p> <p>Noted.</p> <p>14.2 To note the Detailed Balance Sheet for Month 3, June 2022 and identify any points of concern. (attached)</p> <p>Cllr Potts asked about the £1367 instructor costs and the Chair said this would be chased up. Cllr Thompson asked about the £1510 cost for Birchlands play area and the Chair said this would be clarified.</p> <p>Noted</p> <p>14.3 To note the Income & Expenditure over £500 for the period April 2022 and identify any points of concern. (attached)</p> <p>Noted</p> <p>14.4 To note the Income & Expenditure over £500 for the period May 2022 and identify any points of concern. (attached)</p> <p>Noted</p>
<p>2022/116 (FC)</p>	<p><u>Item 15: Annual Governance and Accountability Return – 31 March 2022</u></p> <p>15.1 To receive and consider the internal auditors report (attached).</p> <p>Cllr Potts questioned the appointment of the new internal auditor, as it had not been agreed at full council. Cllr Clough said that the old internal auditor had retired and there had been great difficulty in finding a new one, so a new one had to be sought at short notice and had been agreed by the finance committee.</p> <p>The report was received.</p> <p>15.2 To receive and approve the annual governance statement and accounting statements for the financial year ending 31 March 2022 (reports enclosed).</p> <p>Cllr Tinley proposed and Cllr Curzon seconded that the annual governance statement and accounting statements for the financial year ending 31 March 2022 be approved. A vote was taken and 8 were in favour, 5 were against and there were 2 abstentions.</p> <p>RESOLVED:</p> <p>1) That the annual governance statement and accounting statements for the financial year ending 31 March 2022 be approved.</p>
<p>2022/117 (FC)</p>	<p><u>Item 16: Meeting Schedule 2022/23</u></p> <p>The meeting schedule for 2022/23 was approved at the Annual Parish Council meeting in May, with some minor changes agreed. New schedule attached to note. The frequency of meetings has been prepared in accordance with the Scheme of Delegation.</p>

	<p>Cllr Windle moved and Cllr Tinley seconded. All were in favour.</p> <p>RESOLVED:</p> <p>1) That the meeting schedule for 2022/23 be approved.</p>
<p>2022/118 (FC)</p>	<p><u>Item 17: Acting Proper Officer Update Report</u></p> <p>The Acting Proper Officer to provide an update on the following (report attached);</p> <ul style="list-style-type: none"> • CCTV • Benches • Cemetery • Birchlands • SIDs Devices • Defibrillators <p>17.1 The Full Council to decide on any further requirements needed, in each aspect.</p> <p>A brief discussion took place with agreement that the actions should be taken forward as recommended on the report.</p> <p>RESOLVED:</p> <p>1) Letter to be sent to the CC of Derbyshire Police re. CCTV</p> <p>2) The 4 benches to be purchased.</p> <p>3) To arrange for the cemetery gates to be locked asap and for longer term solutions, e.g. automated gates/CCTV to be investigated.</p> <p>4) To obtain an additional quote for the entrance work at Birchlands.</p> <p>5) To obtain quotes for defibrillators</p>
<p>2022/119 (FPC)</p>	<p><u>Item 18: Planning Applications</u></p> <p>To determine any action required on the planning application information, from lists circulated by the office previously.</p> <p>There was some concern around access on Ashley Lane.</p> <p>An objection had been submitted with regards to the proposed change of use from retail premises to HMO on Sheffield Road.</p>
<p>2022/120 (FPC)</p>	<p><u>Item 19: Reports from Parish Councillors</u></p> <p>To receive reports from Parish Councillors who have attended recent meetings or events on behalf of the Parish Council including representation on external bodies:</p> <ul style="list-style-type: none"> • Veolia Norwood <p>Cllr Clough had met with Veolia on 20th May and there were no issues. Veolia had asked for meetings to be scheduled every 4-6 months.</p> <ul style="list-style-type: none"> • Chesterfield Canal Trust <p>No update from Cllr Thompson.</p> <ul style="list-style-type: none"> • Bread Charity <p>Kevin Wood stated that the trustees had met and were renaming the charity to 'Community Support for Killamarsh'</p> <ul style="list-style-type: none"> • NEDDC/Parish Liaison

	Cllr Clamp mentioned an email conversation he had with Ross & Catherall and that they would be happy to work with Killamarsh Parish Council in the future.
2022/121 (FPC)	<p><u>Item 20: Recruitment and Staffing Update</u></p> <p>20.1 Chair of Health, Safety and Wellbeing Committee to provide update on the current staffing position.</p> <p>Cllr Platts gave an update on starting dates for the Parish Clerk (18th July 2022) and the part-time Maintenance Officer (29th June 2022).</p> <p>20.2 To consider our new Clerk's request (attached).</p> <p>Cllr Challenger proposed and Cllr C Lacey seconded that the request be approved. Cllr Potts abstained and all the rest were in favour.</p> <p>RESOLVED:</p> <p>1) That the new Clerk's request to continue to work a few hours for her current employer until her replacement has been appointed was approved.</p>
2022/122 (FPC)	<p><u>Item 21: Any items for discussion for a future agenda</u></p> <p>To notify the Acting Proper Officer of any matters for inclusion on the agenda for future meetings.</p> <p>Cllr C Lacey asked that a police representative be invited to the next meeting.</p> <p>Cllr Thompson asked that the CLOC Building be discussed at full council.</p> <p>Cllr Thompson asked that the Section 137 applications should be discussed at the next meeting.</p> <p>Cllr Potts asked that someone from NEDDC should attend the next meeting to talk about Section 106 monies.</p> <p>Cllr Thompson asked that the SLA/burial fees for the cemetery be discussed.</p>
2022/123 (FPC)	<p><u>Item 22: Date of the next Full Council Meeting</u></p> <p>To note the date of the next full council meeting is scheduled for Monday 25 July 2022.</p>

These draft minutes were approved as a true record at the Full Council meeting

Held on: *with the agreed additions/deletions: None / Yes (list amendments below)

Signed (Chair)..... Print: Dated

*Loose leaf pages to be initialled

* The copy signed by the Chair to contain the alterations, recorded in longhand, with the changes (agreed by the meeting) signed and dated. Signed Copy of the minutes to be filed in the minute book.

***Agreed Amendments (Additions/Deletions) to the Draft Minutes:**