

LINDFIELD PARISH COUNCIL

Minutes of the meeting of **LINDFIELD PARISH COUNCIL** held on Thursday **23 JUNE 2011** at the King Edward Hall, Lindfield.

Present: Mr. W. Blunden (Chairman)
Mr. M. Allen
Mr. M. Amor
Mrs. J. Chatfield
Mr. L. Corp
Mr. A. Gomme
Mr. S. Henton
Mrs. M. Hersey
Mr. S. Hodgson
Mr. R. Plass
Mr. C. Snowling
Mrs. V. Upton (Vice Chairman)

Also present: Councillor Mr. A. Lea (MSDC)
Councillor Mr. C. Hersey (MSDC)
1 member of the public

The Chairman opened the meeting at 7.30 p.m. and welcomed those present,

32. TO ACCEPT APOLOGIES FOR ABSENCE.

32.1 All Members of the Council were present.

33. TO RECEIVE DECLARATIONS OF INTEREST BY MEMBERS IN RESPECT OF ANY ITEMS ON THE AGENDA.

33.1 Item 12 (ii) - Denmans Lane Allotments Councillors Blunden and Allen declared personal interests in this item as plot holder and plot holder's spouse respectively.

34. QUESTIONS/COMMENTS FROM MEMBERS OF THE PUBLIC.

34.1 Gravel Drive leading to the Allotments. Mr. N. Kerslake stated that the Council had to consider what had changed since previous applications for contributions had been turned down. The drive had once been a dirt track and should have been maintained by filling holes with brick and tarmac rubble; it was the householders who had chosen to upgrade the drive without consultation. The transfer did not oblige the Council to maintain the drive to this higher standard. Mr. Kerslake challenged the figure of 20% and also suggested that if there was an arrangement including the Council, the Parish Council could be seen as the banker of last resort if bills were not paid.

34.2 Toilets on the Common, Mr. Kerslake stated that a further meeting at this stage would not achieve anything. He added that Members rather than the Clerks should run projects and report to Council with a properly considered paper.

34.3 Additional Accommodation. Mr. Kerslake stated that the Council had spent a lot of public money on rent for additional space for Parish Council papers and the Archive. The County Archivist would take the Archive material and Council papers that had to be kept indefinitely; anything which needed to be available locally could be scanned and stored electronically. Mr. Kerslake said that the papers stored off site should be sorted within six months.

35. MINUTES OF THE ANNUAL COUNCIL MEETING HELD ON 17 MAY 2011

35.1 The Chairman called for approval of the Minutes of the Annual Meeting of Council held on 17 May 2011. These were **AGREED** and the Chairman **SIGNED** the Minutes as being a true record of that meeting.

36. CHAIRMAN'S ANNOUNCEMENTS.

36.1 Community Action Plans. WSCC had written to all Town and Parish Councils about clustering, stating that they were keen to develop their work with partners to provide support for local communities to enable them to become stronger and more self sufficient. Steven Trice, Haywards Heath Town Clerk had met with Duncan Barratt (Community

LINDFIELD PARISH COUNCIL

Development and Big Society Manager at WSCC) and had now arranged a meeting with Parish Clerks and Chairmen of Lindfield, Lindfield Rural and Ardingly Parish Councils to discuss the opportunities for partnership working along similar lines as the cluster centred on Burgess Hill Town Council. This meeting was to take place on 8 July and would be reported to the next Council meeting.

- 36.2 Civic Service. The Chairman had received a letter of thanks from Canon James Clarke for the donation from the Chairman's Fund following the Civic Service.
- 36.3 Completion Celebration at The Limes. The Chairman was to attend a celebration event at The Limes the following day to mark the successful completion of the first phase of affordable housing within the development. Councillor Snowling, as Cabinet Member for Health and Community, would be planting a tree.
- 36.4 Parish Office. Referring to Mr. Kerslake's comments, the Chairman stated that before moving papers etc. out of the Denmans Lane office, working conditions for the Clerks had been very poor due to the cramped space. An opportunity to rent accommodation which would have been more suitable had been lost, but other opportunities had been and would be looked at when they arose.
- 36.5 Street light column, West View. The street light the Parish Council had put in two years previously, near the tennis club car park, had been seriously damaged and the column would have to be replaced.
- 36.6 London to Brighton Bike ride. The Chairman stated that the organisers of this event should be congratulated: Lindfield High Street had been very well marshalled.

37. REPORT ON POLICE PRIORITIES.

- 37.1 Vandal Damage to the Tennis Club pavilion. There were no Police representatives present, but it was noted that there had been serious vandalism to the Tennis Club pavilion the previous weekend. The police were investigating and the incident had been reported to David Harper at MSDC who had alerted the Anti Social Behaviour Team. The Tennis Club Committee Chairman had told the Clerk that the remedial work would cost the Club a lot of money. Members sympathised with the Club Committee and hoped that this was a one-off incident.

38. REPORTS BY COUNTY COUNCILLOR / DISTRICT COUNCILLORS.

- 38.1 County Councillor Field (WSCC). Councillor Field had sent her apologies as she was attending an event at which the speaker had particular relevance to her role as Chairman of the Health Overview and Scrutiny Committee. She had sent a brief written report which the Chairman read out.
- Central Mid Sussex CLC meeting. There was to be an additional meeting this Friday at noon at Haywards Heath Town Hall, the sole purpose of which was to make decisions on grant applications from voluntary organisations and charities, under the Adult Care and Well Being provisions. This was the first time that these would be decided locally rather than by the Cabinet member.
 - Proposed changes to Subsidised Bus Routes. The Clerk had sent a response to WSCC on this consultation and emailed a copy to Councillor Field who had stated in her report: "Thank you for sending me a copy of your comments. Consultation closes on 24th June. Efforts are in hand to provide some of the services through other means and the exercise has highlighted the opportunity to work with the providers of community transport services, especially in rural areas, to see if they are able (with some support) to provide some services which are more responsive to local needs."
- 38.2 Councillor Snowling (MSDC)
- Completion Celebration at The Limes. Councillor Snowling confirmed that he would be attending this event and commented that the completion of the first phase of affordable housing was very welcome as those on the housing waiting list had very pressing needs.

LINDFIELD PARISH COUNCIL

- Mid Sussex Partnership Conference. Councillor Snowling drew attention to this forthcoming conference at East Court, East Grinstead on 11 July and encouraged Members to attend as it would be a worthwhile opportunity to hear speakers and network with representatives from the organisations in the partnership.

38.3 Councillor Hersey (MSDC)

- Celebration at The Limes. Councillor Hersey stated that she would also be present at the Limes celebration.

38.4 Councillor Lea (MSDC)

- Mid Sussex District Plan. Councillor Lea stated that the Council was currently concerned with the new District Plan in which there would be an emphasis on economic development.
- Performance Indicators. These had been trimmed to those providing worth while information.
- Audit. As Chair of the Audit Committee, Councillor Lea reported that the Council was considering changing the name of the committee to "Governance and Audit". This Committee would be looking at the audit of projects to monitor their progress. He welcomed the change to the audit timetable as previously the accounts had to be signed off before they had been seen by the Auditor. The Committee was also responsible for governance relating to treasury management, to ensure that money passing through the Council's accounts was achieving the best results.

39. ACTION LIST.

39.1 The action list was noted without comment.

40. CONSULTATION DOCUMENTS.

40.1 Potential changes to supported bus services. A response had been sent by the Clerk expressing a preference for the services to be retained but accepting that cuts had to be made and the well used weekday services should be given priority.

40.2 Mid Sussex District Local Plan. The Consultation Panel had agreed a draft response which the Deputy Clerk was formatting to fit the response template.

Councillor Hersey stated that work on the new Plan was to be split between different working parties. She would be striving for the retention of Strategic Gaps which she considered to be very important.

41. FINANCE AND GENERAL PURPOSES COMMITTEE

41.1 Minutes of the Finance and General Purposes Committee meeting held on 19 May 2011. Councillor Henton reported that there were no particular recommendations requiring Council's approval. **NOTED:**

- The new bank mandate was now in place.
- It might be necessary to call a confidential meeting of the Administration Sub Committee to address a difficulty that had arisen regarding the replacement gas boiler for the Parish Office.
- All new Members had attended the SALC introduction session the previous Wednesday including the Power of Wellbeing, which was also attended by Councillors Hersey and Snowling.

RESOLVED: that the Minutes of the Finance and General Purposes Committee meeting held on 19 May 2011 be received and their recommendations confirmed.

41.2 Statements of Account/Budget Progress and Bank Reconciliation for the periods 01.04.11 to 31.04.11 and 01.05.11 to 28.05.11. **RESOLVED:** to approve the Statements of Account /Budget Progress and Bank Reconciliation for the periods 01.04.11 to 31.04.11 and 01.05.11 to 28.05.11. **NOTED** that from a total budget of £225,500.00, the sum of £17,069.21 had been spent as at 31 May 2011.

LINDFIELD PARISH COUNCIL

- 41.3 Lists of cheques for approval: cheques drawn since Council meeting of 17 May 2011. The list of cheques was tabled. **NOTED:** that expenditure during this period under the powers granted by Section 137 of the Local Government Act 1972 had totalled £200.

RESOLVED: to approve the list of cheques 104719 - 104750, inclusive, totalling £17,352.86. **NOTED** that the petty cash balance as at 23 June 2011 was £148,65. The Chairman of Council **SIGNED** the list of cheques which is attached to the signed copy of these Minutes as Appendix A

42. **TO AGREE THE YEAR END ACCOUNTS FOR 2010/11 AND THE ANNUAL RETURN FOR THE YEAR ENDED 31 MARCH 2011.**

- 42.1 Year End Accounts 2010/11 These had been looked at by the Internal Auditor and had been circulated to Members. No queries were raised.

RESOLVED to **APPROVE** the Year End Accounts for 2010/11 and it was **AGREED** that the accounts (Supporting Notes for the Statement of Accounts and the Balance Sheet) should be signed by the Chairman of Council and the Responsible Financial Officer.

- 42.2 Annual Return. Members **NOTED** the following:

Section 1 - The statement of accounts

The figures had been taken from the income and expenditure account, the balance sheet and the supporting notes to the Statement of Accounts. Members noted the amendment to box 1 as set out in the covering note, which would be explained to Mazars in a covering letter. **RESOLVED:** to **APPROVE** the Statement of Accounts for 2010/11.

Section 2 – Annual Governance Statement

Members had to acknowledge their responsibility for ensuring that there was a sound system of internal control, including the preparation of the statement of accounts, and to consider the response to each of the statements listed on the Annual Governance Statement. The Chairman read aloud each statement in turn. **RESOLVED** to enter YES to each of statements 1-8 and N/A for question 9.

Section 3 – External auditor’s certificate and opinion

This would be completed in due course by the External Auditor (Mazars).

Section 4 – Annual internal audit report

This had been completed and signed by the Internal Auditor.

RESOLVED: that the Annual Return should be signed (Section 1 by the RFO and Chairman and Section 2 by the Chairman and Clerk) and that the Annual Return should be sent to the External Auditor (Mazars).

In response to a question from a Member, it was confirmed that the Clerk and RFO would liaise with regard to publishing the accounts on the Council’s website.

- 42.3 Internal Audit. **NOTED:** that the Internal Auditors had carried out their inspection on 15 June and their report had been received the previous day. There were no particular concerns and the report would be put on the Agenda for consideration at the next meeting of the F&GP Committee.

LINDFIELD PARISH COUNCIL

43. ENVIRONMENT AND AMENITIES COMMITTEE.

- 43.1 Minutes of the Environment and Amenities Committee meeting held on 9 June 2011. These Minutes had only recently been circulated, but Members confirmed that they could be received at this meeting. Councillor Blunden reported as follows:
- 43.2 Seats. **NOTED** that the Environment and Amenities Committee was to arrange to have a number of seats re-stained. On inspection, thirteen seats were found to need re-staining and in some cases repairing. The seat by Pelham Cottages needed replacing. One quotation had been received and others would be obtained. The Committee had agreed for the Clerk and Chairman to make the arrangements.
- 43.3 Denmans Lane Allotments – gravel drive: to consider the recommendation of the Environment and Amenities Committee regarding a contribution towards the repair of potholes and re-shingling.

Briefing notes and the notes of the meeting with Mr. Taylor had been circulated with the Agenda papers for the E&A meeting held on 9 June 2011. The Chairman introduced this item by stating that:

- more traffic, associated with the use of the allotments, was using this drive
- there was a legal duty on the Parish Council to contribute towards keeping the road in repair
- the Parish Council had to consider this issue in the context of what was there now, whether or not it would have agreed to the work that was done in 1989
- if the roadway was still a dirt track, with pot holes repaired using rubble and someone tripped, they would be in their rights to take legal action and the Parish Council would be implicated.
- the drive was not just the access to the allotments and a few residential properties; it was also a well used pedestrian route to the footpath linking Denmans Lane and the High Street via Pondcroft Road.
- there were currently 12 potholes needing to be dealt with and the drive needed re-dressing with shingle.
- the moot point lay in the interpretation of the duty to contribute a fair proportion of the expense of keeping the roadway in repair, and whether filling the potholes and redressing with shingle went beyond that obligation or not.
- it had been suggested that to be sure that the arrangement would stand scrutiny, there should be a Road Maintenance Committee with its own bank account. The drawbacks to this were that the Parish Council could be out-voted on more significant matters which this more informal agreement, as suggested, would not commit the Council to. Also, if that Committee were to decide to keep a contingency sum in the bank account, it would not be appropriate for an outside body to hold funds belonging to the Parish Council.
- A better way would seem to be to treat this as reimbursement of expenses with the controls in place, as suggested

The E&A Committee had agreed to recommend to Full Council that the Parish Council should agree to contribute towards re-shingling the gravel drive and other surface repairs on the clear understanding that the arrangements were made according to a set procedure. During discussion the following points were made:

- If the Council agreed to the proposal it should be clearly stated in writing that this was a one-off payment, leaving the Council open to re-assess the situation in future
- Whilst the Council had a legal obligation to contribute to keeping the roadway in repair, decisions on contributing towards redressing with gravel should be considered on each occasion, without obligation on the Council to share the cost.
- The 20 per cent contribution of an estimated total of £500 which was suggested on this occasion may well be reasonable, but it should be made clear that this should not be taken as a precedent that would bind the Council to the same percentage in the future.
- It was hoped that a detailed survey of the roadway's condition would be made prior to commencement of any building work associated with recently granted planning permission for a property in the road, otherwise the Council might be expected to pay 20% of a larger sum resulting from damage to the surface not caused by normal use.
- The matter appeared to hinge on whether loose gravel formed part of the road's surface. It was still arguable that the Council's obligation lay in maintaining the surface beneath the gravel but not the gravel dressing itself which should be entirely the responsibility of the residents.
- The duty as stated in the Conveyance referred to repair – the only word used – the surface material of the roadway was not specified in that document.

LINDFIELD PARISH COUNCIL

- The alleged speed hump, as referred to in a letter from Mr. Kerslake, was in fact a covered drain which needed to be protected and for which the Parish Council would also be jointly responsible.
- On the advice of the contractor who had carried out the original work, the gravel had been applied to prevent this roadway appearing to be an urban car park and to discourage its use as a skate park. It also afforded a security benefit as residents could hear people approaching.
- For clarification it was confirmed that the request from Mr. Taylor for a £250 contribution had included a retrospective element for work carried out in 2009 and it had been rejected as the Council had not agreed to this in advance.
- In response to a question, it was confirmed that income from the Allotments was approximately £600 p.a.

Councillor Corp **MOVED AN AMENDMENT** to the recommendation of the Environment and Amenities Committee: that the agreement should exclude re-shingling. This was **SECONDED** by Councillor Plass. Two Members voted in favour of the motion as amended which was therefore lost.

The Chairman then invited Members to vote on the original proposal, as recommended by the E&A Committee, and for the contribution for this first occasion only to be 20% of the cost of materials.

It was **RESOLVED** (by 9 votes to 3) to contribute towards re-shingling the gravel drive and other surface repairs on the clear understanding that the arrangements were to be made according to the following procedure:

- a group of three (a representative of the Parish Council plus residents) should inspect the drive annually and consider whether any work was necessary.
- the lead resident to obtain a quotation and send a copy to the Parish Council
- E&A Committee to consider the quotation and make a decision on a contribution
- the lead resident to be informed of the Committee's decision and place the order
- the Parish Council to pay the previously agreed proportion to the lead resident on receipt of a copy of the invoice and receipt.

The contribution on this first occasion only would be 20% of the cost of materials.

- 43.4 Access road off Lewes Road opposite Flowercraft. **NOTED:** the Environment and Amenities Committee had agreed not to pursue the suggestion of naming the road because there had been insufficient support from the residents.
- 43.5 Litter bins. **NOTED:** the E&A Committee had agreed to defer this item to the meeting on 4 August. Meanwhile a meeting would be arranged with the Blacksmith before the next E&A meeting to discuss the quotations. It had also been agreed that eight inner liners should be ordered as an interim action because several were rusted through and rubbish was being scattered. However having talked to the Blacksmith the Clerk had suggested deferring this action until the meeting had been held and this was **AGREED**,
- 43.6 Bus shelter in Hickmans Lane. **NOTED:** the E&A Committee had agreed to have kick plates fitted to the bottom of the shelter to help keep out water from the large puddle that tended to form in the road during heavy rain. This would cost £449 plus VAT and would come from the E&A maintenance budget.
- 43.7 Silver Jubilee Noticeboard: to consider the recommendation of the Environment and Amenities Committee that the Parish Council should take over custodianship of the board and provide insurance cover. The new freeholders of the property to which this notice board was attached had indicated through their solicitors that they required confirmation that the board was insured. The board had been purchased from surplus funds from the celebrations in Lindfield to mark HM The Queen's Silver Jubilee and no other organisation was insuring it. Zurich had quoted an annual premium of £18.13 per annum based on a replacement value of £900 and they had offered to cover it free of charge until the 2012 renewal as this amount was below their normal minimum charge. **AGREED** to **CONFIRM** the recommendation of the Environment and Amenities Committee that the Parish Council should take over custodianship of this board so that it could be insured as a community asset on the Parish Council's policy.
- 43.8 Minutes of the meeting of the Environment and Amenities Committee held on 9 June 2011. **RESOLVED** that the Minutes of the meeting of the Environment and Amenities Committee held on 9 June 2011 be received and their recommendations confirmed.

LINDFIELD PARISH COUNCIL

44. PLANNING AND TRAFFIC COMMITTEE.

- 44.1 Minutes of the Planning and Traffic Committee meetings held on 4 May and 24 May 2011. Councillor Snowling stated that there was nothing he particularly wished to draw attention to in these Minutes. **RESOLVED:** that the Minutes of the meetings of the Planning and Traffic Committee held on 4 May and 24 May 2011 be received and their recommendations confirmed.
- 44.2 Minutes of the meeting of the Planning and Traffic Committee held on and 14 June 2011. **NOTED** that these Minutes were not yet available and would be presented for receiving at the next Council meeting.

45. STANDING ORDERS

- 45.1 **NOTED:** Parish Councils had been advised to review their Standing Orders with reference to the new set of model Standing Orders published by NALC in 2010. The Internal Auditors had recommended a review of delegation arrangements and the remits of Committees which would be done at the same time. F&GP would work on the revision and present a final draft to Full Council for approval which would then stand adjourned without discussion to the next ordinary meeting of the Council in accordance with the present Standing Order 41 (b).

46. PUBLIC TOILETS ON THE COMMON: TO RECEIVE NOTE FOR THE RECORD OF AN OFFICERS' MEETING WITH MSDC ON 4 MAY 2011 TO DISCUSS PROPOSAL FOR PUBLIC TOILETS ON THE COMMON.

- 46.1 The Notes for the Record of an Officers' Meeting with MSDC on 4 May 2011 were received. A further meeting with the Cabinet Member and Chairman of the Parish Council as well as the officers of both Councils was to be arranged. It was noted that this would be along process with various stated. The first priority was to find out whether MSDC as owners of the Common were likely to be in support, before expenses were incurred on drawing up plans and applying for formal permissions.

47. WILDERNESS FIELD

- 47.1 The notes of the meeting held with MSDC Officers on 9 May 2011 were not yet available.

48. ANY OTHER BUSINESS, ARISING AFTER THE PREPARATION OF THIS AGENDA, WHICH THE CHAIRMAN AGREES TO TAKE AS URGENT. ANY SUCH MATTERS WILL BE FOR NOTING OR REFERRAL TO A FUTURE MEETING ONLY.

- 48.1 No other items of business were raised.

This part of the meeting ended at 8.35 p.m.

49. FURTHER PERIOD OF 15 MINUTES FOR QUESTIONS AND COMMENTS FROM MEMBERS OF THE PUBLIC.

- 49.1 Gravel Drive. Mr. Kerslake offered the opinion that the Parish Council should have deferred the decision on this item and taken legal advice.
- 49.2 Parish Office. Mr. Kerslake stated that he considered the amount paid to date in rent for additional accommodation would have paid for an extension at 6 Denmans Lane and that there were options for the Parish Council to consider.
- 49.3 Standing Orders / Projects. With reference to Councillor Lea's report regarding the MSDC Governance and Audit Committee, Mr. Kerslake suggested that the Parish Council could consider setting up such a Committee, with new Councillors as Members, to undertake work such as the review of Standing Orders and monitoring the progress of projects. He added his opinion that no Audit Committee would allow the Council to rent property on an ad hoc basis without a review.
- 49.4 Planning and Traffic Committee meeting 14 June 2011. Mr. Kerslake commented on the behaviour of members of the public present for the item regarding Hickmans Lane, stating that the Chairman should suspend the meeting if this were to happen again. Mr. Kerslake believed that the problems in Hickmans Lane should be addressed

LINDFIELD PARISH COUNCIL

49.5 Audit Committee / Democracy. Councillor Lea stated that an Audit Committee was a good idea. He also commented that the Parish Council appeared to be in a “no win” situation on certain items, but there was a democratic remedy through elections.

The meeting ended at 8.45 p.m.