

MISTERTON PARISH COUNCIL

Minutes of the Annual Meeting of the Council held in the Church Room on Tuesday 9th May, 2006

Present: Councillors Batty, Boulby, Brand, Burton, Keat, Marsden, Shipley and Simmons. Newly-elected District Councillor Simpson was also present, having earlier been welcomed at the Annual Parish Meeting.

06/07/1 ELECTION OF CHAIRMAN

Resolved unanimously: That Councillor Brand be re-elected Chairman for the ensuing year.

Councillor Brand proceeded to make the following acceptance speech:

“Thank you for this nomination as Chairman of the Parish Council. I am delighted to accept!

In preparing for the possibility that no-one else would want the job (!), I looked back at my first acceptance speech in 2001. While some things have moved on, there are areas of concern five years on and under my stewardship, we will continue to tackle them in the year ahead.

I believe the Parish Council is an important institution in the village. It has an important and central role to build on the sense of community that is apparent in parts of the village (not all), to represent the people of Misterton – and the well-being of the people of Misterton.

I said before and I say it again, the Parish Council cannot be all things to all men and women. Some things it can do and some it can't. What it can do, I believe it should do with vigour. What it can't do, it must recognise. And we won't please everybody – that has been clear during the past year but the Parish Council has to stick to its guns and do what it feels is best for the village.

The realities of unemployment, drug abuse, crime and disorder, poor public transport, shrinking local services and the problems of an increasing elderly population – all these are the realities of village life today.

In the coming year, I believe we should go head-on with trying to improve policing in this and neighbouring villages. Drug abuse is a scourge and we must be rid of this, and other aspects of anti-social behaviour, from our streets. I want residents – young and old – to be safe in and proud of the village we live in.

I would like to thank councillors for their commitment to the Parish Council

and to the village, and who have demonstrated their support for me this evening. And especially the Clerk, David Wright, who has proved such an asset to the Parish Council, and with whom it will be a pleasure to continue to work.

There have been some challenging ‘moments’ during the past year. I would like us, individually and as a Council, to put the past behind us. I hope that we no longer have to deal with all this skirmishing. This is important for the future of the village and it is of particular importance to the Clerk as the executive officer - there is significantly less chance of his eye being taken off the ball if we are all pulling in the same direction. As I've said before, the Clerk's job is increasingly demanding. A mistake could cost us thousands.

I hope that I have already demonstrated my commitment to our village. You have my assurance that this commitment will continue and, with your help, I will endeavour to serve the community to the best of my ability during the coming year.”

06/07/2 DECLARATION OF ACCEPTANCE OF OFFICE OF CHAIRMAN

Councillor Brand signed her declaration of acceptance of office of Chairman, and the Clerk (Proper Officer) countersigned it.

06/07/3 APOLOGIES AND DECLARATIONS OF ACCEPTANCE OF OFFICE

Apologies for absence were submitted by Councillors Farmer (holiday), Moffett (holiday), Tillen (work), Wheewall (holiday) and White (recuperating after hospitalisation).

The Clerk reported that Councillors Farmer, Moffett, Tillen and Wheewall had not yet signed their declarations of acceptance of office, but had agreed to do so prior to the next meeting. Councillor White had signed his declaration of acceptance of office immediately prior to the meeting when he submitted his apology for absence, but attended the meeting as a member of the public.

The eight Members present all signed their declarations of acceptance of office immediately before the meeting.

Resolved: That approval be given to Councillors Farmer, Moffett, Tillen and Wheewall signing their Declarations of Acceptance of Office at, or prior to, the meeting of the General Purposes Committee on 30th May, 2006.

06/07/4 DECLARATIONS OF INTEREST

The following standing declarations of interest were made:

Cllr. Batty	Joint Burial Committee MAP Ltd.	Parish Council Representative Member
Cllr. Boulby	Northern Area Committee Misterton Sport Social Club	Parish Council Representative Member
Cllr. Brand	Misterton Sport Social Club MAP Ltd.	Member Chairman of Trustee Directors

	Joint Burial Committee	Parish Council Representative
	North East Bassetlaw Forum	MAP Ltd. Representative/Chairman
	Primary School Governors	Governor
	Poors Fund	Parish Council Nominated Trustee
	Standrings Charity	Parish Council Nominated Trustee/ Chairman
	Wells Charity	Parish Council Nominated Trustee
Cllr. Burton	MAP Ltd.	Member
	Misterton Sport Social Club	Member
	South-east Misterton	Resident of the area
Cllr. Keat	Standrings Charity	Parish Council Nominated Trustee
	Wells Charity	Parish Council Nominated Trustee
Cllr. Shipley	Joint Burial Committee	Parish Council Representative
Cllr. Simmons	Charles Cooper Trust	Parish Council Nominated Trustee/ Chairman
	Joint Burial Committee	Parish Council Representative
	MAP Ltd.	Member
	Poors Fund	Parish Council Nominated Trustee
	Standrings Charity	Parish Council Nominated Trustee
	Misterton Sport Social Club	Member
	Misterton; Community, Sports & Social Club Ltd.	Parish Council Appointed Director

06/07/5 ELECTION OF VICE-CHAIRMAN

Resolved unanimously: That Councillor M. A. Simmons be re-elected Vice-Chairman for the ensuing year.

06/07/6 MINUTES OF THE LAST ORDINARY MEETING OF THE COUNCIL

Resolved: That the Minutes of an extraordinary meeting of the Council, held on 25th April, 2006, be approved as a correct record.

06/07/7 MATTERS ARISING FROM THE MINUTES

There were no matters arising.

06/07/8 PUBLIC DISCUSSION

- (a) Mrs. L. Hessel observed that work remained to be done following a water leak at Wharf Road. The Clerk undertook to investigate.
- (b) Mrs. I. E. Charman referred to the County Council's Building Better Communities programme, and suggested that it might be a useful medium for getting highway repairs carried out. She also referred to the fact that County Councillor Bullivant had a small budget available for certain projects.

The Clerk explained firstly that the Building Better Communities programme was aimed mainly at innovative projects, which would not include routine maintenance.

As regards County Councillor Bullivant's budget, the Parish Council would shortly be tapping into it insofar as County Councillor Bullivant had agreed to make a sum of money available to fund equipping of The Misterton Centre.

- (c) Mrs. I. E. Charman referred to a sprained ankle she recently suffered, and expressed appreciation in respect of the two young men who immediately came to her assistance. She also expressed appreciation to the Clerk, who had arrived at the scene of the accident shortly after it happened, and took her home.
- (d) Mrs. A. Potter asked that a letter she had delivered that evening be read out. Members agreed, and the Clerk suggested that he first read out a letter from Mrs. I. E. Charman dated 28th April, 2006 on the same subject.

The letter from Mrs. Charman complained that the record of the discussion outside the Church Room on 4th April, 2006 was not a true record (Minute No. 05/06/529). She said that Mr. White had been prepared to return to the meeting unconditionally and she had no recollection whatsoever of the recorded discussion between herself and the Clerk. She recalled asking the Clerk if it was alright for her to accompany Mr. White and she also recalled Mrs. Potter saying that if Mrs. Charman was going in, she (Mrs. Potter) was going in as well.

The letter from Mrs. Potter responded to a letter from Councillor Brand on the subject, which Mrs. Potter had raised with the Clerk recently and which the Clerk had reported to Councillor Brand. Mrs. Potter explained in her letter that she was not making a serious accusation against the Clerk, but was simply asserting that the minute was incorrect. Her letter went on to confirm the gist of Mrs. Charman's letter.

After the two letters had been read out, the Clerk informed Members that he had already discussed this issue with the two ladies, and had informed them that he did not agree with them and was adamant that the minute was correct. He had drawn their attention to the fact that his recollection of what Mrs. Charman said to him outside the meeting on 4th April, 2006 was reported to Members within two seconds of it being said, and had been minuted the following day.

Councillor Brand asked if a minuted record of their letters would be satisfactory to the ladies and they said it would. She also referred to her remark earlier in the meeting about the need to put an end to skirmishing. To this Mrs. Charman replied that she was not skirmishing and only wanted the record to be correct.

- (e) Mrs. A. Potter enquired whether it was in order for the Chairman and Clerk to approach a member of the public to discuss a matter during a meeting. The Clerk explained that it was. (By way of explanation, Mrs. Potter was referring to a point in the meeting on 4th April, 2006 when Mr. N. White returned to the meeting from the Bassetlaw Cabinet meeting and the Chairman and Clerk had a brief discussion with him about him signing his Declaration of Acceptance of Office).

06/07/9 ACCOUNTS

Resolved: That the May Accounts be approved for payment.

06/07/10 BANK RECONCILIATION

Members received the bank reconciliation statement to 31st March, 2006.

06/07/11 MONTHLY BUDGET MONITORING

The Clerk submitted the May budget monitoring statement.

06/07/12 ACCOUNTS FOR THE YEAR ENDED 31ST MARCH, 2006

The Clerk submitted the Accounts for the Year Ended 31st March, 2006, which included the following documents:

Receipts & Payment Summary including year-end Bank Reconciliation
Summary Receipts and Payments Account
Supporting Notes to the Accounts
Annual Return with explanation of Significant Variations

Resolved:

- (a) That the Accounts be approved.
- (b) That all elements of the Statement of Assurance be answered in the affirmative.
- (c) That the Chairman be authorised to sign the various documents.

06/07/13 COMMITTEE, ETC. REPRESENTATIVES

Representatives were appointed as follows:

Combined Charities Committee	All Members
Finance Committee	All Members
General Purposes Committee	All Members
Urgent Business Powers Committee	Chairman and Vice-Chairman

Joint Burial Committee	Councillors Batty, Brand, Shipley and Simmons
NALC Northern Area Committee	Councillor Boulby
North East Bassetlaw Forum	Councillors Farmer and Moffett
Misterton Learning COG	The Clerk
Wells Charity	Councillors Brand and Keat
Charles Cooper Trust	Councillors Farmer and Simmons
Misterton Poores Trust	Councillors Brand, Farmer and Simmons
Standrings Charity Trust	Councillors Brand, Farmer, Keat and Simmons
Swimming Pool	Councillor Farmer

06/07/14 COMMITTEE REPORTS

There were no committee reports, relevant reports having been given in the Annual Parish Meeting held earlier in the evening.

06/07/15 RISK REVIEW AND ASSET INSPECTION

- (a) Pursuant to Minute No. 05/06/512 of April, 2006, the Clerk reported that he had sought three quotations for replacement of the collapsible bollards on the emergency exit route on Church Meadow. He had received just one response, from Middlebridge Construction, in the sum of £850.

Resolved: That the quotation be accepted, and the cost be met from the Capital Reserve.

- (b) Councillor Keat expressed concern about broken glass on Church Meadow and sharp items on the ground at the nearby bus stop.
- (c) The Chairman reported that she had mentioned to the Clerk that the notice board on Grange Avenue had a defective central panel. The Clerk said that he had effected a repair, but would keep the situation monitored.
- (d) The Clerk said that, until such time as former Councillor Manning's risk monitoring duties were allocated to a different Member, he (the Clerk) would accept the responsibility.

06/07/16 CHAIRMAN'S MONTHLY REPORT

The Chairman had nothing to report, having submitted a comprehensive report on the past year's activities, etc. to the Annual Parish Meeting.

06/07/17 THE MISTERTON CENTRE

The Clerk reported that, to the best of his knowledge, all three tenants had signed their leases and work on the alterations was due to start shortly.

He added that discussions were continuing on the signage issue.

Members agreed that a working party be formed to decide on equipping the building.

06/07/18 CPRE NOTTINGHAMSHIRE BEST KEPT VILLAGE COMPETITION

Letter was submitted from CPRE Nottinghamshire, inviting the Parish Council to consider entering the following competitions:

Best Kept Village Competition
Village of the Year Competition
Building Community Life Competition
Harry Johnson Award (for building design and restoration)

A discussion ensued, when District Councillor Simpson encouraged the Parish Council to enter the Village of the Year Competition, in addition to the Best Kept Village Competition, and also the Harry Johnson Award. He stressed that the village had a lot going for it, and he mentioned one building renovation project in particular.

As regards the Best Kept Village Competition, the Clerk recommended that, as the judges judged villages, as opposed to parishes, Newells Terrace should be included in the Parish Council's entry.

The Clerk also referred to the assistance being given by Bassetlaw District Council and Nottinghamshire County Council in improving the village.

The Parish Council needed to decide which sites should be submitted for exclusion from the Competition, being sites beyond the control of the Parish Council. The Clerk gave advice on this aspect of the entry, and reported that he had written to Councillor White to enquire as to whether Councillor White owned a derelict building to the south of the doctors' surgery on Marsh Lane. Councillor White had not replied.

The Chairman referred to the recent litter pick, and explained that, whilst the amount of litter collected was similar to last year, the position with dog fouling had improved greatly. A large amount of old litter and rubbish had been found at certain locations, and the Clerk had since requested the Bassetlaw Litter Busters to remove it.

Resolved:

- (a) That the General Purposes Committee consider entry in Village of the Year Competition, Building Community Life Competition and Harry Johnson Award.
- (b) That an entry be made in Category A (over 2,000 population) of the Best Kept Village Competition, with Newells Terrace being included.
- (c) That the Clerk deal with the following sites in the Best Kept Village Competition entry as follows:
 - An explanation be given as to the position regarding the former Jenkins Newell Dunford factory site and the research and development site opposite on Marsh Lane
 - An explanation be given as to the position regarding the Village Hall and the Victoria Institute, and a request that the Victoria Institute be excluded
 - The old bank on Station Street and the derelict building on Marsh Lane (referred to above) to be excluded as being beyond the control of the Parish Council.

06/07/19 PACKETT INN SITE AND COMMON LAND ADJOINING

The Clerk reported that it had been established that the three concrete posts on British Waterways land adjoining the common land had been installed by British Waterways to prevent unauthorised vehicular access to the canal bank. Arrangements were now being made to facilitate vehicular access by Huntington's Charity.

The Clerk also reported receipt of an Email from the Parish Council's solicitors, giving some preliminary legal advice provided by Counsel. He advised that this matter should be dealt with in private session later in the meeting. Members agreed that the matter should be dealt with in private session.

06/07/20 NALC NORTHERN AREA COMMITTEE

- (a) Letter was submitted from Councillor Hugh Burton, inviting Parish Councils to give their views on their workloads – increasing or otherwise. The Clerk agreed to attend to this.
- (b) Councillor Boulby indicated her availability to attend a meeting of the NALC Northern Area Committee on 22nd May, 2006, at which there would be a special session on Double Taxation.

06/07/21 VILLAGE INFRASTRUCTURE AND PUBLIC SERVICES

The Clerk reported that Mr. Chris Telford, of the Bassetlaw District Council Local Plan Team, had agreed to attend the June meeting of the Parish Council to discuss the above.

06/07/22 MISTERTON COMMUNITY TRUST

- (a) The Clerk reported that the sealed Scheme had been received, and a copy had been placed on public deposit at the Library.
- (b) The Clerk reported that the Village Hall had been boarded up, although he was still awaiting the water supply being turned off. The roof of the Victoria Institute had been repaired.
- (c) Consideration was given to the forthcoming public meeting regarding the future of the Village Hall and Victoria Institute, to be held on 13th June, 2006. The Clerk drew attention to the fact that, although the Parish Council had an unfettered power to sell the Village Hall, its power to sell the Victoria Institute was contingent on the following:
 - The Parish Council must decide that the land and building was no longer needed for use as a village hall, and
 - The decision to sell must be confirmed by a resolution passed at a meeting of the inhabitants of the area of benefit of 18 years and upwards.
 - Fourteen days notice of the public meeting must be given, setting out the terms of the resolution.

Members gave consideration to whether the Village Hall and Victoria Institute were needed for use as village halls, and decided that they were not, there being no evidence of need.

Resolved unanimously:

- (i) That it be the policy of the Parish Council that neither the Village Hall nor the Victoria Institute were needed for use as village halls.
- (ii) That, at the forthcoming public meeting, the Parish Council would explain its proposals regarding the two buildings.
- (iii) That, at the public meeting, inhabitants would be invited to consider the future of the Victoria Institute, including any viable ideas put forward to bring the building back into community use, defined as being (a) for meetings, lectures and classes and (b) for other forms of recreation and leisure-time occupation.

- (iv) That, in the event that no ideas or plans for the future of the Victorian Institute were acceptable to the meeting, those present be invited to consider the following resolution:

“We, inhabitants of the area of benefit of 18 years and upward, agree to the sale of the land and premises known as Misterton Victoria Institute.”

- (d) Resolved: That a request by a local resident to borrow chairs from the Village Hall for a family reunion be approved.

06/07/23 SPORTS FIELD

Councillor Keat left the meeting at this point and did not return.

- (a) Pursuant to Minute No. 05/06/534(a) of April, 2006, the Clerk reported receipt of a quotation of £430 from Middlebridge Construction to infill potholes in the sports field car park and compact the same.

Resolved: That the quotation be accepted.

- (b) The Clerk reported that vandals had lit a fire in one of the youth shelters, and caused damage to the paintwork. The matter had been reported to the Police, who had investigated.

**06/07/24 NOTTINGHAMSHIRE ASSOCIATION OF LOCAL COUNCILS
COURSE ON NEW COUNCILLOR TRAINING – RETFORD –
THURSDAY 8TH JUNE, 2006**

Resolved: That, subject to his availability, Councillor Marsden be authorised to attend the above course.

**06/07/25 SOCIETY OF LOCAL COUNCIL CLERKS – CONFERENCE ON
PARTNERSHIP, PERFORMANCE AND THE PRACTITIONER –
NOTTINGHAM – 29TH JUNE, 2006**

Resolved: That the Clerk be authorised to attend the above conference.

06/07/26 CORONATION CORNER, STOCKWITH ROAD, MISTERTON

Letter was submitted from West Stockwith Parish Council, regarding litter at Coronation Corner.

The Clerk would inform West Stockwith Parish Council that Bassetlaw District Council had recently provided a litter bin at that location at the request of Misterton Parish Council.

05/06/27 ITEM FOR THE AGENDA OF THE GENERAL PURPOSES

COMMITTEE

Consideration would be given at the next meeting of the General Purposes Committee to the question of improving/extending the sports pavilion.

06/07/28 PLANNING APPLICATIONS

33/06/4R

Langley Homes Ltd.

Erect 69 dwellings and construct estate road, private drives and associated car parking and alter existing access at former Jenkins Newell Dunford factory site at Marsh Lane/Fox Covert Lane, Misterton – resubmission of 33/05/49

Resolved: That Bassetlaw District Council be informed as follows:

This application developed from a series of consultation meetings between Spawforth Associates (Architects to Langley Homes Ltd.) and Misterton Area Partnership Ltd. (MAP) beginning on 15th November, 2004. Spawforth Associates initially invited MAP to a meeting “*in order to discuss suitable development options on the (factory) site to reflect the needs and aspirations of the community.*” MAP had been fully supported by the Parish Council in everything it had done with regard to this matter.

The Parish Council and MAP had fully involved the community in this major development in the village and had held two public meetings, the first being held on 23rd April, 2005 and the second on 22nd October, 2005.

The decision of the Parish Council was that no adverse comment be made to the package of planning applications, subject to four observations and three conditions set out below:

The first general observation concerned the effect of the proposed housing development on the village infrastructure and its ability to cope. This had been a fundamental concern all along, and was a key feature of discussion at the public meetings. Clearly, Bassetlaw District Council would need to satisfy itself about these things, e.g. the impact on education, policing, roads, youth provision, etc., but particularly on drainage. It was a well-known fact that there was a flooding problem, including sewerage, in south-east Misterton. The drainage issue had been raised with Severn Trent Water and Nottinghamshire County Council but to no avail. The current housing development off Fox Covert Lane drained to the lowest point of the village.

The second observation related to the offer to give part of the sports field to the Parish Council. The Parish Council would prefer a full, initial transfer of ownership of the whole of the site to it, with a covenant in the Deed of Gift requiring it to freely make a specified part of the land available as a site for a community building if required in the future. This would be a much cleaner arrangement than the one proposed, especially taking into consideration the fact that the Parish Council had a lease on the whole site until 2029.

In an email to the Parish Council dated 21st October, 2005, Mr. Spawforth said: *“I confirm that upon receipt of a satisfactory planning decision on the current planning applications...Langley Homes would complete a legal agreement to transfer the freehold title for the existing sports grounds to Misterton Parish Council...A condition will be written into any legal agreement that the land outlined in red...must be made available to the club at no cost to them.”* This, or similar, was the way in which the Parish Council wished to proceed.

The third observation related to concerns of Misterton Community Sports & Social Club to ensure the survival of the club in a community-based format. Whilst there was relief that the immediate threat to the future of the club had disappeared, there was concern that facilities, including car parking, needed to be improved. The Parish Council, as well as needing to own the sports field, had a second fundamental objective, which was to see the club thrive and prosper. The club was a unique and vital village institution with over 800 members; it hosted a number of village-wide events, e.g. annual horticultural show, venue for public meetings, etc. The Parish Council also recognised the fact that it was Government policy to ensure the survival of community-based social facilities such as the Social Club.

The fourth observation related to consultants’ concerns over site contamination. The Parish Council would wish to see stringent planning conditions in place to safeguard the health and interests of purchasers.

The conditions were as follows:

1. That Langley Homes Ltd. be required to enter into a legal agreement with Bassetlaw District Council relating to a gift of the freehold of the sports field to Misterton Parish Council within a specified date (no more than six months) from the grant of planning permission in respect of the factory site; the deed of gift to contain a covenant requiring the Parish Council to make available, free of charge, a specified part of the sports field as the site for a community building.
2. That the proposed level of affordable housing was increased to a level acceptable to Bassetlaw District Council.
3. With the future of Misterton Sport Social Club being uncertain, Langley Homes Ltd. as previously promised, be required to produce, free of charge, a full specification, bills of quantities, drawings, etc. sufficient to allow a contractor to build a community building on the sports field – as originally promised.

In summary, the Parish Council did not wish to make any adverse comment about this application subject to:

- infrastructure issues being properly addressed
- a gift of the sports field to the Parish Council, subject to a covenant requiring the Parish Council to make available, free of charge, a specified part as the site for a community building

- consideration being given by Langley Homes Ltd. to improve the facilities, including car parking, at the existing social club.
- the imposition of stringent conditions relating to site contamination
- a level of affordable housing acceptable to Bassetlaw District Council
- Langley Homes Ltd. to produce, free of charge, a full specification, etc. for a new community-based building.

33/06/18

Mr. & Mrs. M. Higgins

Demolish existing single and two-storey extensions and erect two-storey extension at Highfield, 38 Gringley Road, Misterton

Resolved: That no adverse comment be made.

06/07/29 PLANNING DETERMINATIONS

33/06/5R

Langley Homes Ltd.

Erect 4 live/work units and construct new access, with associated car parking on land at Marsh Lane, Misterton

Permission Granted

33/06/6

LCS Property Ltd.

Extension to existing Co-op store and car park at 31 High Street, Misterton

Permission Granted

06/07/30 PUBLIC BODIES (ADMISSION TO MEETINGS) ACT 1960

Resolved: That, in view of the confidential nature of the business about to be transacted, it is advisable in the public interest that the public be excluded, and they are requested to withdraw.

06/07/31 PACKETT IN SITE AND COMMON LAND ADJOINING

The Clerk read out an Email from the Parish Council's solicitors regarding expected legal advice in Counsel's opinion.

Resolved: That, in view of the pressing nature of the matter, authority be given to the General Purposes Committee to take any necessary action regarding the matter, and the Clerk be authorised to take any urgent action that

may become necessary prior to 30th May, 2006, in consultation with the Chairman and Vice-Chairman.