

BOYLESTONE PARISH COUNCIL

Minutes of Ordinary Meeting

Held on: Thursday 25th July 2024 7:00 pm

At: Boylestone Village Hall

Present: Cllr Helen Walker, Cllr George Upson, Cllr Matt Moore
Peter Bambury (Clerk)

County Councillor Steve Bull

Mr William Holland attended as a member of the public, pending his co-option as a Parish Councillor under Item 5 of this agenda.

It was agreed that Item 11 of the agenda would be considered before Item 5 in order to provide authority for consideration of the latter.

24/021 **1. Apologies for absence**

Cllr Derek Watkins, District Councillor Sue Bull

24/022 **2. Declarations of Interests**

Mr William Holland declared an interest in Item 9 of the agenda.

24/023 **3. Public Speaking**

County Councillor Steve Bull expressed satisfaction at the recent work undertaken to repair road potholes in the parish and also the cutting of verges. In answer to a point made by Cllr Walker that the proposed Speed Limit Repeater Signs should all have posts made of the same material, he gave his support to this but advised that the issue would ultimately be decided by DCC Highways on financial considerations.

24/024 **4. Previous minutes**

The minutes of the Annual Meeting of the Parish Council held on 16th May 2024 were approved.

Clerk to circulate and update website. Action Clerk

24/025

5. Adoption of Policies

(i) The following policies were presented and adopted:

- (a) Code of Conduct
- (b) Complaints Procedure
- (c) Retention and Archiving of Documents
- (d) Equal Opportunities
- (e) Grievance

(ii) A revised policy on Co-option was presented and adopted.

Clerk to upload all adopted policies to new website when live. Action: Clerk

24/026

6. Co-option of Parish Councillor

- (a) It was proposed by Cllr Upson, seconded by Cllr Moore and agreed unanimously that Mr William Holland be co-opted as a Parish Councillor with immediate effect. Cllr Holland was welcomed as a new member of the Parish Council.
- (b) Cllr Holland signed the Declaration of Acceptance form which was witnessed by the Clerk. The Declaration of Pecuniary Interests Form was given to him, to be completed and returned to Cllr Walker within 28 days. Cllr Walker then to send to DDDC Monitoring Officer. Action: Cllr Holland, Cllr Walker

24/027

7. Exclusion of the public

Item 15 on the agenda was deemed necessary for public exclusion, should any members of the public be present.

24/028

8. Reports of Meetings of Outside Bodies

Cllr Upson spoke in his capacity as a member of the Village Hall Committee and advised that there was an issue with dog fouling on The Croft and other public areas. It was agreed that reference to this should be included in the next letter from the Parish Council to residents.

The following annual events were noted:

- (a) Village Show - 24th August 2024
- (b) Last Night of the Proms, which is a fundraiser for St Giles Hospice, Whittington, - 14th September 2024

Also there would be a Footpath Walk in September and a Litter Pick will be arranged by the Ladies Group, with date to be confirmed.

24/029

9. Report of the Ditch Maintenance Working Party

Cllr Holland declared an interest in the matter to be considered and withdrew from the room throughout the discussion.

A report of progress made by the Working Party was given. Positive negotiation had been achieved with Derbyshire County Council with the result that all the gullies and drains had now been cleared. DCC had also accepted responsibility for the majority of identified ditch problems and had undertaken to resolve these subject to availability of funding. DCC would not however do any work to ditches on private land or to ditches that did not serve as a drainage medium to the highway.

A list of problem areas on private land was drawn up and contact would be made with respective owners to resolve. It was agreed that the Parish Council would assist in the necessary work and provide funding on a one-off basis without prejudice to the general responsibility of the landowners. It was anticipated that funding in the region of £1000 would be required.

A quotation of £710 for a single day's work had been obtained from R. Spendlove. It was agreed that Cllr Holland, in his capacity as a private land owner and contractor, would be asked to provide an additional quotation.

It was resolved that:

- (a) Financial Regulation 11 be waived insofar as it stipulated a requirement to obtain three tenders for the work, on the basis that obtaining more than two tenders would not be practical. It was considered that sufficient competition and comparison would be provided by the two tenders under consideration.
- (b) A sum of £1000 would be vired either from other revenue budgets, or from reserves, or from a combination of both, at the time when the funds were needed.

On his return to the room, Cllr Holland was formally invited to tender for the work identified on a day rate basis. Cllr Holland to submit tender in writing by email to the Clerk. Action: Cllr Holland

It was further resolved that commissioning of the successful contractor would be on the basis of the lowest tender submitted. The Clerk to advise councillors of this when the tender from Cllr Holland is received. Action: Clerk

10. Update on actions arising from previous meetings

Minute 23/100	Vire £180 to gritting budget when necessary <i>Need for virement did not materialise</i>	Completed
Minute 23/118	Report back re position with 2commune Ltd and obtain further quotes as necessary <i>New website now procured</i>	Completed
Minute 23/127(b)	Write to High Grounds re Planning Permission for Shepherds Hut <i>Further queried with DDDC. Matter still under consideration</i>	Pending
Minute 23/131	Circulate minutes and update website	Completed
Minute 23/131	Modify Co-option policy and circulate to Councillors	Completed
Minute 23/135	Modify PC Casual Vacancy advert and circulate to councillors	Completed
Minute 23/135	Post finalised Co-option policy, advert and application form on website and distribute through circulation list	Completed
Minute 23/135	Post PC Casual Vacancy person spec to website	Completed
Minute 23/136	Make agreed amendment to policy for publication of meeting minutes	Completed
Minute 23/137	Reply to resident re representations re Parish Land	Completed
Minute 23/137	Post info re how to raise issues for consideration by PC onto website	Completed
Minute 23/138	Pursue non reply to licence application with Derbyshire CC	Completed
Minute 23/139	Send out to circulation list letter prepared by Cllr Walker re ditches	Completed
Minute 23/140	Modify poster for APM, post website and send to Cllr Walker	Completed
Minute 23/141	Post comments re Dove Valley Park and Muse Lane planning applications on portal	Completed

Minute 23/143	Post FMR to website when possible	Completed
Minute 23/143	Write off cheque payment pending resubmission	Completed
Minute 24/005	Amend 21/3 minutes to include short narrative to items 18 & 19	Completed
Minute 24/005	Circulate minutes to circulation list and update Website	Completed
Minute 24/012	Settle DALC subscription with training charge deducted	Completed
Minute 24/013	Reformat model Standing Orders <i>In progress, will be made publicly available when new website live</i>	Pending
Minute 24/016	Proceed with procurement of new website	Completed
Minute 24/017	Submit Certificate of Exemption to external Auditor	Completed
Minute 24/017	Post mandatory AGAR documents to website	Completed
Minute 23/103	Prepare Village Plan and present to next meeting <i>Presented under Item 11 of this agenda</i>	Completed
Minute 23/135	Modify PC Casual Vacancy application form and send to Clerk	Completed
Minute 23/135	Post finalised PC Casual Vacancy advert on village notice board and announce on Whatsapp group	Completed
Minute 23/138	Query with Ventureserve re verges cutting quote	Completed
Minute 23/139	Prepare letter to residents re ditches and send to Clerk	Completed
Minute 23/140	Put poster for APM on village notice board	Completed
Minute 23/142	Procure hedgehog signs and install	Completed
Minute 23/142	Select Fire Prevention poster and put on village notice board	Completed
Minute 23/142	Reply to invitation and attend Parish & Town Council Forum event <i>Cllr Walker did not attend due to illness</i>	Completed

Minute 24/018	Undertake Performance Review of the Clerk	Completed
Minute 23/107	Arrange with William Holland to clear ditch at Malthouse Lane	
	<i>Superseded - see Item 9 of this agenda</i>	Completed
Minute 23/107	Arrange working party for Malthouse Lane ditch maintenance	Pending
Minute 23/111	Provide Clerk with correspondence re care worker's access to premises	Pending
Minute 23/118	Inform DDDC of report of burying refuse on private land	Pending
Minute 23/138	Query with contractor re verges cutting quote	Completed
Minute 23/143	Arrange for invoice for Christmas tree and send to Clerk	Completed
Minute 23/146	Arrange stile walk	Completed
Minute 23/098	Pursue owner of gate by phone box regarding repair	Pending
Minute 24/015	Determine local candidates for Parish Councillor vacancy and pursue enquiries	Complete

24/031

11. Village Plan

CLr Walker presented a report she had prepared in order to address previous deliberation on the merits or otherwise of the Parish Council adopting a formal Village Plan for Boylestone. For the avoidance of doubt, such plans are also often referred to as 'Parish Plans' or 'Neighbourhood Plans' and their purpose is to inform local authorities of local issues and preferences relating to key subjects such as housing, transport and green spaces, that are relevant to the District Council's Local Plan.

The current Derbyshire Dales District Council Local Plan was adopted in 2017 and expires in 2040. For any Village Plan to have been admissible as an input in the original development of that, the relevant details would have had to have been agreed in a local referendum, then approved by a designated external examiner, and finally submitted to Derbyshire Dales District Council before the submission deadline. No such process was undertaken by the Parish Council or any other interested group at the time in respect of Boylestone, with the consequence that the opportunity to influence the current DDDC Local Plan is now no longer available.

It was resolved therefore that no action be taken at the present time to formulate a Village Plan, although there would be merit in principle of collating local information on community issues for eventual consideration of a Village Plan to inform the 2040 DDDC Local Plan. Agreed that Cllr Walker will lead on this.
Action: Cllr Walker

24/032 **12. Maintenance of Verges**

The Parish Council had previously considered concerns that some highway verges in the Parish possibly presented a hazard to highway safety during the summer months because, it was suggested, Derbyshire County Council was unable to provide the amount of cutting necessary to keep the verges maintained.

The Parish Council had therefore considered the commissioning of a contractor to provide additional cutting where necessary and had applied for a Cultivation Licence from Derbyshire County Council, which is a mandatory requirement.

Two quotations had been received from contractors in respect of the work for £675 + VAT and for £400 + VAT respectively, and it had been established that these would apply irrespective of which month the cutting was undertaken. The Parish Council had concerns however whether such expenditure would provide best value for money.

It had also emerged that the government had recently issued guidance on the Natural Environment and Rural Communities Act 2006 and the Environment Act 2021, which imposed a duty on public authorities (including Parish Councils) in England to have regard to conserving biodiversity as part of their policy or decision making. This would mean that in implementing any measures that were known to be against the interests of biodiversity in a region, such as through the cutting of hedgerows and road verges at critical times, a local authority could be open to challenge if it were not able to demonstrate mitigating actions to offset any negative impact.

In the meantime, despite follow up correspondence to Derbyshire County Council, no Cultivation Licence had been granted.

A report presented to the meeting outlined the frequency of planned verge cutting at various locations in the Parish by Derbyshire County Council, some of which had already been done.

It was resolved that the Parish Council will continue to monitor the situation but in the absence of the required Cultivation Licence, and in the light of the current legal requirements regarding biodiversity, no action will be taken for the foreseeable future.

24/033

13. Boundaries Walk

A walk had been proposed as a social event by a member of the public who was willing to undertake the necessary arrangements planning. The intention was that the walk would be along, or as near to as possible, the boundaries of the Parish.

It was agreed that the Parish Council will supply relevant maps in support of the event. Further details to be reported at the next meeting.

24/034

14. Website

The Clerk reported that the new UK Local Councils website provided by Cuttlefish Multimedia Ltd had now been procured and he was currently in the process of structuring the content. A new gov.uk email facility had also been provided. It was hoped that the site would be ready to go live soon, but in any event before the next meeting. Action: Clerk

The issue at the present time was the content that should be included on the website and the Clerk asked councillors for suggestions and also for narrative on village history/activity/features etc. Suitable photographs of the village were also needed, particularly a prominent one for the website home page.

Councillors to email any photos, narratives and content suggestions to the Clerk.
Action: All Councillors

24/035

15 Clerk Performance Review (confidential item)

The Chair had held a Performance Appraisal Meeting with the Clerk in June and a report had been circulated to councillors.

It was resolved that the report be accepted.

24/036

16. Correspondence

An email received from a local resident regarding the cutting of verges on Alkmonton Road was not presented as the matter had been resolved.

24/037

17. Finance

The Financial Management Report and a list of payments that had been made under delegated powers since the last Ordinary Meeting of the Parish Council were presented and noted. Clerk to post public view version of FMR to website.

Action: Clerk

24/038

18. Other business

- (a) Cllr Walker had pursued Derbyshire County Councillor Charlotte Cupit (Cabinet Member for Highways) regarding the replacement of speed limit repeater signs and had been assured that the extensive work program that had been undertaken to repair pot holes had been the reason for the delay. County Cllr Cupit hoped the work would be undertaken in the next few months and that she would pursue as necessary in the meantime. Cllr Walker remained concerned that not all defective signs had been identified and when she has verified, she will respond to County Cllr Cupit accordingly.
Action: Cllr Walker

- (b) The Clerk was asked to write to circulation list members, to include the following:
 - (i) the appointment of Cllr William Holland to the Parish Council;
 - (ii) thanking those who had contributed to the upkeep and appearance of the village in terms of bulb planting and maintenance etc;
 - (iii) reference to dog fouling at The Croft and other public areas;
 - (iv) providing updates on the issues of verges and ditches maintenance and of the new Parish Council website. Action: Clerk

24/039

19. Next meeting

Thursday 19th September 2024 at 7:00 pm

The meeting closed at 8:45pm

Summary of agreed new and outstanding actions

	Minute	Action
Clerk	23/127(b) 24/013 24/024 24/025 24/029 24/034 24/037 24/038	Clarify High Grounds Shepherd's Hut planning permission Reformat model Standing Orders Circulate 16/5 minutes and update website Upload adopted policies to new website Advise councillors of lowest bid for ditch clearing when tender from Cllr Holland received Complete content structure of new website and initiate 'live' status Update FMR to website Issue update letter to village circulation list
Cllr Walker	24/026 24/031 24/038	Submit Declaration of Pecuniary Interests form to DDDC Monitoring Officer when received from Cllr Holland Lead on the collation of community issues to feed Local Plan Assess all speed limit repeater signs and correspond with County Cllr Charlotte Cupit
Cllr Upson	23/107 23/111 23/118	Arrange working party for Malthouse Lane ditch maintenance Provide Clerk with correspondence re care worker's access to premises Inform DDDC of report of burying of refuse on private land
Cllr Moore	23/098	Pursue owner of gate regarding repair
Cllr Holland	24/026 24/029	Complete Declaration of Pecuniary Interests form and give to Cllr Walker Provide day rate tender for ditch clearing work. Tender to be emailed to the Clerk.
All Councillors	24/034	Consider and email any photos, narratives and content suggestions for new website to the Clerk