

Appendix 12

Committee Meeting:	Full Council
Item:	12
Report of:	Parish Clerk
Date:	21 November 2024
Subject:	Lindfield Pond Posts and Railings

Purpose of Report

- Members are asked to review issues relating to the WSCC post and railings near Lindfield Pond

Summary

- Members are asked to review the public feedback, consider a solution by a member of the public, and agree on the next steps.

Recommendations

Members are asked to

- Ask Cllr Wall, if present, to provide an update on the WSCC position.
- Consider the feedback received from the public.
- Consider the next steps forward including the proposal from a member of the public.
- Ask the office to provide an update to the public via its website, newsletter etc.
- Note any indicative quotes from contractors (if available).

Background Information

- Since the last Full Council meeting the Council article regarding the WSCC post and railings has appeared in Lindfield Life and online (including social media). The article is attached as Appendix 1. Members of the public were asked for their thoughts on how to progress this matter.

Public Feedback

- Feedback has been received via various channels. The content of the feedback was analysed to see what the themes were. The occurrences of these were then calculated.

- Method of response

Individual email respondents:	19
Individual Facebook posts:	5
Letters	1
- Respondent's position on the WSCC stance

Comments against:	10
Comments in support:	5
- Comments raising safety concerns on the WSCC position

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- Comments on the future of the posts and railings

For removal:	4
<i>With the holes filled in and grassed over.</i>	2
<i>With the grass mound boosted.</i>	2
<i>With potential savings being spent on maintaining other posts.</i>	1
For retaining (either to be repaired or replaced):	15
- Comments on which party should be responsible for the maintenance/replacement

WSCC:	3
<i>And then LPC should take over the responsibility.</i>	1

<i>And WSCC should continue maintaining them.</i>	2
LPC:	16
<i>And paid for by crowdfunding.</i>	8
<i>And paid for by LPC budget & crowdfunding.</i>	6
<i>And paid for by LPC budget.</i>	1
<i>And paid for by LPC cutting other services.</i>	1
<i>And paid for by LPC reserves.</i>	2

f) Other comments

There are too many bollards already	2
How much would this cost the taxpayer	1
Use cheaper alternatives	1
Concerns that cheaper alternatives might be used	1
Use other materials (concrete, plastic etc)	3
Seek to obtain funding from S106 contributions	1

5. We are aware that at least three respondents do not reside within LPC's administrative boundary (Haywards Heath & Lindfield Rural).
6. The level of response received is very low and clearly, we do not know what the silent majority thinks. The majority of respondents only provided their comments through one interaction. A few respondents provided comments through multiple interactions.
7. In addition, we are aware that members of the public have raised this issue with councillors and staff in conversation. These interactions though have not been recorded as data and as such are only anecdotal.
8. Where respondents have stated that businesses should contribute we have included this with the crowdfunding.

Community Proposal

9. We have received a proposal from a member of the public to set up a community group (Friends of Lindfield Pond) to preserve the posts around the pond:

We are keen to preserve the posts around the pond. We recognise that WSCC will not replace them and MSDC and Lindfield Parish Council (LPC) cannot afford to replace them. We are a small group that would be interested in funding the replacement of the roadside posts, to preserve this landmark of our village.

There are 41 posts to be replaced and the ironwork between the posts.

Our intention is to gather together 41 residents/ supporters either individual or businesses, that would be prepared to fund the project. Their name, or business name, would be engraved onto a post. Untill we have a firm price we anticipate a contribution of £600. This is an assumption. When LPC obtain a firm estimate for the work this figure will be the cost of one post. Total contract price divided by 41.

Currently the posts are sunk into the soil. It is proposed to replace them with British larch/ Douglas Fir bollards to the same specification as the existing posts, with strimming guard.

We are aware that King Edward Hall replaced two posts outside their building on the opposite side of the road with identical posts to the pond side. We would suggest liaise with Hall trustees.

These are 8 sided posts, 48cm circumference, 14cm wide and each face 6cm. Posts are 70 cm above ground level. The metal bars between them are 1 inch square, 4 sides.

Required;

WSCC approved/ certified contractor as main contractor

Local blacksmith to refurbish the existing metal bars between the posts.

I also would like to create a small group to clear litter and weeds from this area.

Funding would be handled by Lindfield Parish Council.

Possible Next Steps

10. There are various steps that the council may wish to take. Possible steps are set out below. The steps are not necessarily mutually exclusive nor are they an exhaustive list:
 - a. Continue to lobby WSCC to maintain the posts and consider any further information at the next meeting (23rd January 2025)
 - b. Accept that WSCC will not change its position.
 - c. Allow the post and railings to be removed by WSCC as and when they fail.
 - d. Ask the office to prepare a report for January's meeting outlining options to retain railings and posts at that location. This will include existing and alternative specifications, funding options, future maintenance requirements and any relevant procedural matters (including procurement processes).

11. At present, it is suggested that the council pursue options A & D.

Appendix 13

LINDFIELD PARISH COUNCIL					Review Date	May-24	
FINANCIAL MANAGEMENT RISK ASSESSMENT					Mitigants / Difficulties	Risk Assessment	Acceptance / Comments
Issue	Affects	Risks	Impact	Likelihood			Risk Assessment 'High' cannot be accepted
Financial Management	Residents The Council Councillors Council Officers	- Poor controls resulting in misstatement of affairs and potential sanction or failure - Fraud / Prosecution (either individual or corporate body) - Reputational Issues - Insufficient budgetary controls leading to overspending or inability to undertake activities	Medium	Low	+ Standing Orders / Financial Regulations based on best practice models from NALC, documented and formally reviewed at each Annual Meeting with identified issues minuted and action points followed up + Investment Policy in place to protect funds held + Proprietary Financial Software (RBS-Rialtas Alpha) employed providing an audit trail for transactions + Responsible Financial Officer (RFO), separate to the Council's Proper Officer, appointed to manage Council's finances following Standing Orders and Financial Regulations + RFO attends training as available / required + Quarterly checks by Chair of Finance & General Purposes Committee + 'Internal audit' undertaken biannually by independent third party, continued provision reviewed every 3 years + Regular financial reports presented to Committees and Council and minuted + Reports of internal and external auditors submitted to the Council + Annual Review of Effectiveness of Internal Audit and Internal Control procedures completed (desktop) - Barclays online controls do not wholly align with the Council's banking control expectations and banking arrangements are currently under review (Q3 2024) - some Excel spreadsheets still maintained, in addition to RBS Rialtas software, increasing scope for potential error - ineffective oversight / checks or collusion - checks not keeping pace with technology developments	Low	Experienced and diligent RFO alongside check and audit regime appears to have been effective to date Action: 1. Consider rotating quarterly checks to other appropriately experienced Councillors 2. Rotate Councillor responsible for signing off Annual review of Effectiveness 3. Investment Policy overdue for review Nov 21 4. Banking arrangements review and related controls to be completed.
Burglary / theft / attack	The Council Council Officers Visitors	- Physical threat to personal safety - Mental impact of incident - Loss of money / assets - Damage to property	High	Low	+ Move to electronic banking has led to little or no requirement for cash held on premises (see below re Petty Cash) + Few valuable items (e.g. equipment lithium battery) on site and stored out of external view + Records of cash maintained on a timely basis + Any cash and cheques banked promptly after receipt (and online payments encouraged) + Cash is kept in locked metal cupboard in rear office + Presence of cash not obvious i.e. not transferred in bank bags! + Any incidents reported to police + Staff instructed to hand over cash if approached by miscreants + Building secured in line with best practice – locks on outer and inner doors into the office and all windows + Intruder alarm installed, maintained and activated when office is unoccupied + Doors and windows locked whenever offices are unoccupied. + Appropriate insurance in place – personal injury, loss of money, material damage + Lone working policy adopted 2018, updated 2020 - Petty Cash up to £200 maintained for incidental expenses - Regular lone working in office; no panic alarm/call in system - No regular training/reading protocol established (available?)	Low	- As a relatively low profile site with minimal cash or other valuable items held the overall Risk Assessment is assessed as Low but impact of intruder/attacker in lone working environment could be individually life changing Action: 1. Consider removal of Petty Cash as online/card payments can address all requirements 2. Review Lone Working Policy and safety measures (incl panic alarm)

<p>Failure to maintain an effective payments system</p>	<p>The Council Councillors Council Officers Suppliers</p>	<ul style="list-style-type: none"> - Unauthorised payments made - Reputational risk - Fraud - Impact on budget and ability to deliver obligations - Overdue payments leading to increased costs / legal dispute / loss of service provider 	<p>Medium</p>	<p>Low</p>	<ul style="list-style-type: none"> + RFO appointed to manage and record expenditure in line with budgets and wider governance - Barclays online controls do not wholly align with the Council's banking control expectations and banking arrangements are currently under review (Q3 2024) + All payments to be supported by invoice / voucher, allocated to cost centre in line with budgets and entered into cashbook + Payments ratified by Council and recorded in the Minutes + Quarterly checks by Chairman of Finance & General Purposes Committee + Independent checking by Internal Auditor - Ineffective rotation of checking Councillor potentially leading to lack of challenge - Fraud / collusion by two signatories and / or RFO (impossible to eliminate) but checks and balances detailed should minimise the risk 	<p>Low</p>	<ul style="list-style-type: none"> - Appropriate processes and experienced staff in place <p>Action:</p> <ol style="list-style-type: none"> 1. Consider rotating quarterly checks to other appropriately experienced Councillors
<p>Incurring expenditure without proper legal authority</p>	<p>The Council Councillors Council Officers</p>	<ul style="list-style-type: none"> - Unlawful actions - Potential personal liability - Reputational Risks 	<p>Medium</p>	<p>Low</p>	<ul style="list-style-type: none"> + Record in the Minutes the powers under which expenditure is being approved (as required by Financial Regulations) + Advice to be taken from SSALC / MSDC Legal Officer if necessary + Council has had General Power of Competence since July 2019 which is likely to cover most foreseeable expenditure not specifically addressed in legislation 	<p>Low</p>	<p>No evidence of issues</p> <p>Action</p> <ol style="list-style-type: none"> 1. Recording of the powers under which the expenditure is incurred requires more consistent application
<p>Failure to ensure proper use of funds under specific powers / S137</p>	<p>The Council Councillors Council Officers</p>	<ul style="list-style-type: none"> - Unlawful actions - Potential personal liability - Reputational Risks 	<p>Low</p>	<p>Low</p>	<ul style="list-style-type: none"> + wef July 2019 General Power of Competence adopted + Check no other statutory power is available before authorising payments under S137 (in practice only used for Charitable Grants). + Ensure total expenditure does not exceed statutory limitation for Council (£X.00 x number of electors) - included in Annual (March) Council Minutes + All expenditure under S137 to be recorded separately in cash book + Ensure all grant applications are complete and fully supported prior to submission to committee/council + All approvals properly recorded in the minutes - Need to justify how expenditure is for the benefit of the community 	<p>Low</p>	<p>No evidence of issues</p>
<p>Failure to comply with Revenue & Customs regulations</p>	<p>The Council Councillors Council Officers</p>	<ul style="list-style-type: none"> - Unlawful actions - Potential personal or corporate liability - Reputational Risks 	<p>Low</p>	<p>Low</p>	<ul style="list-style-type: none"> + Payroll outsourced to West Sussex County Council / their provider + Value Added Tax is administered in line with published guidance from HMRC Notice 749. + Further guidance sought from HMRC where necessary + Ensure that all input tax is properly recorded + VAT claims promptly submitted + Claims reconciled to Cash Book - Rules can be complex and open to interpretation 	<p>Low</p>	<p>A diligent approach taken notwithstanding the relatively small VAT Claims sought</p>
<p>Assets inappropriately managed / lost / stolen</p>	<p>Parish Residents The Council Councillors Council Officers</p>	<ul style="list-style-type: none"> - Assets bought from public purse lost or stolen - Duplication / waste - Reputational Risks 	<p>Low</p>	<p>Low</p>	<ul style="list-style-type: none"> + RFO responsible for maintenance of Asset Register + Proprietary software (RBS Rialtas-Alpha) used to manage Asset Register + Orderly manages recording with periodic spot checks by Parish Clerk - Review and reconciliation overdue - Multi location of assets (Allotment sheds, Parish Office) makes reconciliation difficult 	<p>Low</p>	<p>Whilst overall Risk is considered low some tightening up is appropriate</p> <ol style="list-style-type: none"> 1. Undertake a reconciliation now and annually (Village Orderly) 2. Report to Council annually

Failure to set a precept within sound budgeting arrangements	Parish Residents The Council Councillors Council Officers	- Inability to carry out required activities / pay bills - Censure? / bail out / failure - Reputational Risks	High	Low	+ Proprietary software (RBS Rialtas-Alpha) used to manage budgets + RFO to provide budget of costs and income recognising Council's plans and resources in conjunction with Parish Clerk + Finance & Planning Committee (F&GP) to review and make recommendation to Full Council for approval within required timescales + Regular budget reporting to F&GP with material variances flagged in line with Financial Regulations and Standing Orders, escalated to Full Council accordingly - Unforeseen or material expenditure omitted from budgets	Low	No issues to date and Council resources appear adequate for all foreseeable expenditure
Failure in duties re Electors' Rights	Council Officers	- Inability to carry out required activities / pay bills - Censure? / bail out - Reputational Risks	Medium	Low	+ Procedure in place to make accounts documentation available for inspection by electors and to display or publish notices and statements of account as prescribed. + Audits check that notices and timescales are met in accordance with legislation - Administrative error - Concentration of knowledge in one individual (<i>in extremis</i> outside help could be sought)	Low	No issues to date and Audit reports uncritical
Insurance	Council Officers Residents	- Loss of assets / cash - Claims against staff or councillors undertaking council business - Claims against the council (e.g. Staff, members) - Sub contractors (insurance details sought when contracted) - protection of corporate body from third part actions - Allotment - users	High	Medium	+ Insurance maintained to provide cover foreseeable events recognising the council's activities + three yearly insurance review - an element of self insurance (last reviewed 2005) - Ensuring Asset Register and sums insured match - obtaining sub contractors insurance - Use of lawn mowers by allotment holders	Medium	It is impossible nor cost effective to insure for all eventualities and there will always be an element of risk. Action 1. The self insurance approach has not been reviewed since 2005 2. Ensure three yearly insurance review is undertaken (consider 5 yearly)
Suppliers	Parish Residents The Council Councillors Council Officers	- Complete failure/collapse - Failure to deliver - substandard/partial delivery	Medium	Medium	+ most services paid after performance, so financial risk is low + services spread across multiple suppliers + alternative suppliers relatively easily available - generally contract with small or medium size businesses, so financial stability relatively opaque - no LPC credit thresholds or qualitative tests (rating agencies etc) available for likely suppliers. Credit Scores?? - no system/policy to identify over reliance on a particular supplier (e.g. concentration limits)	Medium	Accept - the risks of supplier failure remain however, LPC currently has limited reliance on individual suppliers and systemic failure considered unlikely
Committee Approval	F&GP				Clerk Signature		
Date	tba				Date		tba

2024 Village Night Risk Assessment

Issue	Affects	Risks	Impact	Likelihood	Mitigants / Difficulties	Risk Assessment	Acceptance	Sign Off
Crowds	<ul style="list-style-type: none"> - Event attendees in High Street and local area - Passers-by - Residents - Vehicle traffic - Emergency Vehicles 	<ul style="list-style-type: none"> - Overcrowding - Petty theft - Minor / major medical events - Pedestrian / Vehicle interaction - Emergency vehicles unable to gain access 	Medium	Low	<ul style="list-style-type: none"> + Professional management for road closure/opening + Volumes unlikely to be excessive based on previous experience + Pedestrian routes via Alma Road and alleyways (through to Tollgate car park) and alongside URC as well as north and south of the closure, provide a range of safe exit options generally and in the event of an incident, also allowing on foot access for emergency services + Crowd profile of mixed age and responsibility (not 'youth'/team support) + Vehicles excluded from event area + Professional Medical Services on site + set up designed to provide through route for emergency vehicles (crowds permitting) + Routes via Compton Road and Brushes Lane provide alternative routes for Emergency services around the High Street closure - Crowds may obstruct Emergency Vehicles however Professional Management and likely volume of pedestrians manageable - volume of people in 2022 was higher than previously seen however did not present material difficulties 	Low	<p style="background-color: #FF0000; color: white; font-size: small; padding: 2px;">Risk Assessment 'High' cannot be accepted</p> <p>Yes - no further action required. Review in the light of experience, increased volumes of attendees or new issues emerging</p>	
Vehicles	<ul style="list-style-type: none"> - Pedestrians - Vehicle occupants - Stallholders (access, setting up, departure) - Emergency Vehicles 	<ul style="list-style-type: none"> - Pedestrian / Vehicle interaction (accidental or deliberate) - Emergency vehicles unable to gain access 	High	Low	<ul style="list-style-type: none"> + Professional management for road closure/opening +/- Event timing after school rush but slight overlap with work rush hour + MSDC Parking Enforcement invited to attend pre road closure + set up designed to provide through route for emergency vehicles (crowds permitting) + Routes via Compton Road and Brushes Lane provide alternative routes for Emergency services around the High Street closure + stallholders required to remove vehicles before event opens - Crowds may obstruct Emergency Vehicles however Professional Management and likely volume of pedestrians manageable - No ability to physically remove vehicles, potentially affecting layout / pedestrians 	Medium	<p>Yes - all reasonable steps taken. Review in the light of experience</p>	

2024 Village Night Risk Assessment

Issue	Affects	Risks	Impact	Likelihood	Mitigants / Difficulties	Risk Assessment	Acceptance	Sign Off
Barrier Closure / Re-opening	<ul style="list-style-type: none"> - Vehicles - Pedestrians - Stallholders - Residents - Emergency Vehicles 	<ul style="list-style-type: none"> - Vehicles 'stuck in event zone' / attempting to pass through - Emergency Vehicles unable to pass through 	Low	Low	<ul style="list-style-type: none"> + PC Project Manager issues request for closure + Professional management for road who take opening and closure decision with two way radio communications between North and South barriers + Barriers manned throughout event + Layout (barriers & stalls) designed to ensure that Emergency Vehicles can find a clear route through if needed + Compton Road / Brishes Lane provide diversions around the closure + MSDC Traffic Wardens invited to attend pre road closure - Vehicles already parked in closure zone - No ability to physically remove vehicles, potentially affecting layout / pedestrians 	Low	Risk Assessment 'High' cannot be accepted Yes - all reasonable steps taken. Review in the light of experience	
Stalls	<ul style="list-style-type: none"> - Pedestrians - Emergency Vehicles - Stallholders 	<ul style="list-style-type: none"> - Obstructing flow of pedestrians / emergency vehicles - Stalls / gazebos creating trip hazards or safety risks (e.g. hot surfaces, fuel sources) 	Medium	Low	<ul style="list-style-type: none"> + Stall layout designed to ensure clear path through High Street for emergency vehicles + Stallholders booking form details required safety measures, insurance, risk assessments and Level 2 Food Hygiene certificate (required for food activities) + Volume of pedestrians likely to be accommodated by a combination of footpaths, between stalls and retail premises as necessary 	Low	Yes - all reasonable steps taken. Review in the light of experience	
Electrical	<ul style="list-style-type: none"> - Pedestrians - Stalls / retail premises - Supply - Residents 	<ul style="list-style-type: none"> - Trailing cables / unsafe practice - Overload locally (extension leads etc.) and potential fire risks - Wider overload (demand overall) - Generator fumes 	High	Low	<ul style="list-style-type: none"> + Stallholders required to use appropriate anti trip covers + Increasing use / availability of low voltage or battery powered lighting - Checks in place re safety / overload or generator location undertaken by Project Manager/Team 	Medium	Yes, potential to consider professional inspection / requirements of stall holders but experience to date suggests not currently required	
Fire / Flood / Extreme Weather Warnings	<ul style="list-style-type: none"> - Pedestrians - Stalls / retail premises - Residents 	<ul style="list-style-type: none"> - Personal injury / damage to property 	Medium	Low	<ul style="list-style-type: none"> + Separation of stalls from High Street premises should minimise fire risks + High street not prone to flooding + event will be cancelled in extreme weather conditions (e.g. 2022 High wind and rain forecast) 	Low	Yes - all reasonable steps taken. Review in the light of experience	

2024 Village Night Risk Assessment

Issue	Affects	Risks	Impact	Likelihood	Mitigants / Difficulties	Risk Assessment	Acceptance	Sign Off
Terrorism	- Pedestrians - Premises	- Personal injury / damage to property	High	Low	+ Despite high profile events (e.g. Manchester Arena) Lindfield is a small off the radar location and unlikely to be a target but we must not be complacent + Multiple exit routes through alleyways (URC, Tollgate & Alma Road) - The current road closure barriers would be insufficient to stop a determined attacker ? Martyn's Law - First Reading 12/9/24 legislative timetable to be clarified (expected implementation Q1 2025 and 18-24 month implementation anticipated) As an outdoor, unticketed event it is not entirely clear how Martyn's Law will apply to this event. The size of the event (800 person threshold under proposals) will affect requirements. Likely to have to formalise Project Manager, barrier staff etc roles and document safety / evacuation plans	Low	Risk Assessment 'High' cannot be accepted Yes - all reasonable steps taken. Review in the light of experience Develop more formal plans as Martyn's Law takes effect	
Child Protection	- Children / Parents	- Inappropriate activity by those in a position of responsibility / child contact - Children lost / separated from Parents	High	Low	+ LPC no longer organises Father Christmas grotto + As an open, street event there are no child zones and all children should be accompanied by parents or guardians + Barriers staffed, additional staff walking the event in hi viz and connected by VHF radios + Programme highlights 'lost children' point in URC - Rotary/Mansell McTaggart organising/hosting 'selfies with Santa' outside of LPC management (parents/guardians with children)	Low	Yes - all reasonable steps taken. Ensure changes in guidance / law appropriately addressed	
Food safety	- Buying public	- Unsafe practices resulting in health issues	High	Low	+ Advice taken from MSDC Environment & Health – Food Safety Team and advised to all stallholders: • stalls selling non packaged food or drink items must have hand cleaning for those buying or serving (wash bowl, paper towels, etc.) • 'high risk' items (sausages, burgers, etc.) need to ensure that they have a valid level two food hygiene certificate, this is being expanded to all food sellers.	Low	Yes - all reasonable steps taken. Review in the light of experience	

2024 Village Night Risk Assessment

Issue	Affects	Risks	Impact	Likelihood	Mitigants / Difficulties	Risk Assessment	Acceptance	Sign Off
							Risk Assessment 'High' cannot be accepted	
Alcohol	- Lindfield Parish Council	- Alcohol sold outside licensing requirements leading to potential reputational risks and ultimately the danger that the council is prosecuted / the event not allowed to go ahead	Medium	Low	+ Booking material highlights no alcohol licence and that none should be sold without seller's own premises/alcohol licence - Retail premises less easy to manage but may put their own trading in jeopardy if they chose to serve alcohol and are reported. Not primarily an LPC risk.	Low	Yes - all reasonable steps taken. Review in the light of experience	
Insurance	- Event attendees in High Street and local area - Passers-by - Residents - Vehicle traffic	- Activities lead to injury or worse and liability claim - LPC covered by PL insurance but does not cover individual stallholders - LPC's Insurers (Zurich - Linda) advise that businesses/charities/organisations raising money for themselves should have their own insurance. 'Amateur' stallholders raising money for local good causes would not be expected to.	Medium	Low	+ Stallholder activities small scale and relatively unlikely to cause material difficulties - However accidents happen + Profession businesses / charities likely to have insurance in place + Booking form asks all participants to have appropriate insurance for the activity being undertaken - Small scale entrepreneurs may not have insurance	Low	Yes - probability of incident and it being shown as LPC responsibility relatively low (and insured if LPC responsibility)	