**Minutes of Full Meeting of Council, held on**

**Wednesday 12th April 2023 @ 7pm at ME Sports East Midlands Centre aka Oakthorpe Leisure Centre**

Present: Cllrs M Warren (Chair), S McKendrick, N Antill-Holmes, J Antill,

D Warren, C Keeley, D Gelder, R Dyason

Officers: K Grove – Manager/Clerk/RFO,

District & County Cllr Ashman

MOP x 2

Councillor Actions highlighted.

**Annual Meeting**

**Cllr M Warren’s Report of ODAPC 4-year terms**

*7.10pm Council Meeting starts*

**042301 APOLOGIES**

Forest Police – work

**04302**. In accordance with Section 31 of the Localism Act 2011, to enable members to declare the existence and nature of any Disclosable Pecuniary Interests they have in subsequent agenda items, in accordance with the Council’s Code of Conduct. Interests that become apparent at a later stage in the proceedings may be declared at that time.

**None**

# 042303. PUBLIC QUESTION SESSION

Members of the public should note that it is not possible to debate matters raised under this item. Questions must be addressed to the Chairman of the meeting.

**RESOLUTION: To bring forward 8.7 - approved unanimous**

NWLDC - the provision of a shipping container would not require planning permission as it would not constitute a permitted form of development under the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Recommend contacting -n planning department, ahead of any commitments to the club.

**042308.7 Football club - two containers fitted out as changing rooms that they would like to install next to the substation behind Ramscliffe avenue. –**

Community Focus team – investigate.

**RESOLUTION: Council agree in principle to progress on siting 2 containers on their land. Support proposed application for planning. – approved unanimous**

Clerk to Email copy of land.

AVFC acquired funding £25000 - £12500 to improve quality of pitch 6-year programme.

Request Pitch Lease increased for 6years.

**RESOLUTION: To grant pitch for 6-year programme. Approved unanimous.**

Clerk to write/amend contract for pitch.

* *7.33pm MOP Leaves meeting*

**042304. MINUTES**

To approve as a correct record the minutes of the meeting held on Wednesday 11th January.

**RESOLUTION: To approve minutes of the meetings**

**Full Council -Wednesday 8th March 2023 - approved unanimous**

**042305. POLICE MATTERS**

To consider any matters which may be raised by members for the Police.

Clerk to email police re Sat morning 7th January - serious incident in Acresford - no police presence to accident. 999 was called but no response or follow up received.

**042305.1 POLICE REPORTS**

- 1st March to 31st March 2023- **noted**

**042306. GROUNDS AND RECREATION AREAS**

**042306.1** To receive reports from councillors.

**Water meter before orchard – without top reported**

Cllr Warrant to investigate replacement.

Memorial Grounds

Discussed - maintenance concerns over accumulation of maintenance that needs doing. Concerns over setting president with how things are arranged.

Anyone doing work that causes a hazard / exposure – the hazard & who is paying.

Risk assessment – removal of the wheel – proposal to come to council.

Clerk to email Friends of Memorial Garden group: -

Request risk assessment brought to council.

Better communication so council does not end up causing cost.

**042306.2** The clerk to report on any items raised by the ground’s contractor.

**None**

**042306.3** To consider any other matters in relation to grounds and recreation facilities.

**042306.31** Oakthorpe play area – Cllr M Warren monitored - noted.

ROSPA report - noted.

Play area Tree ownership – Adam Goodall LCC Principal Tree & Woodland Manager aware – awaiting further communication.

Play area light – as above.

.**042306.32** Memorial Grounds

 - tree stumps (removal quote in paperwork)– Friends of Memorial Gardens

Community market on the 13th of May.

**RESOLUTION: To approve Weston Tree Care £375 to remove tree stumps**

**Approved unanimous.**

**042306.33 Memorial Gates**

Reported Bars on gates rusting – Cllr Keeley

Awaiting feedback from blacksmith

Also looking at railings on Hill Street

Cllr Keely to follow up.

**042306.34** Field Access –Community group Field Day

**RESOLUTION: - To allow community group access to prepare land for field day and on the day of 17th June 2023**

**042306.35** Adjustment of access lane –

Phil Sharrett to level land and lay stone

Donisthorpe Community Group to Complete grant form for transparency

Cllr Keeley to inform Community Group

**RESOLUTION: Approve £300 Grant for community group to prepare lane access for field day. – approved unanimous**

Invite if an agenda item need discussing.

Request risk assessment for activity

# 042307. CLERK’S REPORT

To receive the Clerk’s report advising members on the position of various matters.

**042307.1** LRALC Letter of Internal Audit Engagement - noted.

**042307.2** Land Registry **–** defer future agenda.

**042307.3** Coronation

**042307.31** Coronation Engraving – Cllr D. Warren – ongoing

**042307.32** CoronationTrees for Donisthorpe, Oakthorpe & Acresford

 - Cllr D. Warren £450 - £450 approx. Flowering cherry –

**RESOLUTION: To purchase 2x flowering cherry trees – approved unanimous**

**042307.4** Memorial Policies **–** forwarded to Burial Committee and Ashby Woulds Town Council for discussion.

**042307.5** School Awards Cllr D Warren on times

Schools want to be more involved.

**042307.6** Footpath P58 Oakthorpe and Donisthorpe – Handrail (see notes)

Council concerned over setting president if they pay for something for one footpath. There are a lot of footpaths in the parish. Concerned if they pay for it then they will be asked for more. Council is already looking of

funding something that is LCC’s responsibility.

**RESOLUTION: To refuse funds – push county to review other footpaths that have broken handrails and wooden steps. Approved unanimous.**

Put footpath item on future agenda – Councillors to walk and report on important footpaths.

**042307.7** MVAS post location Donisthorpe.

Council to identify area for new posts.

Cllr Keeley, Mc Kendrick, and M Warren to investigate.

**042307.9** Parish Councillor Handbook

Council approved handbook and thanked clerk for her work

**042307.10** 3VN report

**-** April – Cllr M Warren

- May report – Clerk to report new councillors

**042308. CORRESPONDENCE**

**042308.1** Copies sent via email.

**042308.2** Climate Change Summit - 26 April - noted.

**042308.3** The VCSE Alliance – Cllr Dyason

The Leicester, Leicestershire, and Rutland Integrated Care Board (ICB) – noted.

**042308.4 MOP –** Request ODAPC paint Hill St fence update -shot blasting.

- ongoing

**042308.5** Community speed watch – update

**Successful – A lot of data collected and sent to safety team. Speeding letters will be send out. Thank you to S. Howells for organising speed watch and to all those parishioners who volunteered their time to collect data.**

**042308.6** NWL Parish Liaison Wednesday 22 March – Cllr D & M Warren attended – information circulated amongst council and specific groups.

**042308.7** Football club - two containers fitted out as changing rooms that they would like to install next to the substation behind Ramscliffe avenue. **(see under 042303)**

**042308.8** Domain update 123Reg

**RESOLUTION: To purchase ODAPC.com domain name – Approved unanimous**

**042308.9** The Clerk to report on any items of correspondence received and not dealt with elsewhere on the agenda.

**042308.91** Legal letter from Fisher’s solicitors – noted.

**042308.92** Council refreshments left over -donate – Cllr Warren

**RESOLUTION: To donate council refreshment donate to community group – approved unanimous**

Donisthorpe Feld Day – booked for council – but Cllrs Warrens cannot attend.

**042308.93 Election**

**Ordinary vacancies**

Vacancies following a scheduled four-yearly election are treated differently to casual vacancies.

which occur through death, resignation, non-attendance, or other disqualification. Electors are not given the opportunity to request a by-election for ordinary vacancies. A quorate council with ordinary vacancies can start to fill the spare seats straight away through co-option. When a council

is quorate following an ordinary election, it may co-opt within 35 working days of the election. This should be advertised across the parish to make residents aware and encourage them to apply.

Hopefully, some or all these vacancies can be filled at the next meeting of the council. Advice on good practice for co-option is given below.

If the parish council does not fill ordinary vacancies through co-option within 35 working days, the principal authority may.

• call another election

• allow the parish council to co-opt in due course

• appoint councillors to fill the vacant seats.

It is preferable that the parish council uses the power of co-option and encourages local people to join the council rather than rely on the principal authority to enforce appointments. If another election is called, this will be paid for by the parish council.

New council takes office 9th May.

**042308.94 - UK-wide alerts test 15.00 on Sunday 23 April**

People receive a test message on their mobile phones.

The Emergency Alerts system will allow the government to get urgent messages quickly to nearly 90 per cent of mobile phones in a defined area. The system is now ready to be tested across the country following successful tests in East Suffolk and Reading. The alerts will only ever come from the Government or emergency services, and they will issue a warning, the details of the area impacted, and instructions about how best to respond. - noted

**042309 FINANCE**

**042309.1 RFO** to report on the Council’s current financial position.

 - Shared Financial Services - noted

- LW AGAR – information received for AGAR re burial committee - noted

-Internal Auditor date - Tuesday 25th April - noted

**042309.11** Update to JPAG Practitioners Guide 2023 (paperwork) -noted.

**042309.12** Proposed -Ring fence money.

Blast shot/paint Hill St fence.

Ground works

Deeds

Allotment boundaries **£10000**

Play area, **£5250.**

Reserves **£4000**

MVAS posts **(£1000 already in reserves)**

IT equipment £**1000**

**RESOLUTION: To approve the proposed rind fenced pots for named projects – approved unanimous**

**042309.13** To pay OLC insurance invoices from reserve pot.

Insurance money refunded return to building assets reserves

**RESOLUTION: To approve OLC insurance invoices being paid from reserve pot by ODAPC Manager (as will be re-inburst by insurance)– approved unanimous**

**042309.14 TAX**

VAT Reclaims made 2022-2023 - noted.

VAT return 1st Quarter April-June Q1 £1,785.19

Received: - £1,785.19

VAT return 2nd Quarter July- Sept £1,687.79

Received £1,684.04

VAT return 3rd Quarter Oct – Dec £5,383.18

Received £5,156.23

VAT return 4th Quarter Jan- March 31st £ 826.08 *(including VAT re adjustment of £230.70)*

**042309.15 Financial regs compliance**

-Bank statement & reconciliation

-Credit card statement

**RESOLUTION: Financial regs compliance check and signed off by council -approved unanimous**

**042309.16** Note Manager hours increase – April 2023 – noted.

**042309.2** To approve 2022-2023 Statement of accounts and bank reconciliation as 31st March 2023

**RESOLUTION: To approve the Bank Reconciliation for March – approve unanimous**

**RESOLUTION: To approve the 2022-2023 Statement of accounts – approve unanimous**

**042309.3** To approve payments list for March.

**RESOLUTION: To authorise March payments list – approved unanimous**

**042309.4** To authorise new financial year payments as set out below:

ME Sports £30 room hire.

Office £60 – April

**RESOLUTION: To approve payments listed above - approved unanimous**

**042309.5** To receive and authorise Any additional payments received since the agenda went to print will be reported at the meeting.

Weston Tree Care 375

123 Reg £20.39

Burial Board £5765.21

LRALC Membership £433.63

NALC Membership £170.55

Thistle loos to ME Sports £105.60 x 3 =£316.80

Wilson Alarms £475 + VAT (£95)

Yellow Card £14.50

White printer paper £29.99

**RESOLUTION: To approve payments listed above at the meeting - approved unanimous**

**04230910. PLANNING**

**04230910.1** **CONSULTATIONS**

**APPLICATION REFERENCE 23/00213/FUL**

Proposal: Change of use of methodist church to a dwelling and associated alterations

Location: Oakthorpe Methodist Church Chapel Street Oakthorpe Swadlincote

**No Comment**

**APPLICATION REFERENCE 23/00277/VCU**

Proposal: Variation of condition 1, 2, 3, 5, 7, 8, 9, 10, 13 & 15 of planning permission

22/00350/FUL to allow for the phasing of conditions to be discharged to enable.

the garage to be built before the dwelling and to amend boundary.

treatments

Location: 67 Church Street Donisthorpe Swadlincote Derby

**No Comment**

**APPLICATION REFERENCE 23/00118/FUL**

Proposal: Proposed hardstanding and siting of storage crates

Location: Wolseley Distribution Centre 3 Repton Road Measham Swadlincote

**No Comment**

**APPLICATION REFERENCE 23/00254/FUL**

Proposal: Erection of single storey rear and side extensions, and partial garage

Conversion

Location: 8 Daisy Close Donisthorpe Swadlincote Derby

**No Comment**

**APPLICATION REFERENCE 23/00237/FUL**

Proposal: Demolition of existing dwelling and erection of a replacement dwelling and

associated works.

Location: 30 New Street Oakthorpe Swadlincote Derby

**No Comment**

**04230910.2 Permissions / Other**

**Application reference 22/01875/CLP**

Registered 23 January 2023

Decision Date 2 March 2023

CERTIFICATE OF LAWFULNESS OF PROPOSED USE

TOWN AND COUNTRY PLANNING ACT 1990: SECTION 192 (as amended)

TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT PROCEDURE) ORDER 2015: ARTICLE 39

Certificate of lawful proposed development for the erection of a single-storey rear

extension at 5 Cowslip Close Donisthorpe Swadlincote Derby

**Noted**

**APPLICATION REFERENCE 21/01859/OUT**

NOTIFICATION OF WITHDRAWN APPLICATION

Proposal: Erection of one dwelling (outline- access and scale for approval)

Location: 16 Coronation Lane Oakthorpe Swadlincote Derby

**Noted**

**Application reference 23/00067/CLP**

CERTIFICATE OF LAWFULNESS OF PROPOSED USE- REFUSED

TOWN AND COUNTRY PLANNING ACT 1990: SECTION 192 (as amended)

TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT PROCEDURE) ORDER 2015: ARTICLE 39

Certificate of lawful proposed development for external alterations (including the

installation of boiler flues) to St Johns Church at St Johns Church, Church Street

Donisthorpe Derby

**Noted**

**Application reference 22/01281/TPO**

Registered 8 August 2022

Decision Date 21 March 2023

CONSENT FOR WORKS TO TREES SUBJECT TO A TREE PRESERVATION ORDER (TPO)

Town and Country Planning Act 1990

Works to 2no. Lime trees (Protected by Tree Preservation Order) at Woodview 21

Chapel Street Donisthorpe Swadlincote

**Noted**

**Application reference 23/00076/VCU**

Registered 18 January 2023 Decision Date 27 March 2023

Town and Country Planning Act 1990

Variation of conditions 2 and 3 of planning permission 20/01807/FUL to amend siting, scale, design details and materials at Mayfield 22 New Street Oakthorpe

**Noted**

**Application reference 23/00145/PNH**

Registered 13 February 2023

Decision Date 22 March 2023

PRIOR APPROVAL NOTIFICATION LARGER HOMES EXTENSION

Town and Country Planning (General Permitted Development) (England)

Order 2015

Erection of a single-storey rear extension measuring 4.1 metres in length from the

rear wall of the original dwellinghouse 2.60 metres in height to the eaves and 3.90

metres maximum ridge height at 17 Seals Road Donisthorpe Swadlincote Derby

**Noted**

**Application reference 23/00236/TPO**

Registered 20 February 2023

Decision Date 31 March 2023

CONSENT FOR WORKS TO TREES SUBJECT TO A TREE PRESERVATION ORDER (TPO) Town and Country Planning Act 1990

Works to 1 no Beech Tree (Protected by Tree Preservation Order) at 20 Coronation

Lane Oakthorpe Swadlincote Derby**Noted**

**04230911. DISTRICT** **& COUNTY COUNCIL**

Toconsider any matters to be put before the District/County Councillor.

**04230911.1** **Home** farm development Oakthorpe – funds for playground.

Awaiting update

NWLDC will issue and invoice for the funds for the playground equipment and will get in touch once they have received these from the developer**. Ongoing**

**04230911.2** MVAS locations,

Awaiting feedback on stress testing for lampposts. LCC have suggested that it’s usually better to have separate posts for MVAS as the lamp posts.

 **Info requested.**

 **042309 11.3** Burton Road, Oakthorpe, flooding

Contact the LCC Officer -aware of any worsening of the situation and if not ask if someone can look.

**Ongoing**

**04230911.4 -** Moira Road

MOP2 – Evidence bank sliding & trees leaning has gotten worse due to rain.

Chris Conway check safety in 2021

One dead tree covered in ivy. Lorries swinging out to

Cllr Ashman to follow up.

National Forest – talk to woodland park about trees.

**04230911.5** MOP – access to housing gas pipe

**Resident isn’t contactable.**

**04230911.6**

Mercia Gas line through Donisthorpe

LRALC & LCC Louise Bennet from Highways aware of pipe issue – on going.

Once gone to legal it will not be discussed - **noted.**

**04230911.7 HWF projects**

Awaiting meeting to discuss HWF projects.

**Awaiting**

*-9.10pm*

*Cllr Ashman and resident leaves the meeting*

**04230912 PROPOSAL TO MOVE INTO CONFIDENTIAL**

**RESOLUTION: - To move meeting into confidential – approved unanimous**

**04230913 CONFIDENTIAL EXCLUSION OF PUBLIC AND PRESS**

**Under the Public Bodies (Admission to Meetings) Act 1960, members of the press and public will be excluded from the meeting for discussion of the following items as publicity would prejudice the public interest by reason of the confidential nature of the business to be transacted.**

**04230914 Leisure Centre**

Working nearly finished

Roof reinsulated.

Changing rooms completed

Decorating – bubbling on wall – awaiting report.

Flooring in Media room – Tile replacement £240

**RESOLUTION: To offer £240 to ME for replacement tiles of their choice for media room. Approved unanimous.**

Old tiles undamaged tiles to be used in office –

Clerk to add flooring to insurance policy.

ME – agreed to have meeting – awaiting dates.

**04230915.** Date of next Full Council Meeting – Wednesday 17th May 7pm

**03230916**. Meeting Closed 21.23pm