

A meeting of Parwich Parish Council was held on Wednesday, 21 January 2015 at 7.30 pm in Parwich Memorial Hall.

Present: R Bunting, M Harrison, J Bennett, N Linnell, M Gerard-Pearse, E Yeomans, the clerk, Mrs S Hampson, and 4 members of the public. Also in attendance were guest speakers from Ballidon Quarry and Ashbourne Community Transport.

**Part 1 – Non-confidential information to consider the following agenda items:**

**15.1.1 Apologies/Councillors' attendance register**

Apologies had been received in advance of the meeting from Ms C Healy. Members present duly completed the attendance register.

**15.1.2 Declaration of personal/pecuniary interest of councillors**

Mrs Bennett, Mr Gerard-Pearse and Mr Yeomans completed an entry in the register related to the agenda items.

**15.1.3 Minutes of the previous meeting and items from the minutes, minutes of the previous planning sub-committee.**

The minutes of the previous meeting had been forwarded to members in advance of the meeting, had been displayed on the Blog and had been displayed in the shop. The planning sub-committee had not met since the previous meeting.

**Resolved:** The minutes were approved as a true record of proceedings and signed by the chairman, Mr Bunting.

**15.1.4 Public speaking**

Members of the public were provided with a copy of the public speaking document to read prior to participation in this section. One member of the public reported that he understood a previous agreement had been made by Western Power to remove all the telegraph poles from the village following underground cables being laid. This was almost 30 years ago.

**Resolved:** Although not an agenda item, clerk to make an enquiry with Western Power regarding the telegraph poles which remain in the vicinity of residents' properties in the village.

A second member of the public suggested that Pump Hill be offered again at a peppercorn rent. This item also featured later in the agenda. A third member of the public stated that he was unsure of the legal aspects and the full picture of matters associated with the potential sale of Pump Hill.

**15.1.5 Items from public speaking**

Predominantly covered by the agenda.

**15.1.6 Public transport and guest speaker from Ashbourne Community Transport**

A board member who was also a volunteer driver from Ashbourne Community Transport was in attendance and gave a presentation and information regarding the origin of the charity, their progress and present state. They presently have 22 employees and 13 buses all equipped for wheelchair users. They are likely to face a 50% cut in funding from Derbyshire County Council (DCC). The charity relies on funding and cannot operate on a loss basis. As a charity, they have to at least break even. Most of their services focus in Ashbourne and some rural places concerning people with mobility issues. They are now trying to move away from this 'label' and are looking to include other projects involving young people and groups. They service Parwich on Mondays and Derby fortnightly but it was reported that there has been no use by Parwich residents for several months.

He provided information about the Dial a Bus service and Active Travel which is a 1:1 door to door service to hospitals on a demand basis.

#### **15.1.7 Presentation from Ballidon Quarry**

Four members from La Farge Tarmac (Ballidon Quarry) gave a presentation to Parwich Parish Council, as part of community engagement, regarding proposed changes to the existing quarry but within the planning consent boundary. The company wishes to revise the existing planning consent and a regularised planning application will follow. The proposal will not involve a change in current operating conditions but will involve a recontouring of the existing tip areas within the quarry site. Without the programme of works the life expectancy of the quarry could be just over 15 years.

Reserve material exists under the present tips which needs to be accessed to facilitate sustainable working of remaining reserves but there will be no increase or change to permitted reserves. Waste removed from the quarry will remain within the quarry site. Surplus stone has been produced for restoration works and mature trees will be left for wild life. There will be six phases of work in total. An area of water at the bottom of the quarry will have safety fencing; there is no brook running through the quarry. Health and safety is paramount and signs will be in place. The plans for the quarry will not involve any increase in the overall visible height of the quarry and there will be a significant improvement in restoration to the landform creating a more naturalised look. Footpaths will be unaffected. A full and comprehensive environmental impact study will also take place and a high level of stewardship will be involved. A public exhibition and a leaflet drop exercise will also take place.

**Resolved:** To suspend standing orders to allow participation from some members of the public.

**Resolved:** The meeting was reconvened to allow the presentation to continue.

#### **15.1.8 Water course management, including update from water course wardens, culverts and riparian owners who may be present.**

Apologies had been received, in advance of the meeting, from one of the water course wardens due to ill health.

Maps have been forwarded from Derbyshire County Council (DCC) and were in possession of the water course wardens. Following the previous parish council meeting, DCC had forwarded further suggestions in an email to the clerk which had subsequently been forwarded to the water course warden. These included:

- Gathering information on historical incidents
- Identifying key areas and why
- Mitigation to narrow down equipment needed
- Defence products for key areas
- Properties
- Vulnerable people and permission to hold details.

Updates from Ashford flood wardens had not been received to the parish council prior to the meeting

**Resolved:** Watercourse management will continue to feature on some future agendas.

#### **15.1.9 Pump Hill (excluding confidential aspects)**

Members of Parwich Blog had forwarded details to the clerk of a poll which had been conducted regarding Pump Hill. 136 votes (78%) were in favour of a public meeting to discuss options for the land off Pump Hill. In addition, a letter containing some errors had been received from Mr P McLoughlin MP which may have been based on biased information. It referred to private discussions by the parish council creating an atmosphere of suspicion. He further requested to be kept informed of developments. Neither Parwich Blog nor the MP had made any attempt to consult with the parish council prior to conducting the poll or forwarding the letter and, therefore, were not aware of the parish council's duty to act in a confidential manner concerning a pre-emption right over the land involving a family in Parwich. Until permission had

been received to release the name of the family involved in the legal documentation the parish council had an obligation to protect identity and therefore, to conduct discussions in the confidential section of meetings.

Mr Gerard-Pearse provided a summary of actions to date. Seventeen of the last twenty meetings regarding Pump Hill have featured in minutes publicly displayed on the Blog and the village shop. In January 2013 it was identified that the area was overgrown and expenditure would be required. The area is without the benefit of access or rights of way. The Primary School were offered use of the land but declined to take up the offer. Initial restoration costs and on going maintenance costs on the parish precept would significantly out way benefits to the parish.

Permission has now been received to release the name of the family involved. The legal document concerning Pump Hill is between the Parwich Parish Council and a member of the Shields family. This involves a pre-emption right of first refusal to purchase at market value. Other legal agreements are also in place affecting the use of the land including a right of way for Mrs Shields. Members discussed the need to formally employ a solicitor to collect all required information.

**Resolved:** The clerk to reply to the MP to express the disappointment in the letter received which had not involved consultation with the parish council.

Due to the confidential nature of valuations, further discussions regarding Pump Hill featured during the confidential section of the agenda.

#### **15.1.10 Parish Council website**

Mrs Bennett and Mr Gerard-Pearse had attended a training session with the website provider and completed a lot of hard work towards the new parish council website. The providers are very impressive and there will be good out of hours support. There will be areas accessible by the public and a behind the scenes portion to facilitate work ready for the public areas. Current and historic minutes will be available together with policy documents.

**Resolved:** Not to prepare the forthcoming meeting dates for the website as this may be subject to change following the elections in May which may result in a different make up of Parwich Parish Council.

#### **15.1.11 Nethergreen and trees**

An acknowledgement had been received from Derbyshire Dales District Council (DDDC) regarding the continuous requests for a replacement waste bin at Nethergreen. Mrs Bennett reported that the ground had been too cold to plant the replacement tree at Nethergren. Through the kind support of two residents and Mrs Bennett there will be no cost to the village to plant the tree.

**Resolved:** Mr Bunting to pursue the necessary registrations at Nethergreen to Parwich Parish Council due to the commitment by Mr Gerard-Pearse with Pump Hill and the new parish council website.

#### **15.1.12 Items of account, clerk's monthly salary, contractors**

Cq 1233	Parwich Memorial Hall	Hire	£15.00
Cq 1234	S Hampson	Reimbursement of expenses	£14.08
Cq 1235	S Hampson	January net Salary*	£219.18

\*The National Pay award for clerks had been received via a circular from DALC with effect from 1 January 2015. This also included a one off payment of £100 (pro rata based on the clerk's working hours).

**Resolved:** Unanimously to grant the clerk the pay award from 1 January 2015.

**Resolved:** The pro rata payment to be included in the February salary payment.

The clerk reported that she had also successfully submitted a claim, in the sum of £1,501 in respect of a reimbursable expenditure claim and this sum had been received into the parish council's bank account.

### 15.1.13 Planning applications and planning sub-committee

Three planning applications had been received and were considered by the parish council members.

The Rookery. Listed building consent for internal alterations to the dwelling and installation of an extractor fan on the rear roof slop.

**Resolved:** Parwich Parish Council supports this application; clerk to advise Peak District National Park Authority (PDNPA) of the decision.

1 Chestnut Cottages. New vehicular access, gates and porous paved driveway

**Resolved:** To suspend standing orders to allow input to be received from the applicant who was present at the meeting.

The applicant provided information of some parking issues which would be resolved by the construction of the new vehicular access. There will be some involvement of permitted development within this application.

**Resolved:** To reconvene the meeting to continue agenda items.

**Resolved:** Parwich Parish Council supports the application at Chestnut Cottages; clerk to advise PDNPA of the decision.

Lea House. Demolition of existing single storey extensions and replacement with two storey extension, external deck and alterations to existing window and door openings.  
Mrs Bennett and Mr Gerard-Pearse declared an interest in this application.

**Resolved:** Members of the parish council supported this application. Clerk to advise PDNPA of the decision.

### 15.1.14 Complaint

Mrs Bennett declared an interest in this agenda item, took no part in the proceedings and left the room. The item was discussed in the presence of members of the public.

The agenda item involved the discussion of a complaint against Mrs Bennett sent by a Parwich resident to the monitoring officer, Mrs S Lamb, at DDDC. Members discussed Mrs Lamb's response to the complaint which claimed that Mrs Bennett had misled the parish council in parish council meetings in June and September 2014 and had not declared her friendship to the owners of the ménage at Blanche Meadow. The meetings in June and September involved discussions about the car park and a letter from an enforcement officer at PDNPA regarding the village green and did not involve any financial interests. Members acknowledged that in a small rural village location such as Parwich all parish council members have associations with many village residents. Members believed that Mrs Lamb had neither investigated previous history between the complainant and other residents nor considered comments from the enforcement officer at PDNPA regarding the area in question. They were also very disappointed with the monitoring officer's letter advising that Mrs Bennett should undertake further training and apologise to the complainant.

**Resolved:** The members of the parish council believe Mrs Lamb to be mistaken in her findings and do not believe Mrs Bennett had misled the parish council in the parish council meetings of June or September 2014.

**Resolved:** The parish council members do not believe Mrs Bennett had breached the parish council's code of conduct.

**Resolved:** The parish council will not instigate Mrs Lamb's recommendations.

**Resolved:** The clerk to advise Mrs Lamb of the parish council's decision and actions.

**Resolved:** The parish council members fully support Mrs Bennett.

**Resolved:** To invite Mrs Bennett to rejoin the meeting and to be advised of the above resolutions.

### **15.1.15 Correspondence and communication**

Correspondence and electronic communication included:

Communication from a resident regarding mowing of verges in the village. The clerk had written to Derbyshire County Council regarding this but had not received a reply in time for the meeting. A temporary road closure notice had been received for the forthcoming weekend at Shaw Lane. The clerk had sent this to Parwich Blog to alert residents and a hard copy would appear on the noticeboard. A resident had sent further communication regarding dog fouling. The clerk reported that the local PCSO is presently on sick leave.

**Resolved:** Mr Harrison to contact the new headteacher at the primary school regarding posters/fliers about the issue of dog fouling in the village.

**Resolved:** Clerk to send a letter of the thanks to the resident to thank her for her positivity regarding the serious issue of dog fouling which can lead to blindness.

The clerk had forwarded a link to the parish council members to access material regarding the forthcoming elections. The clerk advised that she was not permitted to download election material on behalf of present parish council members or other eligible persons.

**Resolved:** The clerk to forward the link to Parwich Blog to enable eligible candidates to apply to be a member of Parwich Parish Council.

**Resolved:** The clerk to also forward a notice to the Blog advising that the present members of the parish council may choose not to complete necessary election documentation. Without sufficient interest being shown by eligible persons there is the possibility that the village may be without a parish council for a period of time.

### **15.1.16 Items for the next agenda**

Precept to include playground expenditure, Pump Hill. The watercourse warden item will feature on the March agenda. The precept will be the main feature of the February agenda.

### **15.1.17 Date of next meeting**

The date of the next meeting: 25 February 2015

Mr Bunting advised those present "That in view of the confidential nature of the business about to be transacted (in respect of discussions concerning valuations and tenders) it is advisable in the public interest, that the press and public be temporarily excluded and they are instructed to withdraw.

**Resolved:** Members of the public were advised to withdraw after being advised of the above statement.

### **Confidential information**

### **15.1.18 Pump Hill**

Two valuations had now been received for the land at Pump Hill which were not equal in value. A member of the Shields family wishes to exercise their right of pre-emption to purchase Pump Hill from Parwich Parish Council. A legal formula can be used regarding differing valuations for the land if an agreement can not be reached. There are restrictions for its use and covenants in place on this conservation area land. Sale proceeds for the land would be most beneficial to the village for some capital projects. The decisions reached below were by majority decision and based on previous parish council resolutions.

**Resolved:** The clerk to place a statement on Parwich Blog

**Resolved:** Mr Gerard-Pearse to obtain a formal estimate for the legal work

**Resolved:** Mr Gerard-Pearse to return to the first professional valuer to supply further details which have now come to light and may/may not influence the original valuation received.

**Resolved:** Mr Gerard-Pearse to continue to report any new findings regarding this item.

**Resolved:** The legal valuation formula to be utilised if necessary.

#### **15.1.19 To consider tenders for replacing tennis court perimeter fencing**

No further quotes had been received to carry out the necessary work at the tennis court area. Mrs Linnell advised that she could submit an application to Sport England for monies towards the perimeter fencing, new tennis nets, football posts and LED lighting. The parish council could reclaim VAT on the project.

**Resolved:** Mrs Linnell to complete an application, on behalf of Parwich Parish Council, to Sport England, to include the above details.

#### **15.1.20 Tenders for mowing 2015-2016**

Mr Yeomans declared an interest in this item and left the meeting. Tenders had been received from three independent mowing contractors including Mr Yeomans and two contractors working for the parish council during 2014, Mr Lownds and Mr Moorcroft. The tenders received for the one year mowing contract predominantly included mowing and strimming village greens, the football pitch and the former cricket field at Parsons Croft.

Only Mr Moorcroft's tender would be subject to VAT but VAT can be reclaimed by the clerk. Each contractor had the required public liability insurance and Mr Lownds had a licence to use approved weed killers but this was due to expire shortly. Each contractor had, however, pledged to obtain a certificate to use appropriate weed killer which would be valid for the duration of the contract period.

Mr Moorcroft offered to do additional cuts free of charge and would remove grass clippings at the wakes and prior to each of the caravan club meetings on the field at Parsons Croft. Mr Moorcroft also offered to carry out sufficient work at Parsons Croft field to restore it to a lawn state and to trim extensively the overgrown bank area near the tennis courts.

Members considered the merits of each submission very carefully together with the cost of each tender for the one year contract and also previous demonstrated experience. Members were not obliged to take up the cheapest quote received but the quote which presented the best option for the village. Members undertook a vote, by show of hands, to award the one year mowing contract for 2015.

**Resolved:** By unanimous decision, to award the one year contract to Mr Moorcroft subject to receipt of a valid weed killer licence/certificate and signing the terms and conditions associated with the one year mowing contract.

**Resolved:** Clerk to contact the two unsuccessful contractors to thank them for the interest shown in the tender process.

The meeting was declared closed at 10.35 pm

Mrs S Hampson  
Clerk  
Parwich Parish Council

24 January 2015

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