

# TUPTON PARISH COUNCIL

*Improving the quality of life for all those who live and work in Tupton*

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## MINUTES OF THE MEETING OF TUPTON PARISH COUNCIL VIRTUAL MEETING Held on Wednesday 10<sup>th</sup> June 2020 at 5:30 pm

### P R E S E N T

Councillor D Hancock (in the Chair)

Councillors J Ahern, N Dart, C Goodyer, J Hancock, S Peters, C Ramshaw, C Pollendine, R Shipman, K Windley and P Windley.

Two members of the public and the Parish Clerk

The Chair displayed a copy of the agenda on the screen with any confidential information redacted.

### MATTERS RAISED IN PUBLIC PARTICIPATION

No matters were raised by the public

#### 412/2020 Apologies for Absence

There were no apologies for absence.

#### 413/2020 Declaration of Interests and requests for Dispensations

Councillor S Peters declared an interest in the item relating to the allotments

#### 414/2020 Minutes

**RESOLVED unanimously**, by each councillor indicating by raising their hand, that, the minutes of the meeting held on 13<sup>th</sup> May 2020 be confirmed as a correct record and signed by the Chair:

#### 415/2020 Urgent Items

Three urgent items were raised:

Littering on the recreation area – it was agreed that an item be placed on the next agenda to consider the purchase and erection of signs to deter littering

Pavement Parking – that an item be placed on the next agenda to consider a motion to undertake a disability access survey throughout the parish led by Councillor Nadine Dart

Speeding on A61 – Councillor Goodyer referred to the excessive speed of traffic on the A61 and asked that the police be contacted about this problem

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## **416/2020 To determine which items, if any, from the agenda should be taken with the public and Press excluded.**

It was agreed that, whilst no items in their entirety be moved to confidential, that the finances referred to in the item concerning Tupton Youth Centre be redacted, as this could affect the possible submission of quotes for work to the Centre.

## **417/2020 To consider any items raised by Members**

Councillor C Ramshaw requested that thanks be sent to Julie Kirsopp and David and Diane Parmley who had organised a collection on VE Day. £500 had been collected and donated to Chesterfield Royal Hospital. Thanks also to the residents of the Pond Lane estate who had so generously donated.

Councillor D Hancock submitted the following:

### **1. Values Statement**

- Council notes that Parish Councils are community-focussed councils.
- Council believes it is important that every member of the community is valued and respected

It was Proposed, Seconded and Resolved to adopt the following Values Statement:

*Tupton Parish Council believes and recognises that the diversity of our population is one of our greatest strengths and assets.*

*We are committed to ensuring that people are treated fairly and to promoting equality of opportunity for everyone to live, learn, work and relax in the Parish.*

*We will address inequality both in the workplace and in relation to access to services and outcomes.*

*We strongly oppose all forms of discrimination and will actively work to eliminate discriminatory barriers and ensure that individuals and communities within Tupton have a sense of shared, common belonging and understanding*

*We formally condemn all forms of discrimination on the grounds of race, sex, sexual orientation, gender identity, disability, age, religious beliefs and any other characteristics as defined in the Equality Act*

### **2. Memorial Garden**

Council notes:

- the current restrictions on family gatherings as a result of the Covid-19 emergency restrictions and the impact this has on grieving and mourning families.
- that there are many people who have contributed to the parish and that all individuals are important to others and that the memorial garden be available to any resident who wishes to plant a flower in remembrance of their own loved ones.
- that memorials to Marie Evans and former Councillors Graham Pass, Micheal Scott and Pete Hawkins have been sanctioned for the memorial garden.

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- That the Parish has a living sculptor resident on Ankerbold Road, who would be willing to prepare an appropriate memorial as dedicated feature.

It was Proposed, Seconded and Resolved:

- *To investigate possible options for digging the memorial garden (either via local volunteers or a commercial source).*
- *To invite the parish's living sculptor to discuss the creation of the living sculpture as a centrepiece*
- *To aim for an informal opening as soon as possible to support any grieving families in the parish who may wish to utilise the facility.*
- *To have a formal opening ceremony once regulations permit (tentatively around spring/summer 2021); and that the relatives of the late Marie Evans, Graham Pass, Pete Hawkins and Mick Scott be invited to officially open the garden.*
- *To develop an approved list of shrubs and plants*

### 3. Remembrance Sunday

Council notes that it is likely that some degree of social distancing measures will be in place for the remainder of 2020.

*It was Proposed Seconded and Resolved to liaise with the local Royal British Legion representative, the Rector and Tupton Village Hall Management Committee to coordinate an appropriately socially distanced fallback plan that will enable the parish to respectfully, and as inclusively as regulations will permit, mark Remembrance Sunday.*

#### 418/2020 Report of the Clerk

**(a) Action Plan** -The Clerk circulated a copy of the Action Plan to all members and explained the current status of each of the actions.

**(b) General Power of Competence** - The Clerk had circulated information on the General Power of Competence to all Members. She explained that this was available to Parish Councils who met the following criteria:

The freedom of the GPC is available to local councils that meet two criteria for eligibility (LA 2011 s8) set out in a statutory instrument known as the Parish Councils (General Power of Competence) (Prescribed Conditions) Order 2012 that came into force in April 2012.

A local council must decide, at a full meeting of the council, that it meets the criteria for eligibility at that particular point in time. A resolution to this effect must be written clearly in the minutes of that meeting. The council is then required to revisit that decision and make a new resolution at every annual meeting of the council to confirm that it still meets the criteria (if it does). This means that eligibility remains in place until the first annual meeting of the council after the

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ordinary election even if the condition of the eligibility criteria has changed. The two criteria are:

1. Elected councillors At the precise moment that the council resolves that it meets the criteria, the number of councillors elected at the last ordinary election, or at a subsequent by-election, must equal or exceed two thirds of its total number of councillors.

Elected councillors include all councillors who stood for election whether or not the election was contested. Co-opted or appointed councillors do not count as they are not elected.

2. The Clerk must hold the Certificate in Local Council Administration (CiLCA) as awarded by the Monitoring and Verification Board (or previously by the AQA)

The freedom of the GPC means that Councils no longer need to ask whether they have a specific power to act. The GPC (LA 2011 s1(1)) gives local authorities, including eligible local councils, “the power to do anything that individuals generally may do” as long as they don’t break other laws. It is a ‘power of first resort’; this means that when searching for a power to act, the first question you ask is whether you can use the GPC. To find the answer, you ask whether an individual is normally permitted to act in the same way

Sometimes a council can do things that an individual can’t do – such as creating byelaws, raising a precept or issuing fixed penalty notices - but it must do so using the specific original legislation. The GPC does not mean that the council can delegate decisions to individual councillors – this is a procedural matter that remains enshrined in law.

Following discussion it was **Proposed, Seconded and RESOLVED** that Tupton Parish Council confirm that they meet the necessary criteria and hereby formally adopt the General Power of Competence.

**(c) SLCC Membership** - The Clerk requested members to consider whether the Parish Council would meet the cost of the Clerk’s membership of Society of Local Council Clerks. It was Proposed, Seconded and Resolved that, in the first instance the Parish Council would meet a percentage of the cost and request the Clerk’s other parish council to meet a percentage. In the event that the other parish were unable to meet the balance, Tupton Parish Council would meet the fee in total.

**(d) Flying of the Flag** – The Clerk reported for Members; information that the flag had been flown at half mast on the following occasions:

26<sup>th</sup> May – Christine Ayres

2<sup>nd</sup> June – Mick Walker

## **419/2020 Report from Representatives on Outside Bodies and Working Parties**

Hannah reported that there were some plans in place to mark the carnival day. In relation to VJ day, arrangements were in hand to provide a candle, hopefully for every household in the

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parish. They were looking for help and volunteers to distribute the candles, or may be to have a pick up point in the parish. The idea was to encourage everyone to light the candle on VJ day It was suggested that the Community Support Worker may be able to help and the Clerk was asked to liaise with Hannah to arrange this.

## **420/2020 Village Green and Gardens and Allotment Fires**

The Clerk circulated copy of an email received relating to the standard of the Village community garden and green and a second issue concerning fires on the allotments.

It was proposed, seconded and resolved that a response be sent which explained the current arrangements for the maintenance of this area and plans for the future, It was further agreed that the response should explain the Parish Council's responsibility to the allotment holders and to the residents of the Parish, and that further advice was being sought from the National Allotments Association with the resultant findings and recommendations being brought to a future meeting of the Parish Council.

## **421/2020 Annual Governance and Accountability Return – Audit of Final Accounts – Governance Statement**

A copy of the Governance Statement – Section 1 - had been distributed to all members of the Council. Members acknowledged that as members of the Parish Council they had a responsibility for ensuring that there was a sound system of control, including arrangements for the preparation of the accounting statements. They confirmed that to the best of their knowledge and belief, with respect to the Accounting Statements for the year ended 31<sup>st</sup> March 2020, that they were able to answer Yes to questions 1 – 8 as shown on the Appended Statement (Question 9 was N/A). It was **Proposed, Seconded and Resolved** that the statement be approved and duly signed by the Chair and Clerk of the meeting.

## **422/2020 Annual Governance and Accountability Return – Audit of Final Accounts – Accounting Statements**

A copy of the Accounting Statement – Section 2 - and all supporting documentation had been circulated to all members of the Council. It was **Proposed Seconded and Resolved** that the Annual Accounts of Tupton Parish Council for the year ended 31<sup>st</sup> March 2020, and signed by the Internal Auditor on 4<sup>th</sup> June 2020, be approved and that the Accounting Statement ,duly signed by the Responsible Finance Officer , presented fairly the financial position of the authority and its income and expenditure and that the statement be signed by the Chair of the meeting.

## **423/2020 Finance**

### Summary of Accounts

**RESOLVED** unanimously, by each Councillor giving their vote by show of hands, that the Summary of accounts be countersigned by a member of the Council.

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## Accounts for Payment

**RESOLVED** unanimously, by each Councillor giving their vote by show of hands, that the following accounts be approved for payment:-

Salaries	May	£2198.79
HMRC	PAYE & NI	£195.99
Personnel Solutions	Personnel Advice	£120.00
O2 mobiles	Mobile	£
AML (Inv 21399)	IT support	£12.78
DALC annual subs	Without training	£672.91
EON	CCTV electricity	£34.56
J S Marriott	Internal audit fee	£225.00
Tupton Safe Space	Grant (February)	£176.00
Tupton Tiddlers	Grant (January)	£351.00
	Grant (February)	£324.00

## Budget against Spend

Resolved unanimously by each Councillor giving their vote by show of hands, that the Budget against Spend 2020/21 be received

### **424/2020 S137 Grant Applications**

There were no applications for grant.

### **425/2020 NEDDC Tourism Strategy**

Members received a copy of the draft NEDDC Tourism Strategy. No comments were raised for submission.

### **426/2020 Tupton Village Hall**

Councillor Hancock reported that he had spoken with the Chair of the Village Hall Management Committee, who had confirmed that the Village Hall would not be opening in the foreseeable future as the bulk of the users were in the high risk category. They did not have the capacity to undertake the extra cleaning which would be required at this point in time. They were continuing to work behind the scenes in relation to the Parish Council's transfer proposals.

### **427/2020 Birkin Avenue Project – Report of Working Group 10<sup>th</sup> June 2020**

Members received a copy of the Notes of the Working Party held on 10<sup>th</sup> June and it was Proposed, Seconded and Resolved

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- That quotes be sought for the installation of appropriate pedestrian access routes to the play area site
- That discussions take place with local organisations to obtain letters of support and to seek a Contributory Third Party (CTP)
- That NEDDC be requested to undertake an evaluation of the quotes before a final decision was made in regard to the successful contractor.

## **428/2020 Youth Club Project**

The Clerk had circulated copy of an email from DCC setting out a subject to contract and subject to Council approval offer for DCC to make a lump sum exit payment to surrender the two leases in replacement for undertaking the repairs to the building.

It was **RESOLVED** unanimously, by each Councillor giving their vote by show of hands, that the Parish Council agree in principle to the offer, but that the Parish Council commission a contractor to undertake a survey to ensure that the sum offered is sufficient to carry out the essential works, before any offer is formally accepted.

## **429/2020 Grounds Maintenance**

There was nothing further to report at the present time

## **430/2020 Planning**

**RESOLVED** that no comments be raised on the planning applications that have been received.

## **431/2020 Publicity Items**

The following items were agreed for publicity

Update on Birkin Avenue – quotes received, application for grant

Values Statement

## **432/2020 Date of Next Meeting**

It was agreed that the next Parish Council meeting will be on Wednesday 8<sup>th</sup> July at 6.00 p.m.

## **433/2020 Report of HR Committee – 9th June 2020**

The Minutes of the meeting of HR Committee held on 9<sup>th</sup> June had been circulated to all members. It was Resolved that –

The Village Hall Management Committee be assured that the Parish Council are fully committed to supporting them in the handover process, and in order to help them plan the best way to do this, would request the Management Committee to share with the Parish Council, if possible in time to submit to their July meeting:-

- their views on the proposal and any barriers they may foresee,
- any concerns that they may have, particularly in relation to their financial ability to enact the transfer and
- their opinion as to the level and type of support they may need from the Parish Council in moving forward.

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There being no other business the meeting closed at 19:40 pm.

Signed .....

Date.....