

WOODPLUMPTON PARISH COUNCIL
MINUTES OF THE REMOTE MEETING HELD ON 20th APRIL 2020

CHAIRMAN'S INTRO, SOUND CHECK, MUTING AND VOTING INFORMATION

The Chairman 'hosted' the meeting and ensured that all Members could be seen and heard. The Parish Lengthsman had requested a link to the meeting but advised that he only wished to observe. Consequently, he was not visible to those in attendance and did not speak.

APOLOGIES FOR ABSENCE

All Members were present so there were no apologies for absence.

APPROVAL OF MINUTES of the meeting held on 17th Feb 2020

MIN 151 Members **resolved** that the Minutes of the 17th Feb meeting were a true record. They will be signed at the next face to face Council meeting in accordance with LGA 1972 sch. 12 Part VI para 41 (1)

TO ACCEPT DECLARATIONS OF INTERESTS AND TO CONSIDER ANY WRITTEN REQUESTS FOR DISPENSATIONS

Members **noted** that Cllr P Entwistle has updated his Member Interest Form to include being a Member of the City Council Standards Committee. The updated form has been returned to the City Council and added to the Parish Council website.

There were no declarations of interest for this meeting.

PUBLIC PARTICIPATION

Members of the public wishing to participate in the meeting were given the opportunity to request a weblink from the Clerk. There were no requests to participate.

PLANNING APPLICATIONS

Members **noted** appendix A, the summary of applications processed under delegated authority since the cancelled March meeting.

FINANCIAL STATEMENT 2019/20

Members **noted** Appendix B confirming that the Clerk has completed the end of year accounts. These will be submitted to the Internal Auditor as soon as the 2019/20 Annual Governance and Accounting Review (AGAR) is received from the External Auditors. In response to a question, the Clerk confirmed the Council has **£469,083** in CIL monies. A further amount is expected at the end of April but it is not known what the amount will be.

INTERNAL AUDIT REQUIREMENTS

In order to comply with Audit Requirements and Finance Regulations, Members confirmed they had received and reviewed the following documents prior to the March meeting.

- A. Risk Management Plan and Policy Statement
- B. Risk Management Assessment Register
- C. Council's Asset Register

MIN 152 Members **resolved** that the above documents were up to date and approved the appointment of Mr Slade as the Council's Internal Auditor in accordance with the Terms of Reference and suggested Methodology for Internal Control.

ACCOUNTS FOR PAYMENT

Lengthsman 3 rd – 28 th Feb + Bird food	£768.98	BACS	Ref 104/5
December Newsletter Printing	£159.00	BACS	Ref 106
Clerks Mar Salary	£1125.82	BACS	Ref 107
HMRC PAYE	£101.36	BACS	Ref 108
HMRC National Ins Employer	£74.24	BACS	Ref 109
New Hedge Cutter	£708.00	BACS	Ref 110
Service and sharpening of mower	£92.52	BACS	Ref 111
E-ON electric bill xmas lights	£25.77	BACS	Ref 112

MIN 153 i) Members **noted** the above accounts (deferred from the March meeting) which were paid in accordance with standing order 28 (b) & (c)

MIN 153 ii) Having received an electronic copy of the invoices, Members note there was no increase to the Direct Debits for the Website or Pension. Members **resolved** to approve the following amounts for BACs payment.

2020/21 Expenditure			REF
Admin Expenses Jan – March 2020	£58.05	BACS	1
Lengthsman Invoice to 27 th March	£750.00	BACS	2
Community Garden Repairs	£67.94	BACS	3
CPRE Renewal	£36.00	BACS	4
Data Protection Renewal	£40.00	BACS	5
Clerk's April Salary* (see 2020/21 Tax coding)	£1134.58	BACS	6
HMRC Employee PAYE	£92.60	BACS	7
Employer N Ins	£72.45	BACS	8

*Members **noted** that the Clerk has produced a P60 for the 2019/20 tax year in accordance with HMRC requirements.

MIN 153 iii) Members noted that the Lancashire Association of Local Councils (LALC) provides advice, training and information to Councillors on local and national policies. Members **resolved** to renew the membership at a cost of £579.93 which includes a contribution to the provision of an Area Secretary for the Area Committee. Ref 9 CQ 1295 The Chairman will collect and arrange for the cheque to be signed.

PARISH LENGTHSMAN / COMMUNITY GARDEN

MIN 154 As there are no reported issues with the Lengthsman's work, Members **resolved** to approve the renewal of the Lengthsman's contract. This will be collected by the Chairman and can be signed and returned by post.

It was queried whether the Council should seek new quotes for the Community Garden maintenance as this is separate to the Lengthsman's contract. The Clerk replied that Members can request quotes from other contractors at any time but one of the factors considered in relation to the existing arrangements, was that the Lengthsman was local and could complete the work as and when required, rather than at a fixed time every week.

MIN 155 As there were no complaints with the work being carried out, Members **resolved** that the current arrangements should continue.

Members **noted** that the electric supply to the fountain in the Community Garden is not working and the wooden planter which has temporarily been repaired needs replacing.

MIN 156 Members **resolved** to approve the repairs subject to quotes being obtained and agreed in advance with the Clerk. Members **noted** that following an ongoing dispute with WaterPlus, £574.60 will be refunded to the Garden Account. To allow the repairs to progress as soon as practicable, Members **resolved** to increase the Clerk's delegated authority under Standing Order 40c to £500 for this item only. The Clerk was also requested to ask the Lengthsman to repair / replace a planter opposite the Running Pump in Catforth.

TRAFFIC CALMING SCHEMES

On the 6th April, the Clerk forwarded an email from LCC which contained revised cost estimates for the traffic calming schemes. The email also explained that as Coronavirus restrictions would affect site notices, Traffic Regulation Orders, safety audits etc, works have been suspended on the schemes and are unlikely to resume until the Autumn.

Members considered a proposal asking LCC to publish the TRO's, however concerns were expressed that the Parish Council may not have the latest version of the plans and residents could criticise that the schemes would be advertised at a time when journeys are restricted.

MIN 157 It was **resolved** that the Clerk contact LCC to clarify whether we have the latest version of the plans, whether the costs include traffic management and a 10% contingency and when will they send the draft copy of the contract which has been promised since before Christmas.

PURCHASE OF LAND

Members considered an agenda item to consider the possibility of **purchasing** some land for use by the community in Woodplumpton. Details of the proposed use, if the land was bought, were clarified in an email by the proposer - sent to all Councillors on the 10th April. The City Council subsequently confirmed that the proposed purchase could be an acceptable use of CIL monies however, the CIL officer would be best placed to advise on the intricacies and legalities involved. His advice was not available prior to the meeting. Views were expressed both for and against the proposal and during the debate Members covered the following key points

Why this piece of land? Would we be open to demands to buy land in other areas?

It was stated that the suggestion had come from within the Parish Council and that it was unique because it would create an area of separation between Woodplumpton and the evolving Cottam development. A counter view was expressed that other areas of the Parish need protection from development too and the Parish would become bankrupt if we reacted to them all.

If the land was purchased, what impact would it have on the Traffic Calming?

It was confirmed that residents were consulted on CIL expenditure and the replies gave the Council a mandate to progress the Traffic Calming Schemes. Purchasing the land will mean there are insufficient funds to progress both schemes. It was also stated that the traffic calming was intended to save lives and purchasing a field was no comparison.

A view was expressed that the Council should not put all of its CIL monies in to traffic calming and the Clerk clarified that other projects had been progressed such as improvements to the war memorial and the addition of a new play area at the Orchard. In addition, there has been a long-standing request from residents to create a parking area at the Orchard which would not be possible if the funds were diverted to purchase a field.

Future Use.

It was questioned who would use the land but it was stated that it was more important that the land would be available for use by 4000 parishioners at an approx. cost of £15 each. *(Note – this was an incorrect statement as there are only 2800 parishioners.)*

It was stated that the land could be rented to a farmer giving the Council additional income but the Clerk dismissed this, stating that would be a breach of CIL regulations as the purchase must be for community use.

It was also stated that it could be a long time before the country returns to normal after Coronavirus and the land could become a financial asset until the traffic calming is ready to go ahead. It was also stated that Broughton reported that they would not get CIL monies from a developer who had gone bankrupt – so we shouldn't count on being able to 'top up' any CIL monies diverted into the land purchase.

Significantly, the proposer stated the intention was not to stop the traffic calming proposals, the intention **was to submit one bid** for the larger piece of land, so that it could be retained and enhanced for community use as described in the 10th April email.

It was questioned whether the land would be suitable for such use given that it slopes and we have not had an opportunity to check the covenants or undertake any surveys.

Bidding process

The proposal to purchase land is dependent on a successful bid and during the above debate, Members raised concerns whether the asking price represented best value, whether a bid would be legally binding once submitted, whether a bid could be withdrawn without penalty after the submission deadline should the Council establish that CIL can't be used for any long-term maintenance costs or the intended use did not comply with the covenants.

The proposer stated that his personal Solicitor had advised that there would be no contractual obligations if a bid was submitted, but the Clerk stated that the Council would need independent legal advice as a Council not an individual.

Summary

After a full and lengthy debate, an amendment was put forward that instead of **purchasing** the land as outlined in the original proposal, the Council should use the next 10 days (before the 30th April closing date) to find out more information about the **bidding process** to establish whether the submission would legally contract us to the bid. (*Note – the financial details of the bid are withheld in the interests of confidentiality*)

MIN 158 In accordance with Standing Order 16c the amendment took precedence over the proposal and it was **resolved** that the amendment be carried following the Chairman's casting vote - in accordance with LGA 1972 Sch.12 39(2)

If the bid fails, that will be the end of the matter, but should the bid be successful, Members wanted clarity on whether the Council should go ahead with the purchase, given the financial commitment and residents demands for both traffic calming schemes. Consequently a proposal was put forward that Members vote on whether or not to purchase the land.

MIN 159 Using the Chairman's casting vote LGA 1972 Sch.12 39(2) it was **resolved** - that assuming the bid is successful - the land should be purchased.

The Clerk expressed concern that Members had voted to purchase the land without any knowledge of the procedural implications with regard to the legalities and intricacies of CIL, solicitors fees, surveys or future maintenance costs – all of which were expressed by Members during the debate and reflection on the bidding process.

2 Members stated that they were unclear of the above when voting and they asked if the decision could be reversed or amended. In view of the late hour (22.00) and the fact that the Members voted for the proposal not against, the Clerk referred to Standing Order 21 which confirms that a decision shall not be reversed within 6 months - except by resolution of at least 2 Members of the Council. **MIN 160** On the advice of the Clerk, Members **resolved** to suspend the decision made under MIN 159 until the 27th April when an extra-ordinary meeting will be held to further discuss the purchase obligations should the bid be successful.

At the same meeting, Members will be asked to consider the further information collected in relation to the bidding process and they will be asked to submit the bid if the information confirms the bid will not be legally binding.

DATE OF NEXT MEETING

The next scheduled meeting of the Parish Council (after the extra-ordinary meeting) is the Annual Council Meeting on **Monday 18th May 2020**. It is likely that this will also be a remote meeting. **MIN 161** Members **resolved** not to include the election of a Chairman on the Agenda, in accordance with Regulation 4 of the 2020 Coronavirus Regulations.