



# ***PARISH COUNCIL OF CLAVERDON***

## *Minutes for the Council Meeting of 5<sup>th</sup> March 2019*

**Present:** Councillor S. Lawton, Councillor H. Spiers, Councillor P. Bicknell, Councillor D. Middleton & 12 members of the public

### **Apologies for absence.**

Apologies for absence have been received from Councillor N. Dargan who is away on business, Councillor M. Wilcox & Councillor K. Meeson & District Councillor P Richards who had other appointments, & County Councillor J. Horner who is attending a training meeting.

### **Declarations of Interest**

There were no declarations of interest made at the Meeting by Councillors

## **1 Minutes of the last Meeting.**

1.1 On the proposal of the Chairman, the minutes of the Council Meeting held on 5th February 2019 were taken as read, approved by the Councillors Spiers & Middleton and later signed as representing a correct record.

## **2 County Council Matters**

2.1 General Report. County Councillor J. Horner was unable to attend the Meeting due to an alternative appointment

2.2 Task Group A4189. Members. The Parish Council await details of the first meeting along with the objectives. Councillor Middleton asked for more details to consider beings part of the task group.

2.3 Small Road Safety Schemes.

2.3.1 The Green – Update on the likelihood of a Design Manual or the best alternative in the absence of a Manual being available shortly. Carried over to next Meeting

2.3.2 Turning into DM Hall off the A4189. An update on progress will be made at the next Meeting. No application has been received in respect of tree removal.

## **3 District Council Matters**

3.1 General Report. District Councillor P Richards was unable to attend the Meeting and had not provided any report prior to the Meeting.

## **4 Public Input**

Nigel Harrison said that the residents of Kington Lane were aware of the intention to auction Tattlebank Woodland on 9<sup>th</sup> April 19, and they are worried that someone would purchase the land & abuse the covenants, potentially try to build and there would be an ensuing legal battle. The Chairman said he had been informed by the Solicitors acting for the Parish Council of an interesting clause that exists in the original transfer of the property which covers prevention of development of the woodland. Mr. Cleverdon asked that the restrictive covenants to protect the residents of Kington Rise were highlighted prior to the Auction. The Chairman confirmed that the details of all covenants would be in the Legal Pack available to potential purchasers and that the Parish Council were aware of all the covenants and will look into whether other covenants would be beneficial to keep it undeveloped. Mr. Harrison said that they would like to buy the land, but fear that someone untoward buys it and flouts the covenants and asked the Chairman whether he had consulted developers over the land. The Chairman advised it would be madness for a developer to believe there was any chance of development on the land. Councillor Middleton suggested that if the residents bought the wood, they would have control and an ability to enhance their properties. The Chairman advised that no reserve had been set. Councillor Middleton advised that the sale particulars will show a guide price. Another resident asked whether the Parish Council are 100% sure that they did not have the specific intention to sell to a developer and that the Parish Council would do what they can in respect of the covenants. The Chairman confirmed that the intention is to sell the wood at Auction to achieve market value and that the Parish Council expected all covenants to be observed. Six members of the public left the Meeting.

## 5 **Planning.**

### 5.1 Update on previously considered applications.

\_No planning updates have been received from SDC since the last Parish Council Meeting

### 5.2 Applications Responded to Inter-meeting

5.2.1 Yarningale House Yarningale Common – 19/00229/FUL. Alterations to existing side extension and front garage, replacement of front porch with single storey front extension and installation of balcony to existing rear extension. The Councillors, having reviewed the details of the application between Meetings, and after due consideration recorded a response of No Representation on 25<sup>th</sup> February 19.

### 5.3 Applications for Discussion at this meeting

5.3.1 Arden Park Farm, Manor Road. 19/00333/COUQ. Prior approval notification for the change of use of agricultural building into 1no. dwelling including associated operational development under Class Q(b). The Councillors, having reviewed the details of the application, and after due consideration recorded a response of No Representation.

### 5.4 Other Planning Issues

- 5.4.1 Old Butchers Shop – The Chairman advised that the Planning Officer at SDC was absent through illness and was unable to provide a date when the case could be pleaded in support of the Applicants.
- 5.4.2 Field off Henley Road A4189 between Kington Lane & Glenhurst Farm. Councillor Bicknell advised that some 150 metres of hedgerow had been removed from site and the fields plough up. An Environmental Impact Survey may have been obtained to do this, however the matter had been sent SDC Enforcement who will provide their findings in due course.
- 5.4.3 Land on Langley Road – 18/01410/FUL – Change in site levels to paddock. SDC issued the Notice of Decision on 25<sup>th</sup> February 2019 advising that planning permission was refused as the development was contrary to Policies CS.5, CS.12 & AS.10 of the SDC Core Strategy. The matter has been referred to the Enforcement Officer. The Applicant may appeal, and the Parish Council will advise interested parties if this should happen.

## 6 **Neighbourhood Plan**

6.1 As part of the Regulation 16, submission consultation for the Neighbourhood Plan commenced on 31<sup>st</sup> January 2019 and concludes on Friday 15<sup>th</sup> March. SDC produced a small number of 'information packs' which are held at the Community Shop and by the Parish Clerk. Those wishing to view the documentation can do so by visiting the Community Shop during opening times or contact the Parish Clerk on 01926 842089 to arrange a convenient time to view the details. The website [www.claverdonvillage.co.uk](http://www.claverdonvillage.co.uk) also has just the submission version of the Neighbourhood Plan which forms part of the documents available. The Chairman hoped that by the end of October, the Plan would be adopted and final.

## 7 **Policing, CLASP & CASE**

7.1 Councillor Spiers advised that completing the last two ANPR camera installations was taking some time and paperwork was awaited from Hadley's. The final locations for the cameras had been agreed. CASE currently have funds of £3245 to manage the operation going forward and donations are still being received. The weekly incident report issued by the Police continued to show little to no incidents in Claverdon.

## 8 **Recreation Field**

- 8.1 Sport England have all the documentation requested and the funds remain ring fenced awaiting proof of the match funding. The application has passed into the second phase with 3.5 months left to complete. The Parish Clerk to check what must be achieved by the deadline.
- 8.2 WALC – The application for £8k of grant funds towards the Play Area is set aside until the April funding review by WALC as they want to see how the balance of the funds can be obtained.
- 8.3 Proposed New Play area – Review by Councillors of the feedback following the displays provided by the Play Ground providers on 8<sup>th</sup> January 19, and the detailed schemes and costs pack provided after the last Parish Council Meeting to determine next steps. Not discussed at the Meeting & placed on the April Agenda

- 8.4 Final costs need to be determined for the asbestos removal from the pavilion, the ground work and the cost of the extension & refurbishment of the pavilion. The Chairman has invited another Contractor to quote for the asbestos removal at the Pavilion.
- 8.5 The 3-year fixed electricity contract for the pavilion ends 20<sup>th</sup> March 19. The agreed offer is to reduce the daily standing charge from 32.45p per day to 21.0p per day (31% reduction) and increase the unit rate from 11.092p to 14.68p (32% increase) for a 4-year fixed period. Based on current consumption this would save £18 per annum. Before consideration The Chairman requested the out of contract rates as following the refurbishment, it would be advisable to fit a smart meter. The Clerk will advise.

## 9 **Footpaths & Bridleways**

- 9.1 The Boys Club Field. There has been no communication from UK Youth/Ambition or their professional advisors, George F White since Claverdon Parish Council made their Offer. A decision is awaited.

## 10 **Yarningale Common**

- 10.1 Potholes on the access to The Homestead. The Client Care letter produced by Moore Tibbits was presented to Councillors for their consideration along with the legal advice received from Moore Tibbits. The Councillors, after due consideration agreed that the Chairman and one other Councillor were to sign the Client Care letter, and that following a review of the widths of the access, the Chairman suggested the Parish Council contribute 50% to the repairs. Councillors present supported the approach.
- 10.2 Easement for Holly Cottage – matter being processed by Solicitors
- 10.3 Draft Bio Diversity Management Plan for Yarningale Common. A revised draft Agreement & Management Plan is awaited from the WCC Ecologist who is costing a 30-year plan. The Ecologist's response to queries raised by Councillors was previously circulated to them and they had no further comments to make.

## 11 **Dorothea Mitchell Hall**

- 11.1 The new notice board has been ordered and has a 6-week lead time.
- 11.2 Councillor Middleton updated the Meeting on the possibility of DM Hall holding donations for the Play Area. The Charities Commission have not responded to their letter despite persistent requests as they say they are busy and see the question as complicated. Councillor Middleton will propose at the next DM Hall Trustees meeting on 11<sup>th</sup> March 19 to open a No.2 Bank account and seek the support of the Trustees to approve this on the basis that it is being done in good faith and in the best interests of the Community.

## 12 **General Other matters including any arising from earlier Meetings and not already covered.**

- 12.1 Claverdon K6 Telephone Kiosk. S171 Application form requires completion to secure the license to remove the kiosk. A meeting will be arranged with Peter Morgan & David Hunt to review the form and the work to be undertaken. The Councillors will decide on the best outcome for the Kiosk once all the costs are known.
- 12.2 Annual Risk Assessment – The Councillors undertook a review of the Annual Risk Assessment which had been forwarded with the Agenda. The Clerk confirmed the process undertaken to assess the risks and how the guidelines issued by NALC (National Association of Local Councils) had been followed. Though Councillor M. Wilcox was not present, the Clerk confirmed that as RFO he had reviewed and input to the drafts and the document produced with the Agenda was supported by him. Councillor Bicknell asked whether it addressed foreseen changes. The Clerk said that the items recorded in bold in the "Control Actions" column recognised ongoing work and that it was a "live" document. The Chairman considered that the Risk Assessment document was fit for purpose and proposed that it be accepted. Those Councillors present supported the recommendation.
- 12.3 Mowing Contract – Verges & Lye Green, The Green & The Recreation Ground. Details of the quotes provided have been circulated to Councillors for review at the Meeting. The Councillors reviewed the summary schedule of the quotes and after due consideration Councillor Bicknell proposed that the verges & Lye Green mowing reverted back to Thomas Fox, that any Yarningale Common mowing should remain with Perennial Landscapes, and that the mowing of the Recreation Ground remained with Claverdon Garden Services as they had said they would be flexible over mowing requirements whilst work is undertaken at the Recreation Ground. The Chairman, Councillor Spiers & Councillor Middleton seconded the proposal and the Clerk was instructed to advise the respective contractors. The Chairman recommended that Ian Price continue to mow The Green as it was a focal point within the Village
- Councillor Wilcox arrived at the Meeting.**
- 12.4 Claverdon School signs – The 2 signs in Langley Road have been removed.
- 12.5 Any other business

- 12.5.1 Councillor Bicknell reported that quad bikes have been accessing Yarningale Common and recommended that fencing be considered to stop this. The Chairman agreed that additional fencing be investigated to prevent this access and misuse.
- 12.6 The Footpaths & Bridleways Maps – Councillors suggested that the Community Shop may be able to sell some of the maps. Councillor Wilcox offered to speak to Barry Cleverdon about the possibility.

### 13 **Post Received**

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#### *Meeting 05 March 2019 - Correspondence*

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13.01 **FW: Alcester Police North SNT. Latest Weekly Report. 3rd February 2019**

The latest report shows 2 instances in Langley Road. A person selling door to door saying he was part of a young offenders' rehab scheme, and secondly front and back number plates stolen from a vehicle

13.02 **WCC - Commissioning Support Officer request to support 2 surveys**

Commissioning Support Officer, All Age Disability from Public Health, is supporting two reviews namely: -

- Day Opportunities for Learning Disability and /or Autism
- Respite & Short Breaks for adults and young people in transition with a Learning Disability, Physical Disability or Autism.

13.03 **FW: Alcester Police North SNT. Latest Weekly Report. 10th February 2019**

The latest report shows no recorded instances for Claverdon.

**John Crossling - WALC. 7th Feb 19. Government Consultation on a Community Framework**

The Ministry of Housing and Communities Local Government (MHCLG) are inviting views on the development of a Communities Framework. The Framework will: describe the importance of strong communities; set out the Department's vision for supporting the development of these alongside the vital work of other groups, organisations and sectors; and explain and take forward how they are embedding this approach across the work of the Department.

13.04 **John Crossling - WALC. 20th Feb 19. Hospital to Home Settling Service**

Warwickshire Fire & Rescue service are providing a hospital to home settling service for elderly patients returning home from Warwick hospital or George Elliott Hospital

The service is to prevent unnecessary admission into hospital for adults who are well enough to go home following their treatment within A&E but require immediate transport and support in settling when they get back home.

To address the wider social and emotional factors which may result in adults being readmitted to Hospital

13.05 **FW: Alcester Police North SNT. Latest Weekly Report. 17th February 2019**

The latest report shows no recorded instances for Claverdon. The report gives the law in connection with the use of off-road motor bikes. Unless they comply with all the roadworthiness tests and DVLA regulations, they cannot be used on public land. The Police are highlighting the actions they will take where incidents are discovered and provide the details needed when reporting the matter to Police.

13.06 **FW: Alcester Police North SNT. Latest Weekly Report. 24th February 2019**

The latest report shows no recorded instances for Claverdon. The report analyses the 81 calls received during the week.

**FW: Alcester Police North SNT. Latest Weekly Report. 3rd March 2019**

13.07

The latest report shows no recorded instances for Claverdon.

**14 Finance**

14.1 After consideration by Councillors & upon the proposal of the Chairman, payments due as listed below, together with the account projection to the end of March 19, were approved by all Councillors present.

Date	Item	Cheque No	Current Account		Deposit Accounts	Total
			Deposits	Debits		
28 Feb 19	<b>Balance</b>		£33,836.67		£41,041.37	£74,878.04
	<b>Payments for Approval</b>					
5 Feb 19	Mowing the Green 8 times in 2018	2253		£144.00		(£144.00)
11 Feb 19	Supply & Install 2 ANPR Cameras in the Village	2254		£4,200.00		(£4,200.00)
5 Mar 19	Digital artwork for Parish Footpaths & Bridleways Maps. 1000 copies	2255		£1,104.00		(£1,104.00)
5 Mar 19	Clerk's net salary for February 19	2256		£557.13		(£557.13)
5 Mar 19	2 Toddler Swing seats for the Under 7s Play area	2257		£250.80		(£250.80)
6 Feb 19	Pavilion Electricity Charges 22/12/18 to 21/01/19	DD		£18.01		(£18.01)
	<i>Item</i>	<i>Amount</i>				
	Office Allowance	£18.00				
	Postage	£7.30				
	HP Instant Ink Charges to 12-02-19	£30.99				
	Stationary - Printer paper	£3.25				
	Mileage in February 19 - 26.8 mile	£12.06				
	Total	£71.60				
15 Mar 19	Water Plus. Water at Recreation Ground	DD		£26.43		(£26.43)
5 Mar 19	Part fee for set up of NEST Pension scheme for Clerk	2258		£60.00		(£60.00)
5 Mar 19	Cancelled Cheque	2259				
5 Mar 19	Clerk's Expenses for February 2019	2260		£71.60		(£71.60)
5 Mar 19	Recreation Ground Annual Hedge Cutting	2261		£300.00		(£300.00)
	<b>Receipts and/or Transfers</b>					
12 Feb 19	Transfer from CASE to CPC for the 2 ANPR Cameras & installation cost	PIB	£3,500.00			£3,500.00
	Interest on Reserve and Deposit Accounts				£65.93	£65.93
31 Mar 19	<b>Balance</b>		£30,604.70		£41,107.30	£71,712.00

**15 Meeting Dates**

15.1 Dates agreed are: 2<sup>nd</sup> April 2019, 14<sup>th</sup> May 2019 (Annual Meeting & Parish Council Meeting), 4<sup>th</sup> June 2019, 2<sup>nd</sup> July 2019, 3<sup>rd</sup> September 2019, 1<sup>st</sup> October 2019, 12<sup>th</sup> November 2019 (a delay due to the first Tuesday of the month being Bonfire Night) & 3<sup>rd</sup> December 2019.

**ITEM 12.2 - Claverdon Parish Council - RISKS ASSESSED FOR REVIEW AT THE MEETING TO BE HELD ON 5TH MARCH 2019**

	AREA	RISK	IMPACT	LIKELIHOOD	SEVERITY	CONTROL ACTIONS (those in bold are ongoing)
1	<b>Assets</b>	Protection of physical assets	Potential loss of income and loss of use by the community	L	M	The Pavilion is insured for £95k and there is business interruption insurance
2	<b>Assets</b>	Lack of maintenance of Council property.	High cost of eventual repair: Third party injury: Risk of insurance claim :	M	M	The Pavilion is currently maintained on an ad hoc basis. <b>During 2019 the Pavilion will be extended and refurbished once all the funds are in place.</b>
3	<b>Assets</b>	Damage to council property by third party or act of God	Legal liability as owner: High repair cost : Loss of asset : disruption : Damage to person or other property : High repair cost :	L	H	Ensure adequacy of insurance cover and review annually. Maintain asset register. Check the properties owned regularly. Respond quickly to investigate any reports.
4	<b>Finance</b>	Misappropriation of Funds/Money	Insufficient funds to meet financial commitments. Loss of faith and reputation of the Parish Council	L	H	Each cheq requires 2 signatories along with the supporting documentation. The cheque books are not kept, and cheques are not drawn by the cheque signatories Quarterly bank reconciliation evidenced by none chq signatories which reconciles the bank balances back to the receipts & payments YTD schedule approved at the Parish Council Meeting
5	<b>Finance</b>	Loss of cash through theft or dishonesty	Loss of reputation of the Parish Council. Significant time in investigation and securing action	L	M	No cash can be withdrawn from the bank account unless 2 Councillor signatures are on the cheque to secure a cash transaction. Receipts are accepted via bank transfer or a cheq in remittance. Cash is actively discouraged. There is insurance on money in transit, at the home of an employee & in transit cash.
6	<b>Finance</b>	Expenditure is incurred without proper approval	Lack of accountability over public money	L	H	Defined procedures and authority limits over purchasing of goods & services. Documented in Financial Regulations. Quarterly comparison of expenditure against budget by Parish Council Meeting
7	<b>Finance</b>	Complying with borrowing restrictions	Long term financial impact and a duty of care to manage assets and cash within the Budget & forecast parameters.	L	L	There are no loans at present and no requirement to borrow money shown in the 19/20 budget
8	<b>Finance</b>	Budget deviations	Lack of Planning brings duty of care in to question. Inability to meet financial commitments	L	H	Quarterly submission of the year to date accounts and annual budget comparisons at the Parish Council Meeting for review and approval by Councillors. Reconciliation of receipts & payments back to bank account balances quarterly
9	<b>Finance</b>	Inadequacy of precept	Services not provided: Inability to carry out functions: no funds for contingencies	L	H	Produce budget and following 2-year forecast in December for consideration by Councillors at Dec & Jan Parish Council Meetings and use these details and budget information to directly derive the precept. Agree the precept at the Parish Council Meeting and minute. RFO inputs & reviews proposal before sent to Councillors.

10	<b>Finance</b>	Failure to use grants for intended purposes	Lack of sufficient funds for project: Section 137 payments may be claimed back: Risk of investigation in to use of funds.	L	M	Ensure clear minutes and secure written procedure from granting authority : Funds to be ring fenced. Provide written proof of expenditure to the grant authority and seek sign off and acceptance from them for the auditors.
11	<b>Finance</b>	Inadequate or Improperly kept financial records.	Inadequate financial control	L	H	Clear Standing Orders & Financial Regulations. Signatures on cheque stubs and invoices by cheque signatories. Opportunity to scrutinise the records by any Councillor. <b>Review Standing Orders &amp; Financial Regulations to ensure up to date and appropriate.</b> Internal Audit conducted
12	<b>Employer Liability</b>	Loss of Key staff	Inability of The Council to function within statutory timescales. Failure to maintain budgetary/financial controls: Reduced provision of services.	L	M	RFO position is distinct and separate from that of the Parish Clerk so there is segregation of duties and skills. Clerk annual appraisal is held in February. Job description is up to date. All records are kept up to date and emails responded to in a timely manner. On the Dell Computer at Documents/Administration/Clerk Activities 060218 there is a paper which lists the systems and procedures to be followed in the absence of the Clerk. Clerk attends regular training sessions
13	<b>Employer Liability</b>	Comply with Employment Law	Possible claims from an employee	L	L	The Parish Council is a member of WALC and receives updates on Employment Law. Employers Liability Insurance held of £10m
14	<b>Employer Liability</b>	Comply with Inland Revenue Requirements	Possible fines for incorrect or late payment of PAYE	L	L	Payroll is administered by an outside third-party organisation. Payments are made only against supporting payroll documents provided by the outside organisation.
15	<b>Legal Liability</b>	Poor document control	Lack of awareness of obligations, responsibilities, or covenants to be observed. Inability to access documents that should be retained /accessible by the Parish Council	L	M	Deeds stored at Bank & Solicitors. <b>Recreation Ground needs to be registered at Land Registry. List of assets needs to identify where originals are held.</b> All other properties are registered at Land Registry and copies held. Backups of data from the Dell Laptop done to USB and Cloud Back up of all documents installed 2018. Discs of previous data held in a safe, and hard copy statutory documents held in cabinets in locked garage.
16	<b>Legal Liability</b>	Ensure all business is within legal powers	Illegal expenditure or actions	L	H	Clerk investigates the legal position on any new actions or undertakings by the Parish Council. Legal advice is taken on all Easements/legal documents to be signed by the Parish Council. members of WALC where guidance and free advice can be sought. Parish Council consult Arnold Baker on Local Council Administration.
17	<b>Legal Liability</b>	Proper & timely Council reporting via Minutes	Poor decision making: Councillors ill informed	L	M	The Agenda is posted on the website and in 6 places in the Parish with 3 or more clear days before the Meeting. The agenda has been approved by the Chairman. The Parish Council meets 11 times a year. The Minutes are posted on the website in advance of the next Meeting and displayed in 6 locations once approved at the PC Meeting. More than 6 months of Minutes are retained on the website and access to older minutes can be obtained via the Clerk
18	<b>Legal Liability</b>	Risks to third party, property or individuals	Public have access to Yarningale Common & Recreation Ground facilities where accidents may happen	M	M	Public Liability Insurance held of £12m. Yarningale Common open areas reviewed circa every 6 weeks. <b>Tattlebank Wood not inspected.</b>

19	<b>Legal Liability</b>	Legal Liability as a consequence of ownership	Accidents suffered by the public as a consequence of using the playground equipment or using the pavilion at the recreation ground	M	H	Public Liability Insurance held of £12m & ROSPA inspect the playground annually with the report reviewed by Councillors at the Parish Council Meeting. Gate post at the under 7's play area addressed. <b>The pavilion does not have an Electrical Safety Test for the electrical items used therein.</b> Access is granted to Sports Clubs.
20	<b>Legal Liability</b>	Lack of knowledge of rights & obligations attaching to property owned	Rights may be granted at undervalue & obligations not fulfilled leading to fines, legal claims or unnecessary costs	M	H	<b>Compile a summary of the key powers and covenants attaching to Parish Council property &amp; long terms contracts with a copy to all Councillors</b>
21	<b>Councillor Priority</b>	Council dominated by individual member/s	Loss of democratic process. Inability of other council members to freely air their views. Possible conflict of interest and decisions made outside of the meeting	L	M	Clear Standing orders on the conduct of meetings. Each Councillor to respond to Agenda items. Business only conducted at the Parish Council Meeting with actions minuted and adhered to.
22	<b>Councillor Priority</b>	Failure to register Interests	Reputation: Risk of personal benefit. The Council might make an inappropriate decision without full knowledge of interests	L	M	General declaration of interests available for inspection: Interests in individual agenda items recorded in minutes. <b>Register of Interests to be included in the June 19 Agenda.</b> Councillors adopted the SDC Councillors Code of Conduct