

# Killamarsh Parish Council

Killamarsh Sports Centre  
Killamarsh Community Campus  
Stanley Street  
Killamarsh, S21 1EL

Tel: 0114 247 2260

Email: [parish.office@Killamarsh-pc.gov.uk](mailto:parish.office@Killamarsh-pc.gov.uk)

Website: [www.killamarsh-pc.gov.uk](http://www.killamarsh-pc.gov.uk)



Locum Parish Clerk: Vacant

Email: [parish.clerk@killamarsh-pc.gov.uk](mailto:parish.clerk@killamarsh-pc.gov.uk)

Date issued: 22 May 2022

## NOTICE OF THE ANNUAL PARISH COUNCIL MEETING

### To All Members of the Parish Council

You Are Hereby Summoned To Attend the Annual Meeting of the Parish Council to be held in the Parish Suite to the side of the Killamarsh Sports Centre near the Library building, on Monday 30<sup>th</sup> May 2022 at 7.00pm

A handwritten signature in black ink, appearing to read "A. S. Clough".

Councillor Steve Clough

Acting as Interim Proper Officer to the Parish Council

### CORONAVIRUS MEASURES

- Killamarsh Parish Council (KPC) will continue to monitor Covid-19 transmissions and act accordingly.
- Attendees will be encouraged to register their attendance on arrival and encouraged to sanitize their hands on entering the building. You should not attend if you are unwell with Covid-19 symptoms or know you have Covid-19.
- Members of the public who are unable to attend can email their questions to the Parish Office in advance of the meeting which will be read out under the public participation session.

### Council Members

Cllr Steve Clough (Chairman)

Cllr Chris Curzon

Cllr Carol Lacey

Cllr Mo Potts

Cllr Wendy Tinley

Cllr Nick Challenger (Vice-Chairman)

Cllr David Drabble

Cllr Tony Lacey

Cllr Bill Rice

Cllr John Windle

Cllr Brian Clamp

Cllr Susan Jackson

Cllr Alex Platts

Cllr Eva Thompson

1x Vacancy

### Recording of Council Meetings

Under the Openness of Local Govt. Bodies Regulations 2014, members of the public may now film, photograph and make audio recordings of the proceedings of the formal Council meeting, though not, under current legislation, of the Public Participation session, as this is not part of the formal agenda of the meeting. Recording activity should be respectful to the conduct of the meeting and behaviour that disrupts the meeting (such as oral commentary) will not be permitted.

### Public Participation

- Notice is given that at a time agreed by the meeting, 15 minutes may be set aside for members of the public to make representation on the business of the agenda for the meeting
- Any member of the public shall not speak for more than three minutes.
- A question asked by a Member of the Public during Public Participation shall not require a response or debate during the meeting though the Chairman may direct that a written response will be provided subsequent to the meeting.

### PUBLIC BODIES (ADMISSION TO MEETINGS ACT) 1960

Meetings shall be open to the public unless their presence is prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons. The public's exclusion from part or all of a meeting shall be by a resolution which shall give reasons for the public's exclusion in accordance with the Public Bodies (Admission to Meetings Act) 1960.

# AGENDA

## **1. Election of Parish Council Chairman**

1.1 To elect a Parish Council chairman for the 2022/23 municipal year.

1.2 To receive the Chairman's Declaration of Acceptance of Office, to be signed in the presence of the Proper Officer and the Chairman's opening announcements.

## **2. Election of Parish Council Vice-Chairman**

2.1 To elect a parish council vice-chairman for the 2022/23 municipal year.

2.2 To receive the Vice - Chairman's Declaration of Acceptance of Office, to be signed in the presence of the Proper Officer.

## **3. Apologies for Absence**

To receive and approve apologies for absence and reasons given to the Proper Officer prior to the meeting.

## **4. Declarations of Disclosable Pecuniary and Other Interests**

4.1 To receive declarations of disclosable pecuniary interests (DPI) and personal and prejudicial interests from members on matters to be considered at the meeting in accordance with the Localism Act 2011 (section 30 to 33). Officers are required to make a formal declaration about council contracts where the employee has a financial interest in accordance with the LGA 1972, s117.

Note: Members must generally declare a disclosable pecuniary interest which he or she has in any item on the Agenda. A Member with a disclosable pecuniary interest may not participate in any discussion of the matter at the meeting and must not participate in any vote taken on the matter at the meeting. In addition, the Council's Standing Orders require a Member with a disclosable pecuniary interest to leave the room where the meeting is held while any discussion or voting takes place.

4.2 To receive, consider and record Councillors requests for DPI dispensation (section 31 Localism Act 2011) in connection with items on this agenda. Applications for this must be made in writing to the Clerk prior to the meeting.

## **5. Adjournment for Public Participation**

To adjourn the meeting for 15 minutes to allow members of the public to make representation on the business of the agenda for the meeting. No resolutions can be made under public participation.

## **6. Minutes**

6.1 To approve the draft minutes of the full council meeting held on Monday 25th April 2022.

6.2 To note the minutes of Annual Full Parish Council meeting held on the 24th May 2021, which were subsequently approved at next Full Parish Council meeting on Monday 28<sup>th</sup> June 2021.

## **7. Appointment of Committees**

7.1 To appoint members to committees in accordance with the Scheme of Delegation containing the committee terms of reference. The Chair will inform members of the committee preference results (to follow). A Ballot will be undertaken where there are more than the prescribed number of members for committees. The council will need to formally agree the appointment of members to committees. Unlike a principal authority, the composition of the committees and sub-committees of a local council is not required to represent the same proportions in which the council as a whole may be politically divided. (The Local Government (Committees and Political Groups) Regulations 1990).

- Environment and Climate Change Committee 6 members

- Events & Communications Committee 6 members
- Finance Committee 6 members
- Health, Safety and Wellbeing Committee 6 members

Note: In accordance with Standing Order 8: Where more than two persons have been nominated for a position to be filled by the Council and none of those persons has received an absolute majority of votes in their favour, the name of the person having the least number of votes shall be struck off the list and a fresh vote taken. This process shall continue until a majority of votes is given in favour of one person. A tie in votes may be settled by the casting vote exercisable by the chairman of the meeting.

#### 8. **Review of Representation on Outside Bodies**

To consider the appointment of members to act as representatives on external bodies for the ensuing year. Members appointed onto outside bodies are required to report to full Council.

Members acting as representatives must not make any decisions on behalf of the Council.

- Veolia Norwood x2 members
- Chesterfield Canal Trust x1 member
- Bread Charity x1 member
- NEDDC/Parish Liaison x1 member

#### 9. **Section 137 Grant**

9.1 To receive a report on the Section 137 grant issued to:

- Killamarsh Heritage Society

9.2 To consider the grant applications received in during April 2022 (attached).

#### 10. **Review of Standing Orders, Financial Regulations and Council Policies & Procedures**

To note that no changes have been recommended or made to the documents (except minor ones to the Scheme of Delegation (attached)) prior to the writing of this agenda, as such it is recommended that the documents previously circulated and listed below, are approved for the preceding year 2022/23.

- Standing Orders
- Financial Regulations
- Scheme of Delegation

All documents listed above can be found on the Parish Council's website.

All current existing policies will continue to be operational until they are reviewed throughout the year.

#### 11. **Committee Delegated Budgets 2022/23**

To approve the Committee Delegated Budgets for 2022/23 (copy attached).

#### 12. **Meeting Schedule 2022/23**

To agree the proposed schedule of meeting dates and times for 2022/23. The frequency of meetings has been prepared in accordance with the Scheme of Delegation.

#### 13. **Planning**

The following applications have been raised by members for consideration by Full Council.

- **Application Number:** 22/00380/FL  
**Proposal:** Proposed change of use from shop & house to 9no bed house of multiple occupation (HMO)(amended title)  
**Address:** 205 - 207 Sheffield Road Killamarsh Sheffield S21 1DX  
**Applicant:** MR KARMJIT SINGH
- **21/00690/FL** | Proposed conversion of existing stable block into a 3 bedroom dwelling (re

submission of **20/00364/FL**) (private drainage system) (Amended Plans) | Stables West Of Walnut Drive Off Field Lane

**14. Village Green**

To receive the latest information on the village green and decide on the best way forward. (Legal documents attached)

**15. Any items for discussion for a future agenda**

To notify the Acting Proper Officer of any matters for inclusion on the agenda for future meetings.

**16. Date of the Next Council Meeting**

To note the date of the next full council meeting scheduled for Monday 27<sup>th</sup> June 2022 at 7.00pm.

# Killamarsh Parish Council

Killamarsh Parish Office  
Stanley Street, Killamarsh, S21 1EL  
Tel: 0114 247 2260  
Email: [parish.office@killamarsh-pc.gov.uk](mailto:parish.office@killamarsh-pc.gov.uk)  
Website: [www.killamarsh-pc.gov.uk](http://www.killamarsh-pc.gov.uk)



Draft minutes are subject to approval at the next parish council meeting.

## Minutes of a Meeting of Killamarsh Parish Council Held on Monday 25<sup>th</sup> April 2022 at the Parish Suite, Killamarsh

**Commenced: 7pm – Concluded: 8.50pm**

**Councillors Present:** Steve Clough [Chair], Nick Challenger, David Drabble, Susan Jackson, Tony Lacey, Alex Platts, Mo Potts, Eva Thompson, Wendy Tinley, John Windle.

**Absent Councillors:** Brian Clamp, Chris Curzon, Carol Lacey, Bill Rice.

**Officers:** Cllr. Steve Clough [Chairman], nominated and approved temporary Responsible Person/Proper Officer. Judy France [Deputy Parish Clerk, minute taker]

**Members of the Public:** Seven members of the public were in attendance.

### 2022/059 Item 1: Chairman's Announcements

To receive the Chairman's opening announcements.

**The Chairman welcomed everyone to the meeting. There were no announcements.**

### 2022/060 Item 2: Apologies for Absence

To receive and approve apologies for absence and reasons given to the Clerk prior to the meeting.

**Apologies were received and accepted from Cllr Curzon, Cllr C Lacey, Cllr Rice and Cllr Clamp.**

### 2022/061 (FC)

#### **Item 3: Declarations of Disclosable Pecuniary and Other Interests**

**Item 3.1** - To receive declarations of disclosable pecuniary interests (DPI) and personal and prejudicial interests from members on matters to be considered at the meeting in accordance with the Localism Act 2011 (section 30 to 33). Officers are required to make a formal declaration about council contracts where the employee has a financial interest in accordance with the LGA 1972, s117.

**None declared.**

**Item 3.2** - To receive, consider and record Councillors requests for DPI dispensation (section 31 Localism Act 2011) in connection with items on this agenda. Applications for this must be made in writing to the Clerk prior to the meeting.

**None received.**

### 2022/062 (FC)

#### **Item 4: Adjournment for Public Participation**

To adjourn the meeting for 15 minutes to allow members of the public to make representation on the business of the agenda for the meeting. No resolutions can be made under public participation.

**There were no representations from members of the public present.**

### 2022/063 (FC)

#### **Item 5: Reports from County / District Councillors and Invited Guests**

To receive reports from County Councillors, District Councillors, and any invited guests. A period of no more than 3 minutes will be allowed for each report and must be a report on their business environment only.

**Cllr Alex Dale (DCC and NEDDC) was present to give an update on Item 8 of the agenda.**

**There were no updates from District Councillors.**

### 2022/064 (FC)

#### **Item 6: Exclusion of Press and Public - Public Bodies (Admission to Meetings Act) 1960**

To consider and resolve any agenda items that require the exclusion of the Press and Public in accordance with the Public Bodies (Admissions to Meetings) Act 1960 for matters pertaining to confidential or exempt information.

**Cllr Thompson asked that Item 14 - Canal Bridge (Private & Confidential) – be moved to closed session. All in favour.**

### 2022/065 (FC)

#### **Item 7: Minutes**

To approve the draft minutes of the Full Council meeting held on Monday 28<sup>th</sup> March (attached).

**Cllr Thompson raise the following:**

**Item 14 - amend date to 09/04/2020.**

**Item 19 - Cllr Thompson said she asked for crime statistics in Killamarsh as promised by the police representative at January's full KPC.**

**Item 19 (cont) - Cllr Thompson asked when a meeting of working group for the Neighbourhood Plan would take place.**

**Item 19 (cont) - Cllr Thompson asked if the CLOC building could be used for housing donation for the Ukraine only.**

**To note - Further comments were raised, that the Parish Office will look in to and feedback to Cllr Thompson but the comments did not relate to correction of minutes.**

#### **RESOLVED:**

- 1) Subject to the above Cllr Platts moved and Cllr Drabble seconded approval of the draft minutes. All in favour.

### 2022/066 (FC)

#### **Item 8: Update on Sports Centre Refurbishment**

To receive an update on the Sports Centre Refurbishment from Cllr Alex Dale (DCC & NEDDC) and Matt Broughton, Director of Transformation at NEDDC.

**Cllr Alex Dale confirmed the closure of Killamarsh Library on 14<sup>th</sup> May 2022 and said that the library would be moving into the sports centre when it opened after the refurbishment. Cllr Dale stated that he was ambitious about improving youth services in Killamarsh and that the sports centre would have events and activities aimed at young people. He confirmed that the closure of the youth centre and library buildings were part of a long term plan, as the buildings were no longer viable due to their age and condition.**

**Matt Broughton (Director of Transformation at NEDDC) updated on the following:**

- Public consultations were currently taking place on what residents would like to see in the newly refurbished sports centre with regards to library facilities; youth activities; cafe facilities etc
- After the closure of the library building in mid-May the utility companies have a three month window to disconnect the services. The library and youth centre buildings would then be

2022/069 (FC) **Item 11: Use of CLOOC Building to house donations for Ukraine**  
Full Council to decide on a temporary option to use the CLOOC building as a drop off point & to house donations for Ukraine. This will be dependent on the building not being required for public use in the interim.

**Clr Thompson has a contact who co-ordinates donations to be sent to the Ukraine and they are looking for somewhere to use as a storage hub.**

**RESOLVED:**

- 1) For Clr Thompson and the Chairman to arrange a meeting with the person in question to ascertain what they are looking for and if any of the spaces in the CLOOC Building would be suitable.

2022/070 (FC)

**Item 12: CLOOC Building Update**  
Chair to verbally update the Council on the open day that took place on Saturday 23<sup>rd</sup> April 2022.

- 12.1 To discuss and agree a way forward

**The Chair gave an update on the open day. It was reasonably well attended, but not all community groups were represented. Questionnaires to obtain feedback on the future use of the CLOOC Building were handed out and some were received back on the day, with others expected to be handed in at the parish office by the end of the week.**

**RESOLVED:**

- 1) The Chair would update the Council on the results of the questionnaire once they had all been received back.

2022/071 (FC)

**Item 13: Income and expenditure**

13.1 2021-22 year end - To note the information received from the accountant, identifying any areas of concern. (attached)

2022/067 (FC)

**Item 9: Minutes of Environment & Climate Change Committee**  
To note the minutes of the Environment & Climate Change Committee held on Tuesday 05<sup>th</sup> April 2022 and to note there are no outstanding items for Full Council to approve (attached)

**The minutes were noted.**

2022/068 (FC)

**Item 10: Minutes of Events & Communication Committee**  
To note the minutes of the Events & Communication Committee held on Monday 11<sup>th</sup> April 2022 and to decide on the following

**The minutes were noted.**

10.1 Item 7.2 – Full Council to consider a temporary partial reopening of the Parish Suite, given the timeline for refurbishment and the potential start date 1<sup>st</sup> September 2022.

**There was a discussion around the pros and cons of this and it was decided that it would be very disruptive to groups to invite them back in for a few weeks and then ask them to leave again. There would also be cost implications for making the room habitable and some charges would be incurred from NEDDC for rent if the building was classed as being in use. Also there would be no kitchen facilities available. It was also noted that the information received at this meeting about the demolition of the youth centre and library would have an impact on any temporary reopening.**

**Clr Challenger moved and Clr Timley seconded that the building remain closed until after the refurbishment and all were in favour.**

**RESOLVED:**

- 1) That the Parish Suite should remain closed until after the refurbishment.

2022/069 (FC) **Item 11: Use of CLOOC Building to house donations for Ukraine**  
Full Council to decide on a temporary option to use the CLOOC building as a drop off point & to house donations for Ukraine. This will be dependent on the building not being required for public use in the interim.

**Clr Thompson has a contact who co-ordinates donations to be sent to the Ukraine and they are looking for somewhere to use as a storage hub.**

**RESOLVED:**

- 1) For Clr Thompson and the Chairman to arrange a meeting with the person in question to ascertain what they are looking for and if any of the spaces in the CLOOC Building would be suitable.

2022/070 (FC)

**Item 12: CLOOC Building Update**  
Chair to verbally update the Council on the open day that took place on Saturday 23<sup>rd</sup> April 2022.

- 12.1 To discuss and agree a way forward

**The Chair gave an update on the open day. It was reasonably well attended, but not all community groups were represented. Questionnaires to obtain feedback on the future use of the CLOOC Building were handed out and some were received back on the day, with others expected to be handed in at the parish office by the end of the week.**

**RESOLVED:**

- 1) The Chair would update the Council on the results of the questionnaire once they had all been received back.

2022/071 (FC)

**Item 13: Income and expenditure**

13.1 2021-22 year end - To note the information received from the accountant, identifying any areas of concern. (attached)

**This was noted, with comment that the report was not necessarily in the most user friendly format.**

13.2 To note the income and expenditure for Month 12, March 2022 and identify any points of concern. (attached)

**This was noted.**

**The Chair highlighted that there had previously been a number of payments made in advance to instructors in the sports centre for sessions which did not happen during the closure of the sports centre and which we had not been able to reclaim so far due to Killamarsh Parish Council no longer having access to the database containing all the contact details. This was discussed and it was agreed that an attempt would be made to contact the instructors who this applied to request the fees be repaid, as this was public money.**

**RESOLVED:**

- 1) To contact the instructors who this applied to and request the fees be returned
- 13.3 To note the Detailed Balance Sheet for Month 12, March 2022 and identify any points of concern. (attached)

**This was noted.**

13.4 To note the Income & Expenditure over £500 for the period February 2022 and identify any points of concern. (attached)

**This was noted.**

13.5 To note the Income and Expenditure over £500 for the period March 2022 and identify any points of concern. (attached)

**This was noted.**

2022/072  
(FC)

**Item 14: Acting Proper Officer Update Report**

The Acting Proper Officer to provide an update on the following (report attached).

- Allotments
- Birehlands
- Linear Park
- Sheffield Road Poplar Trees
- Co-option
- SIDs Devices
- Neighbourhood Plan
- Canal Bridge (Private & Confidential)

14.1 The Full Council to decide on any further requirements needed, in each aspect.

**Any outstanding actions on the report will be followed up by the office.**

**Canal Bridge was discussed in closed session and the deputy clerk gave an update on the current position.**

2022/073  
(FC)

**Item 15: Planning Applications**

To determine any action required on the planning application information, from lists circulated by the office previously.

**There were no concerns with regards to applications received this month.**

2022/074  
(FC)

**Item 16: Reports from Parish Councillors**

To receive reports from Parish Councillors who have attended recent meetings or events on behalf of the Parish Council including representation on external bodies:

- Veolia Norwood
- The Chair has a meeting with them on Thursday 28<sup>th</sup> April.**
- Chesterfield Canal Trust

**Nothing to report.**

• Bread Charity

**There will be a report at the next meeting.**

• NEDDC/Parish Liaison

**No recent meeting to report on.**

2022/075  
(FC)

**Item 17: Recruitment and Staffing Update**

18.1 Chair of Health, Safety and Wellbeing Committee to provide update on the current recruitment position.

- **Interviews for the part-time Maintenance Officer will be held on Wednesday 27<sup>th</sup> April – there are two candidates.**
- **Interviews for the Parish Clerk/RFO will be held on Friday 29<sup>th</sup> April – there are three candidates.**

2022/076  
(FC)

**Item 18: Any items for discussion for a future agenda**

To notify the Acting Proper Officer of any matters for inclusion on the agenda for future meetings.

**RESOLVED:**

1) **Cllr Potts asked if the village green could be discussed at the next meeting to include; issues with parking and land registration**

2022/077  
(FPC)

**Item 19: Date of the next Council Meeting**

To note the Annual Parish meeting is scheduled for Monday 30th May 2022 at 6pm.

To note the date of the Annual Parish Council meeting is scheduled for Monday 30<sup>th</sup> May 2022 at 7pm.

**These draft minutes were approved as a true record at the Full Council meeting**

**Held on:** ..... **\*with the agreed additions/deletions: None / Yes (list amendments below)**

**Signed (Chair):**..... **Print:** ..... **Dated** .....

\*Loose leaf pages to be initialled

\*The copy signed by the Chair to contain the alterations, recorded in longhand, with the changes (agreed by the meeting) signed and dated. Signed Copy of the minutes to be filed in the minute book.

**\*Agreed Amendments (Additions/Deletions) to the Draft Minutes:**





# Killamarsh Parish Council

Killamarsh Sports Centre  
Killamarsh Community Campus  
Stanley Street  
Killamarsh, S21 1EL

Tel: 0114 247 2260  
Email: [parish.office@killamarsh-pc.gov.uk](mailto:parish.office@killamarsh-pc.gov.uk)  
Website: [www.killamarsh-pc.gov.uk](http://www.killamarsh-pc.gov.uk)



Locum Parish Clerk: Ms Safia Kauser  
Email: [parish.clerk@killamarsh-pc.gov.uk](mailto:parish.clerk@killamarsh-pc.gov.uk)  
Date issued: 19 May 2021

## NOTICE OF THE ANNUAL PARISH COUNCIL MEETING

### To All Members of the Parish Council

You Are Hereby Summoned To Attend the Annual Meeting of the Parish Council to be held in the Parish Suite of the Killamarsh Sports Centre on Monday 24<sup>th</sup> May 2021 at 7.00pm

### S. Kauser

Ms Safia Kauser

### Locum Parish Clerk to the Parish Council

#### CORONAVIRUS MEASURES

- Killamarsh Parish Council operates a Covid-19 secure building
- Attendees will be required to register their attendance on arrival and must sanitize their hands on entering the building. Masks must be worn at all times (unless an exemption applies) and social distancing must be maintained at all times.
- Any members of the public wishing to attend are required to register their attendance and book a seat by contacting the parish council via email on [parish.clerk@killamarsh-pc.gov.uk](mailto:parish.clerk@killamarsh-pc.gov.uk). This will be on a first come first serve basis.
- Members of the public who are unable to attend can email their questions to the Locum Clerk in advance of the meeting which will be read out under the public participation session.

#### Council Members

Cllr Steve Clough (Chairman)	Cllr Nick Challenger (Vice-Chairman)	Cllr Lillian Robinson
Cllr Chris Curzon	Cllr Stuart Mullins	Cllr Eva Thompson
Cllr David Drabble	Cllr Adrian Platts	Cllr Wendy Tinley
Cllr Barry Jones	Cllr Mo Potts	Cllr Nick Whitehead
Cllr Carol Lacey	Cllr Bill Rice	Cllr John Windle

#### Recording of Council Meetings

Under the Openness of Local Govt. Bodies Regulations 2014, members of the public may now film, photograph and make audio recordings of the proceedings of the formal Council meeting, though not, under current legislation, of the Public Participation session, as this is not part of the formal agenda of the meeting. Recording activity should be respectful to the conduct of the meeting and behaviour that disrupts the meeting (such as oral commentary) will not be permitted.

#### Public Participation

- Notice is given that at a time agreed by the meeting, 15 minutes may be set aside for members of the public to make representation on the business of the agenda for the meeting
- Any member of the public shall not speak for more than three minutes.
- A question asked by a Member of the Public during Public Participation shall not require a response or debate during the meeting though the Chairman may direct that a written response will be provided subsequent to the meeting.

#### PUBLIC BODIES (ADMISSION TO MEETINGS ACT) 1960

Meetings shall be open to the public unless their presence is prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons. The public's exclusion from part or all of a meeting shall be by a resolution which shall give reasons for the public's exclusion in accordance with the Public Bodies (Admission to Meetings Act) 1960.

## A G E N D A

### 1. Election of Parish Council Chairman

- 1.1 To elect a parish council chairman for the 2021/22 municipal year.
- 1.2 To receive the Chairman's Declaration of Acceptance of Office, to be signed in the presence of the Proper Officer and the Chairman's opening announcements.

### 2. Election of Parish Council Vice-Chairman

- 2.1 To elect a parish council vice-chairman for the 2021/22 municipal year.
- 2.2 To receive the Vice - Chairman's Declaration of Acceptance of Office, to be signed in the presence of the Proper Officer.

### 3. Apologies for Absence

- To receive and approve apologies for absence and reasons given to the Clerk prior to the meeting.

### 4. Declarations of Disclosable Pecuniary and Other Interests

- 4.1 To receive declarations of disclosable pecuniary interests (DPI) and personal and prejudicial interests from members on matters to be considered at the meeting in accordance with the Localism Act 2011 (section 30 to 33). Officers are required to make a formal declaration about council contracts where the employee has a financial interest in accordance with the LGA 1972, s117.

Note: Members must generally declare a disclosable pecuniary interest which he or she has in any item on the Agenda. A Member with a disclosable pecuniary interest may not participate in any discussion of the matter at the meeting and must not participate in any vote taken on the matter at the meeting. In addition, the Council's Standing Orders require a Member with a disclosable pecuniary interest to leave the room where the meeting is held while any discussion or voting takes place.

- 4.2 To receive, consider and record Councillors requests for DPI dispensation (section 31 Localism Act 2011) in connection with items on this agenda. Applications for this must be made in writing to the Clerk prior to the meeting.

### 5. Adjournment for Public Participation

To adjourn the meeting for 15 minutes to allow members of the public to make representation on the business of the agenda for the meeting. No resolutions can be made under public participation.

### 6. Minutes

- 6.1 To approve the draft minutes of the full council meeting held on 26<sup>th</sup> April 2021.

- 6.2 To approve the draft minutes of the Extraordinary Council meeting held on the 5 May 2021.

### 7. Committee Minutes

To confirm the receipt of committee minutes previously circulated:

- Bar and Catering Committee 08<sup>th</sup> April 2021
- Finance Committee 23<sup>rd</sup> April 2021 (not quorate)
- EO Personnel Committee 26<sup>th</sup> April 2021
- EO Environment Committee 28<sup>th</sup> April 2021
- EO Bar and Catering Committee 04<sup>th</sup> May 2021

Note: Minutes are available on the Parish Council website. Members are required to confirm the receipt of committee minutes. Any amendments to the draft committee minutes can only be made at the next relevant committee meeting where the meeting will be required to confirm the accuracy of the minutes and approve as a true record of proceedings. Recommendations to be considered at item 8.

To Consider Committee Recommendations Brought Forward

### 8.1 EO Environment committee meeting held on the 28<sup>th</sup> April 2021:

- a) **RECOMMENDED:** That the Environment committee recommends that the full parish council adopts the Tree Maintenance and Policy (copy enclosed)

### 8.2 EO Bar and Catering committee meeting held on the 04<sup>th</sup> May 2021:

a) **RECOMMENDED:** That the Bar and Catering committee recommends that the full parish council adopts the mission statement and aims and objectives for the Killamarsh Parish Suite as follows: 'Our mission is to foster strong community cohesion within the Killamarsh area by providing a comfortable and modern community facility hub which helps promote the education, health and wellbeing and social cohesion of the community. We strive to provide good facilities enabling the community to be brought together to strive to provide activities and services which help meet the educational and recreational and social needs'.

**9. Review of Delegation arrangements to committees, sub-committees, staff and other local**

**Authorities**

To review and adopt the Scheme of Delegation that contains the delegation arrangements to staff, committees and sub-committees of the Parish Council in accordance with the Local Government Act 1972, s101. The Scheme of Delegation contains the terms of reference for each standing committee (final draft scheme of delegation and briefing note enclosed). Alternatively the council may wish to re-adopt the existing committee terms of reference which are not fit for purpose (copy enclosed).

**10. Appointment of Committees**

10.1 To appoint members to committees in accordance with the Scheme of Delegation containing the committee terms of reference. The Chair will inform members of the committee preference results. A Ballot will be undertaken where there are more than the prescribed number of members for committees for 1<sup>st</sup>, 2<sup>nd</sup> or 3<sup>rd</sup> choice. The council will need to formally agree the appointment of members to committees. Unlike a principal authority, the composition of the committees and sub-committees of a local council is not required to represent the same proportions in which the council as a whole may be politically divided. (The Local Government (Committees and Political Groups) Regulations 1990).

- Environment and Climate Change Committee 6 members
- Events & Communications Committee 6 members
- Finance Committee 6 members
- Health, Safety and Wellbeing Committee 6 members

Note: In accordance with Standing Order 8: Where more than two persons have been nominated for a position to be filled by the Council and none of those persons has received an absolute majority of votes in their favour, the name of the person having the least number of votes shall be struck off the list and a fresh vote taken. This process shall continue until a majority of votes is given in favour of one person. A tie in votes may be settled by the casting vote exercisable by the chairman of the meeting.

10.2 To note that the responsibility for overseeing the development of the neighbourhood plan is delegated to the Environment and Climate change committee (in accordance with the Scheme of Delegation) or alternatively the full council may appoint a working group who shall report to the Environment and Climate Change committee.

10.3 To note that the responsibility for the Christmas lights is delegated to the Events and Communications committee (in accordance with the Scheme of Delegation) or alternatively the full council may appoint a working group who shall report to the Events and Communications committee.

**11. Review of Representation on Outside Bodies**

To consider the appointment of members to act as representatives on external bodies for the ensuing year. Members appointed onto outside bodies are required to report to full Council. Members acting as representatives must not make any decisions on behalf of the Council.

- KCT (a) x2 members
- Veolia Norwood x2 members
- Chesterfield Canal Trust x1 member
- Bread Charity x1 member
- NEDDC/Parish Liaison x1 member

**12. Derbyshire Association of Local Councils (DALC) subscription**

To authorise the subscription payment for 2021/22 to DALC at a cost of £1,234.83. DALC is an independent membership organisation for local councils. Affiliated to the National Association of Local Councils, DALC works to support councils by giving members legal and technical advice, information and training relevant to their work.

**13. Review of Standing Orders, Financial Regulations and Council Policies and Procedures**

To note that the Locum Clerk has not had an opportunity to review the documents. The council is asked to consider deferring this item to allow time for a review of these documents to be undertaken and reported to the June full council meeting. The existing policies will continue to be operational until they are reviewed.

**14. Committee Delegated Budgets 2021/22**

To authorize the Locum Clerk to review the council approved budget and to bring forward recommendations for committee delegated budgets to correspond with the Scheme of Delegation.

**15. Meeting Schedule 2021/21**

To agree the proposed schedule of meeting dates and times for 2020/21. The frequency of meetings has been prepared in accordance with the Scheme of Delegation (copy enclosed).

**16. Subsidy Reduction Plan**

16.1 To note that the leases considered under the Subsidy Reduction plan and as resolved at the Extraordinary full council meeting held on the 05 May 2021 were executed at the district council offices on Monday 17<sup>th</sup> May 2021 which is the completion date.

16.2 To consider the outstanding TUPE issues and to resolve any further actions.

**17. Date of the Next Council Meeting**

To note the date of the next full council meeting scheduled for Monday 28<sup>th</sup> June 2021 at 7.00pm.

**SECTION 137 GRANT APPLICATION FORM**



PLEASE COMPLETE IN BLOCK CAPITALS USING BLACK INK

**PART 1**

Name of organisation	KILLAMARSH HERITAGE SOCIETY		
Type of organisation	HISTORY/HERITAGE GROUP	Registered charity no (if applicable)	—
Total no. of members	10 MEMBERS ON COMMITTEE	No. of members who live in the parish	10
Contact name	MARGARET MARSHALL	Position in organisation	SECRETARY
Contact address	37 UPPERTHORPE ROAD KILLAMARSH S21 1EQ		
Telephone number	07596 711202	Email address	margaretmarshall53@btinternet.com
Website	www.killamarsh-019		
What are the objectives of the organisation?	TO PRESERVE AND RECORD THE HISTORY AND HERITAGE OF KILLAMARSH FOR FUTURE GENERATIONS.		

**PART 2**

Please outline details of the project for which you are seeking funding from the Council (continue on a separate sheet if necessary)	
MARCH 2023 MARKS AN IMPORTANT DATE IN THE HISTORY OF WESTTHORPE COLLIERY. WESTTHORPE PIT PLAYED AN IMPORTANT PART IN OUR HERITAGE AS A MINING VILLAGE AND WE FEEL IT IS IMPORTANT TO MARK THIS.	
Total cost of the project (please indicate if estimated)	VARIOUS ELEMENTS £500 FOR FIRST PART OF PROJ
Date scheduled to commence and complete	LATE 2022 / EARLY 2023
Funding already secured	FUNDING BIDS BEING PUT TOGETHER
Amount expected to be secured by commencement	£500 FOR EACH ELEMENT
If you have applied for other grants towards this project, please list them below	
Name of body:	Amount applied for:
/	£
/	£
/	£
How much are you requesting from Killamarsh Parish Council?	£ 500
(Please note that the maximum grant is £500)	
What will be the benefit to the parish/parishioners of Killamarsh on completion of the project?	
THIS PROJECT WILL CONTRIBUTE TO OUR AIM OF RECORDING AND MARKING THE HISTORY OF KILLAMARSH.	
If the Parish Council is unable to grant funding for this project, or grant anything other than the full amount requested, will the project still go ahead? If necessary add notes below	YES / <del>NO</del>
THE WESTTHORPE COLLIERY PROJECT HAS SEVERAL ELEMENTS WHICH WE HOPE TO ACHIEVE WITH THE HELP OF FUNDING.	

**DECLARATION**

On behalf of our organisation: (Please tick)

We have read and understood fully the terms and criteria for making a S.137 grant application to Killamarsh Parish Council	✓
We have provided a copy of our organisation's constitution	✓
We have provided a copy of the most recent audited annual accounts	✓
We have provided a copy of our most recent bank statement	✓
We agree to provide copies, to the Parish Council, of all receipts for transactions that have been made with the grant monies awarded.	✓
We agree that any publicity that is given to our project, our organisation will acknowledge the grant that has been awarded by Killamarsh Parish Council.	✓
We agree to attend the Annual Parish meeting to present a report to council on benefits of the grant	✓

I submit this application on behalf of the stated organisation and believe, to the best of my knowledge, all statements made to be true and accurate.

Signed on behalf of (name of organisation)	KILLAMARSH HERITAGE SOCIETY
Signed	M E Marshall
Printed	M E MARSHALL
Date:	29/4/2022

When completed, please return this form to:

The Parish Clerk  
Killamarsh Parish Council  
Killamarsh Sports Centre  
Stanley Street  
Killamarsh  
S21 1EL

**FOR OFFICE USE ONLY**

Date application received	
Application reference number	
Received copy of applicant constitution	
Received copy of most recent audited accounts	
Received copy of most recent bank statement	
Date of S.137 Committee meeting	
Recommendation of the S.137 Committee	
Date and minute number of FPC meeting	
Approved	YES / NO
Amount of grant	£
Cheque number	
Date cheque sent	
Date of written confirmation of cheque receipt	
Received copies of receipted invoices	YES / NO
Were there any funds unused and therefore returned?	YES / NO
Amount returned (if applicable)	£

# KILLAMARSH HERITAGE SOCIETY

## CONSTITUTION

Adopted on 22 November 2011

**NAME:** Killamarsh Heritage Society

### OBJECTS OF THE SOCIETY

1. To reinstate the old Killamarsh Central Station building on its original site at Station Road, Killamarsh.
2. Keep the structure and look of the original building which was erected in 1890, but bringing the facilities up to today's standards.
3. Provide a community space belonging to the people of Killamarsh for generations to come.
4. Create a heritage hub to record the history and heritage of Killamarsh, incorporating three railway stations, three mines, the Chesterfield canal, and local businesses.
5. Create a space for people to enjoy and to create music and the arts.
6. Record and display a 'Memory bank' and interview the older generation on film and tape to preserve a record for future generations to ensure that the heritage of the village is not lost.
7. Provide a tea room for the enjoyment of everyone within the community and beyond.
  - Make outside space available to everyone for activities within the community, such as markets and seasonal events.
  - Promote the interests of Killamarsh.
  - Establish and maintain lines of communication with Local Authorities, i.e. Parish and District Councils.
  - Prohibit any form of discrimination, be it age, sex, colour or religion.

### POWERS

In the furtherance of the Society's objectives, but not otherwise, the Committee may exercise the following powers to:

1. Co-operate with other agencies, voluntary bodies and statutory authorities in the furtherance of the Society's objectives and to exchange information and advice with them.
2. Appoint and constitute such advisory committee as the Committee may think fit.
4. Appoint such persons as are required for the discharge of the organisation's functions.



5. Do all such other lawful things as are necessary for the achievement of the objectives.

## **MEMBERSHIP**

Membership of this group shall be open to:

1. Individuals who live in Killamarsh.
2. Individuals who are interested in furthering the work of the Society.
3. Any organisation or group, corporate or unincorporated association which is interested in furthering the work of the Society.
4. Membership fees will be determined from time to time.
5. Every member shall have one vote.

## **MEETINGS**

The organisation shall hold 10 general meetings per year, plus an Annual General Meeting and at least 2 public meetings (optional).

## **COMMITTEE**

1. The Committee shall consist of no more than 10 elected members (Appendix 1)
2. The Committee shall be elected at the Annual General Meeting by members of the organisation.
3. All Officers shall resign at the Annual General Meeting and seek re-election if they so desire.
4. The Committee shall have the power to co-opt up to three additional voting members as required.
5. A quorum of at least 3 members and 3 officers shall be present at each committee meeting for business to be transacted.
6. Payments may be made to committee members only by way of reimbursement of out of pocket expenses and with full agreement of the committee

## **THE DUTIES OF THE COMMITTEE**

1. The Chair shall have overall responsibility for the organisation, chairing all meetings and working with the Treasurer and other interested people to raise funds and seek appropriate grants and funding for the group. The Chair does not have a vote unless of a tied vote.
2. The Treasurer will be responsible for keeping accounts of all income and expenditure. He/she will present a financial report to Committee meetings and present the accounts, duly audited for approval by members, at the Annual General Meeting. Bank accounts shall be operated in the name of the organisation and withdrawals shall be made on the signature of any two nominated officers of the organisation.

3. The Treasurer and other interested people will work with the Chair to raise funds and seek appropriate grants and funding.
4. The Treasurer will be responsible for all returns required by law in relation to such accounts to be rendered at the due time.
5. The Secretary and Minutes Secretary will keep details of meetings held. Notices of meetings will be circulated to members by the Meetings Organiser not later than 7 days prior to the meeting being held.
6. The Membership Secretary will keep a membership list.
7. An auditor who is not a member of the organisation shall be elected annually to audit the accounts.

## **DISSOLUTION**

After discharging all debts and liabilities of the organisation, the remaining assets will not be paid or distributed among members but will be given to a group with similar aims.

**Signed:**                    *P. Bone*

**Positions:**                **Chair**



# **KILLAMARSH HERITAGE SOCIETY**

## **CONSTITUTION**

### **Appendix 1**

#### **OFFICERS**

There shall be four Officers:

Chair Person  
Vice Chair Person  
Secretary  
Treasurer

All other posts shall be elected from the Committee



**SECTION 137 GRANT APPLICATION FORM**



PLEASE COMPLETE IN BLOCK CAPITALS USING BLACK INK

**PART 1**

Name of organisation	KILLAMARSH CONSERVATION GROUP		
Type of organisation	VOLUNTARY GROUP	Registered charity no (if applicable)	
Total no. of members	12	No. of members who live in the parish	12
Contact name	STEPHEN THOMPSON	Position in organisation	CHAIRMAN
Contact address	6 MANOR RD KILLAMARSH S21 1BU		
Telephone number	247 3932	Email address	killamarshconservationgroup@gmail.com
Website			
What are the objectives of the organisation?	- TO MAKE KILLAMARSH NICER CLEANER, COLOURFUL WHERE THE RESIDENTS WILL BE HAPPY AND PROUD TO LIVE - ALL RESIDENTS WILL BENEFIT FROM IMPROVEMENTS OF PUBLIC SPACES IN THE VILLAGE - TO ENGAGE RESIDENTS IN CLEANING UP OF PUBLIC SPACES		

**PART 2**

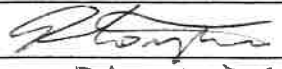
Please outline details of the project for which you are seeking funding from the Council (continue on a separate sheet if necessary)	
TO ESTABLISH WILDFLOWER MEADOW IN NORWOOD AREA (WITH CRESCENT) FOLLOWING APPROVAL BY NEDDIE AND RYKNEED HOMES (CATE HARRIS/JUDE MILBURN). SIZE OF PROJECT WILL DEPEND ON TOTAL FUNDING OBTAINED.	
Total cost of the project (please indicate if estimated)	ESTIMATED £ UP TO £4K
Date scheduled to commence and complete	WINTER 2021 / SPRING 2023
Funding already secured	£ 0
Amount expected to be secured by commencement	£ AS ABOVE
If you have applied for other grants towards this project, please list them below	
Name of body:	Amount applied for:
WE WILL APPLY FOR OTHER GRANTS	£
	£
	£
How much are you requesting from Killamarsh Parish Council?	£ 500
(Please note that the maximum grant is £500)	
What will be the benefit to the parish/parishioners of Killamarsh on completion of the project?	
CHANGING A BASIC GREEN GRASSY SPACE INTO AN ATTRACTIVE SPRING/SUMMER FLORAL DISPLAY FOR BENEFIT OF PEOPLE AND WILDLIFE.	
If the Parish Council is unable to grant funding for this project, or grant anything other than the full amount requested, will the project still go ahead? If necessary add notes below	YES <del>NO</del>

### DECLARATION

On behalf of our organisation: (Please tick)

We have read and understood fully the terms and criteria for making a S.137 grant application to Killamarsh Parish Council	✓
We have provided a copy of our organisation's constitution	✓
We have provided a copy of the most recent audited annual accounts	
We have provided a copy of our most recent bank statement	✓
We agree to provide copies, to the Parish Council, of all receipts for transactions that have been made with the grant monies awarded.	✓
We agree that any publicity that is given to our project, our organisation will acknowledge the grant that has been awarded by Killamarsh Parish Council.	✓
We agree to attend the Annual Parish meeting to present a report to council on benefits of the grant	✓

I submit this application on behalf of the stated organisation and believe, to the best of my knowledge, all statements made to be true and accurate.

Signed on behalf of (name of organisation)	KILLAMARSH CONSERVATION GROUP
Signed	
Printed	STEPHEN THOMPSON
Date:	28/4/2022

When completed, please return this form to:

The Parish Clerk  
Killamarsh Parish Council  
Killamarsh Sports Centre  
Stanley Street  
Killamarsh  
S21 1EL

### FOR OFFICE USE ONLY

Date application received	
Application reference number	
Received copy of applicant constitution	
Received copy of most recent audited accounts	
Received copy of most recent bank statement	
Date of S.137 Committee meeting	
Recommendation of the S.137 Committee	
Date and minute number of FPC meeting	
Approved	YES / NO
Amount of grant	£
Cheque number	
Date cheque sent	
Date of written confirmation of cheque receipt	
Received copies of receipted invoices	YES / NO
Were there any funds unused and therefore returned?	YES / NO
Amount returned (if applicable)	£

## **Constitution of Killamarsh Conservation Group**

### **1. Name**

The name of the group shall be Killamarsh Conservation Group.

### **2. Aims**

The aims of Killamarsh Conservation Group will be:

1. to make Killamarsh nicer, cleaner, colourful where all residents will be happy and proud to live by identifying public green areas within parish boundaries which would benefit from volunteer attention in terms of land management
2. to engage residents in regular cleaning up of public spaces and around their own houses
3. all residents of the village will benefit from improvements of public spaces in the village

### **3. Membership**

Membership is open to anyone who supports the aims of the Group and participates in its activities.

Membership will begin as soon as the membership form has been received.

A list of all members will be kept by the group's chair.

Day members will sign an attendance sheet on the day of the activity.

#### **Ceasing to be a member**

Any offensive behaviour, including racist, sexist or inflammatory remarks, will not be permitted.

Anyone behaving in an offensive way or breaking the equal opportunities policy may be asked not to attend further group activities or meetings or to resign from the group if an apology is not given or the behaviour is repeated. The member will have the opportunity to put their side to the committee.

### **4. Equal Opportunities**

Killamarsh Conservation Group will not discriminate on the grounds of gender, race, colour, ethnic or national origin, sexuality, disability, religious or political belief, marital status or age.

### **5. Officers and committee**

The Group will be outside represented by its chair.

There will be up to 8 committee members, including 3 officers

The committee will be elected at the AGM.

The officers' roles are as follows:

- Chair, who shall chair meetings and who shall be responsible for keeping records of members
- Minute taker
- Treasurer who shall be responsible for maintaining account

In the event of an officer standing down during the year a replacement will be elected by the next Meeting of members.

## **6. Meetings**

### **6.1. Annual General Meetings**

An Annual General Meeting (AGM) will be held within fifteen months of the previous AGM.

All members will be notified in writing at least 3 weeks before the date of the meeting, giving the venue, date and time.

The quorum for the AGM will be 10% of the membership or 5 members, whichever is the greater number.

At the AGM:-

- The Committee will present a report of the work of the Group over the year.
- The Treasurer will present the accounts of the Group for the previous year.
- Management committee will be elected for the next year.
- Any proposals by the members will be discussed.

### **6.2. General Meetings**

General Meetings are open to all members and will be held at least once every 3 months or more often if necessary.

All members will be given two weeks' notice of such a meeting, giving the venue, date, time and agenda, and notice may be by telephone, email or post.

The quorum for a General Meeting shall be 10% of the membership or 3 members, whichever is the greater number.

#### **6.2.1. Committee Meetings**

Committee Meetings will be held at least once every 2 months or more often if necessary.

All members will be given two weeks' notice, if needed less than 2 weeks, of such a meeting, giving the venue, date, time and agenda, and notice may be by telephone, email or post.

The quorum for a Committee Meeting shall be 4 members.

## **7. Rules of Procedure for meetings**

All questions that arise at any meeting will be discussed openly and the meeting will seek to find general agreement that everyone present can agree to.

If a consensus cannot be reached a vote will be taken and a decision will be made by a simple majority of members present. If the number of votes cast on each side is equal, the chair of the meeting shall have an additional casting vote.

## **8. Finances**

An account will be maintained on behalf of the Group at a bank agreed by the members. Four cheque signatories will be nominated by the Committee (one to be the Treasurer). The signatories must not be related nor members of the same household.

All payments will be signed by two of the signatories.

- For cheque payments, the signatories will sign the cheque.
- For other payments (such as BACS payments, cash withdrawals, debit card payments or cash payments), a requisition note will be signed by two signatories, and held by the treasurer.

Records of income and expenditure will be maintained by the Treasurer and a financial statement given at each meeting.

All money raised by or on behalf of the Group is only to be used to further the aims of the group, as specified in item 2 of this constitution

**9. Amendments to the Constitution**

Amendments to the constitution may only be made at the Annual General Meeting.

Any proposal to amend the constitution must be given to the Chair in writing. The proposal must then be circulated with the notice of meeting.

Any proposal to amend the constitution will require a two thirds majority of those present and entitled to vote.

**10. Dissolution**

If a meeting, by simple majority, decides that it is necessary to close down the group it may call a Special General Meeting to do so. The sole business of this meeting will be to dissolve the group.

If it is agreed to dissolve the group, all remaining money and other assets, once outstanding debts have been paid, will be donated to a charity related to Killamarsh and its residents such as Killamarsh Heritage Society or other, based on decision of the members at the last meeting.

This constitution was agreed at the Inaugural General Meeting of the Killamarsh Conservation Group on:

Date 11/October/2020

Name and position in group ...Stephen Thompson (chair)

Signed .....

Name and position in group ...

Signed .....







# Scheme of Delegation incorporating Committee Terms of Reference

This scheme of delegation forms part of the Council's Standing Orders and Financial Regulations.

This scheme of delegation sets out how the Council delegates some of its powers and duties to the Parish Clerk and other Officers within the Council.

This scheme of delegation authorises the Standing Committees and Sub-committees of the Council to act within the delegated authority in the specific circumstances detailed.

This scheme of delegation will be reviewed by Council at least annually along with the review of the Council's Standing Orders and Financial Regulations.

**Prepared by:** Cllr Steve Clough [Temporary Responsible Person] VER3

**Date adopted by Full Council:** 26th July 2021

**Document Status:** Adopted

**Last amendment and approval:** 28<sup>th</sup> March 2022

**Date of annual review:** May 2022 (To be reviewed annually and re-adopted at the Annual Council Meeting)

## Contents

1. Discharge of the Scheme.....	3
2. The Power to Delegate .....	3
3. Officers Conflicts of Interests.....	4
4. Council Reserved Powers and Safeguards.....	4 – 5
5. Delegations to Committees .....	6
(A) Environment and Climate Change.....	7 – 8
(B) Events and Communications .....	9 - 10
(C) Finance .....	11 - 12
(D) Health, Safety and Wellbeing .....	12 - 15
6. Delegations to Officers .....	16
(A) Parish Clerk .....	16 - 17
(B) Responsible Financial Officer .....	18
(C) Deputy Parish Clerk .....	18 - 19
(D) Events Manager .....	19
(E) Handyperson .....	19
(F) Consultations / Self Employed Contractors .....	19
7. Summary of Financial Delegation to Officers in accordance with the Financial Regulations.....	20

## 1. DISCHARGE OF THE SCHEME

- 1.1 This Scheme of Delegation forms part of the Council's Financial Regulations and Standing Orders and will be reviewed at least annually or earlier, for example when there are staffing changes.
- 1.2 One of the purposes of the document is to clearly define the parameters within which Officers of the Council are able to act without reference to either their line managers or Members.
- 1.3 Where consultation with others is a requirement of the ability to act it is clearly set out with whom that consultation should take place.
- 1.4 Any deviation from this scheme should be reported to Council at the earliest opportunity with an explanation of the circumstances in which the breach occurred.
- 1.5 The other purpose of the document is to capture the various delegated powers throughout the Council, including those delegated by the Council to its various committees. This element of the scheme incorporates the Terms of Reference of the committees.

## 2. THE POWER TO DELEGATE

- 2.1 The power to delegate functions by local councils is set out in the Local Government Act 1972 S.101. Local Government Act 1972 S. 101 Arrangements for discharge of function by local authorities

(1) Subject to any express provision contained in this Act or any Act passed after this Act, a local authority may arrange for the discharge of any of their functions: (a) by a Committee, a sub-Committee or an officer of the authority, or (b) by any other local authority.

(2) Where by virtue of this section any functions of a local authority may be discharged by a committee of theirs, then, unless the local authority otherwise direct, the committee may arrange for the discharge of any of those functions by a sub-committee of the authority, then unless the local authority or the committee otherwise direct, the subcommittee may arrange for the discharge of any of those functions by an officer of the authority.

(3) Two or more local authorities may discharge any of their functions jointly and, where arrangements are in force for them to do so, they may also arrange for the discharge of those functions by a joint committee of theirs or by an officer of one of them and subsection (2) above shall apply in relation to those functions as it applies in relation to the functions of the individual authorities.

(4) A local authority's functions with respect to issuing a precept for a rate or borrowing money shall be discharged only by the authority.

## 3. OFFICERS CONFLICTS OF INTEREST

- 3.1 Under the Local Government Act 1972, section 117; Officers must make a formal declaration about council contracts where the employee has a financial interest. Every officer is responsible for identifying whether he/she has any conflict of interest in any matter which is under consideration, actual or perceived, within the Council, and notifying the Parish Clerk.
- 3.2 Where an employee is unsure whether an interest should be declared, they should speak to the Parish Clerk in the first instance. If the employee is advised not to declare their interest, a record of the discussion should be kept by both parties. Failure to disclose such an interest, may result in disciplinary action being taken which could lead to dismissal.
- 3.3 Employees are also required to disclose any other employment that they wish to undertake in addition to their primary post with the Council.
- 3.4 All employees must identify and disclose any actual or potential personal, financial, business, or other interest or close personal relationship which might reasonably be perceived as a conflict of interest.
- 3.5 Where an Officer has a conflict of interest in any matter, he/she shall not participate in that matter in his/her capacity as an Officer except with the prior approval of the Parish Clerk. Any approval granted by the Parish Clerk shall be formally recorded in the Council minutes. Where such approval has been granted for the Officer to participate in a Council meeting of that subject matter, he/she must ensure that the disclosure of interest is also declared at the start of the Council meeting under the disclosures of interests for members and officers.

## 4. COUNCIL RESERVED POWERS & SAFEGUARDS

Each Committee has delegated authority to decide matters within their terms of reference as incorporated in this delegation scheme except for the following matters, which are to be resolved only by Full Council:

- a) To appoint the Chairman and Deputy Chairman of the Parish Council
- b) To adopt and change the Standing Orders, Financial Regulations, Scheme of Delegation and other Council policies.
- c) Approval of Budget and setting the precept
- d) Approval of the Annual Return and Audit of Accounts
- e) Considering the external auditors report made in the public interest
- f) To determine the Council's Corporate Priorities
- g) To agree and/or amend the terms of reference for Committees, deciding on their composition and making appointments to them.
- h) Filling of any vacancies occurring on any committee of the Council during the council year
- i) To adopt the schedule of meetings for the ensuing year.
- j) Declaring the eligibility of the General Power of Competence (to be confirmed by a resolution subject to satisfactory criteria met)
- k) Adopting and revising the council's code of conduct
- l) Approve any grant above £2,000 , or single commitment in excess of £5,000

- 5.1 m) Addressing any recommendations in any report from the internal or external auditors
- n) Appointment or nominating Council representatives to outside bodies
- o) Agreement to take on new, including devolved services, subject in all cases to a fully costed business plan, to be recommended by the relevant committee
- p) To consider the recommendations of any Remuneration Panel (where one is in existence) and adopt the level of allowances that can be claimed by Members of the Council in respect of authorised or approved duties.
- q) To determine matters involving expenditure for which budget provision is not made or is exceeded.
- r) To determine matters affecting or likely to affect, another Committee or where consultation with or approval of that other Committee is required
- s) To determine any matters referred to it by a Committee in accordance with Standing Orders.
- t) Approval of borrowing
- u) To determine matters which do not fall within the remit of any Committee
- v) To receive statutory reports (e.g. AGAR) from the Parish Clerk/Responsible Financial Officer
- w) To consider all other matters which must, by law be considered by Full Council
- 4.2 The Council may, at any time without prejudice to executive action taken already, revoke any executive power delegated to a Committee or Officer.
- 4.3 In accordance with the Standing Orders, the Council may, under specified conditions, reverse a Committee (or Council) decision within 6 months either by a special motion, bearing the names of at least 6 councillors of the Council, or by a motion moved in pursuance of the recommendation of a committee or a sub-committee.
- 4.4 Members will be advised by the Parish Clerk whether or not a particular item under discussion is within the Committee's (or Sub-Committee's) delegated powers. The minutes will then record the decision as "RESOLVED". If it is not, then the minutes will show the decision as "RECOMMENDATION". The Parish Clerk will then add the recommendation on to the next full council agenda meeting where the item can be discussed in full by the Parish Council and voted by members.
- 4.5 In any case where a Committee (or Sub) Chairman and Vice Chairman are either unsure whether or not any matter falls within delegated powers, or whether or not any matter should be determined by them, they should refer that matter to the next highest level of decision. A power delegated does not always have to be exercised.

## 5 DELEGATION TO COMMITTEES

- 5.1 The following matters are delegated to the Council's Committees to make decisions on behalf of the Council. The delegated decision making by Committees must be exercised in accordance with the law, the Council's Standing Orders and Financial Regulations and any approved policy framework and budget. Where they are delegated to the Committee, so far as is legally permissible, they be deemed the acts and proceedings of the Council.
- 5.2 The Council may at any time, following resolution, revoke any delegated authority, without prejudice to executive action already taken.
- 5.3 Committees may decide not to exercise delegated responsibilities and may instead make a recommendation to the Council. Similarly, where a Committee has no delegated power to make a decision it makes a recommendation to Council.
- 5.4 The members of a committee may include non-councillors unless it is a committee which regulates and controls the finance of the Council. The appointment of non-councillors will be on a strictly non-voting basis.
- 5.5 The Council and each Committee is authorised to establish Sub-Committees and working groups, and to appoint advisers as and when necessary to assist in its work.
- a) A Committee can arrange for the discharge of any of their delegated powers to a sub-committee. The delegated powers will be decided by the committee at the time it is formed detailing the delegated powers. The collective decision-making responsibilities in the committee and sub-committee are limited by the terms of reference of the committee.
- b) The appointment of members to a sub-committee shall comprise of members appointed to the parent committee. The chairman of a committee or subcommittee may be elected by the committee from amongst its members.
- c) The work of a working group will be decided upon at the time it is formed by means of a minute detailing the terms of reference. Each working group will report back with recommendations to the Council or the Committee that formed it. Working parties or groups have no delegated powers.
- 5.6 The Standing Committees shall be:
- a) Environment and Climate Change Committee
- b) Events & Communications Committee (Bar & Catering Committee and Communication Working Party)
- c) Finance Committee
- d) Health, Safety and Wellbeing Committee (Personnel and H&S)
- 5.7 The detailed arrangements for the committee structure, and appointment of committees are set out in the Standing Orders, Appendix A.
- Definition of "Oversee" in regard to the Scheme of Delegation for each Committee  
To monitor and supervise the responsibilities of officers for a given area and provide instruction or direction or recommendations to officers when appropriate. This will include committees receiving appropriate reports and information from officers in order to make informed decisions.

**(A) ENVIRONMENT AND CLIMATE CHANGE**

**Membership:** Six Parish Councillors

**Quorum:** Three Parish Councillors with voting rights

**Non-Councillors:** Permitted

**Meetings:** ~~Bi~~-Monthly

**Terms of Reference:**

- 1) Full Council to elect Committee members and a Chairman with the Vice Chairman being elected from within its own membership. Where Chair and Vice Chairman are not present at the Committee then a temporary Chair for one meeting, will be voted in by the Committee members present.
- 2) To consider where appropriate alternative external funding on council projects on request by a committee or Council.
- 3) To oversee the management of the Allotments sites owned by the Council and managed by the councils Deputy Clerk and to consider an annual repairs, maintenance and improvements program for ring fenced allotment sites to be used on allotments sites only.
- 4) To oversee the development and implementation of the neighborhood plan and make recommendations to full Council as and when required.
- 5) To work with other authorities responsible for housing, parking, economic development including employment which affect the parish.
- 6) To liaise with organisations involved with regeneration and initiate negotiations on such issues as devolution, local area agreements and any relevant legislation.
- 7) To liaise with providers on any issues relating to the community/village public transport services.
- 8) To oversee the maintenance of the bus shelters owned by the parish council.
- 9) To work with other authorities responsible for traffic calming and signage, car parking, and other highway matters.
- 10) To liaise with local police on anti-crime initiatives and partnerships, recommending ways in which the Council can assist in crime prevention.
- 11) To consider any maintenance and repair works on footpaths and public rights of way. This should not include pavements on the highway.
- 12) To consider for approval external funding bids for Environmental Projects.
- 13) To oversee the provision and maintenance of; dog waste and litter bins, refuse and litter picking issues under the control and responsibility of the parish council.
- 14) To oversee matters relating to street cleansing, cleansing of public areas and security under the responsibility of the parish council.
- 15) To oversee matters relating to the environment, grounds maintenance of open spaces, street scene (including street furniture) and to oversee and manage any service level agreements with North East Derbyshire District Council including CCTV in the village.
- 16) To oversee the safety inspections of the play areas and to consider any remedial actions arising from the safety and annual inspection reports.
- 17) To consider the future development of all open spaces in the village (with or without play areas)
- 18) To oversee matters relating to the war memorial's upkeep and maintenance and to support the Church with the Remembrance Day services.
- 19) To oversee matters relating to the Cemetery provision.
- 20) To oversee matters relating to the management of the grit bins in the village including replenishment and requests for new grit bins in accordance with the Councils grit bin policy.

21) To discuss the work of the Handyperson within the scope of Environmental matters and to oversee the van vehicle/maintenance.

22) To oversee matters relating to the maintenance and upkeep of the parish clock.

23) To encourage and wherever possible deliver local interventions that will help assist North East Derbyshire District Council and Derbyshire County Council in achieving its slated Carbon Dioxide emission neutral date and to actively participate in partnership initiatives seeking to reinforce this objective.

**Sub-Committees**

1) To appoint sub-committees as and when required:

- a. The sub-committee must comprise of three members of the parent committee and cannot exceed the responsibilities on it by the parent committee and the quorum shall be three.
- b. The terms of reference delegated to a sub-committee shall be agreed by the parent committee at the time the sub-committee is appointed and the collective decision making responsibilities in the committee or sub-committee must not exceed the terms of reference of the parent committee.
- c. The Chairman of the sub-committee shall be appointed by the parent committee at the time the sub-committee is appointed
- d. The Standing Orders shall regulate the proceedings of the committee and sub-committees.

**Financial Delegation & Responsibility:**

- 1) To be responsible for any allocation of budgets delegated by Full Council (in accordance with the approved council budget)
- 2) To agree and approve expenditure for projects and match funding bids for Environmental Projects within delegated financial budgets
- 3) To consider sponsorship and contributions to jointly funded projects that may be made that fall outside of the grant criteria but within the committee's terms of reference
- 4) To review and approve the committee payments list for compliance in accordance with the Financial Regulations and Scheme of Delegation
- 5) To receive the committee financial statements for monitoring purposes and to ensure that officers do not exceed its overall delegated budget
- 6) To assemble and submit to the Finance Committee, estimates of income and expenditure for the proceeding 3 years in respect of services of this Committee no later than 30th October each year.

**(B) Events & Communications Committee**

**Membership:** Six Parish Councillors

**Quorum:** Three Parish Councillors with voting rights

**Non-Councillors:** Permitted

**Meetings:** Bi-Monthly

- 1) Full Council to elect Committee members and a Chairman with the Vice Chairman being elected from within its own membership. Where Chair and Vice Chairman are not present at the Committee then a temporary Chair for one meeting, will be voted in by the Committee members present.
- 2) To consider where appropriate alternative external funding on council projects on request by a committee or Council.
- 3) To oversee the management for the parish suite, bar and catering facilities, and where required to consider external contractors to facilitate the service. Management areas include:
  - a) Hall Hire and room booking system and procedures and annual review of charges
  - b) Catering services and food hygiene including food environment inspections
  - c) Licensing and purchasing of alcohol and sales
  - d) Maintenance, repairs and renewals (parish suite, signage, kitchen, committee room, foyer, toilets)
  - e) Cleaning of the parish suite (hall, rooms, kitchen, toilets, outside lighting and patio area)
  - f) Financial management and procedures including payment methods, audit and banking having regards to GDPR and customer details.
  - g) Vending Machine and Bar and Catering stock ordering and stock takes
  - h) Wifi in public areas
  - i) Events managed and Co-Ordinated by the parish council
  - j) Any other management matters falling within the scope of the Parish Suite.
- 4) To oversee and direct the promotional and marketing aspects on behalf of the council, including:
  - a) Notice boards and external displays
  - b) Press Release in accordance with any press policies
  - c) Promotion of council services and activities
  - d) Social Media posts in accordance with any social media policies
  - e) Parish Council website
  - f) Publication and distribution of the annual newsletter in conjunction with the Parish Clerk.Members of other committees are required to provide an input on their committee and ward work subject to be consideration/approval by this committee.

- 5) To oversee the co-ordination of community events including the Christmas lights Switch On and to promote events, entertainments, the arts, recreational matters tourism by or on behalf of the Parish Council and in liaison or partnership with external bodies and in consultation with the delegated Events Officer who will be the lead person/organiser of each event on behalf of the Parish Council.
- 6) To oversee the Christmas and festival lights/decorations and to ensure officers have maintained and inspected in accordance with Health and Safety requirements.

**Sub-Committees**

- 1) To appoint sub-committees as and when required:
  - a. The sub-committee must comprise of three members of the parent committee and cannot exceed

the responsibilities on it by the parent committee and the quorum shall be three.

- b. The terms of reference delegated to a sub-committee shall be agreed by the parent committee at the time the sub-committee is appointed and the collective decision making responsibilities in the committee or sub-committee must not exceed the terms of reference of the parent committee.
- c. The Chairman of the sub-committee shall be appointed by the parent committee at the time the sub-committee is appointed.
- d. The Standing Orders shall regulate the proceedings of the committee and sub-committees

**Financial Delegation & Responsibility:**

- 1) To be responsible for any allocation of budgets delegated by Full Council in accordance with the approved council budget.
- 2) To agree and approve expenditure for projects and match funding bids within agreed financial budgets falling within the scope of the committees delegated authority.
- 3) To consider sponsorship and contributions to jointly funded projects that may be made that fall outside of the grant criteria but within the committee's terms of reference.
- 4) To review and approve the committee payments list for compliance in accordance with the Financial Regulations and Scheme of Delegation.
- 5) To receive the committee financial statements for monitoring purposes and to ensure that officers do not exceed its overall budget.
- 6) To assemble and submit to the Finance Committee, estimates of income and expenditure for the preceding 3 years in respect of services of this Committee no later than 30th October each year.

**(C) Finance Committee**

**Memberships: Six Parish Councillors**

**Quorum: Three Parish Councillors with voting rights**

**Non-Councillors: Non-councillors cannot be appointed on this committee as it regulates and controls the finances of the Council.**

**Meetings: Bi-Monthly, Monthly (except August)**

- 1) Full Council to elect Committee members and a Chairman with the Vice Chairman being elected from within its own membership. Where Chair and Vice Chairman are not present at the Committee then a temporary Chair for one meeting, will be voted in by the Committee members present.
- 2) To consider where appropriate alternative external funding on council projects on request by a committee or Council.
- 3) To annually review any recommendations from the Clerk in relation to subscriptions, service provision/level agreements with suppliers and providers with a view to their continued necessity, suitability and value for money and where required, consult with the relevant committee.
- 4) To approve the use of a variable direct debit which shall be renewed by resolution of the council at least every two years.
- 5) To review the effectiveness of the internal audit in accordance with the Internal Audit Policy.
- 6) The Clerk will undertake the work of the Responsible Financial Officer and the Committee will provide direction, governance and a audit & scrutiny function.
- 7) To oversee that there is adequate insurance cover in place for council assets and appropriate fidelity guarantee for members and officers which shall cover the maximum risk exposure which it to be recommended annually by the Clerk, for the Committee to consider.
- 8) To annually review the council corporate risk assessment in accordance with the risk assessment policy and recommend to Council for adoption.
- 9) To review the effectiveness of internal control to part comply with section two of the annual governance statement, to be carried out twice a year (once every six months) and to oversee that adequate and effective system of internal controls is in place to secure the integrity of finance and any other information, including the introductions of effective systems of risk management.
- 10) To recommend to Council the approval of the Annual Return (sections one and two) inclusive of the financial statements and supporting documentation.
- 11) To be responsible for approval of tangible moveable property exceeding the value of £100,00 shall be sold, leased or otherwise disposed of, without approval of the Finance committee. Where the value of an asset is in excess of £2,000 then the decision of its disposal must be recommended to full Council for authorization together with any consents required by law.
- 12) To be responsible for the engagement of specialist consultants and advisors subject to a supported business case to support the proposal provided by the relevant committee.
- 13) To consider all policy and governance documents affecting the Parish Council as advised by Clerk/RFO and to keep committees up to date on implications.
- 14) To be responsible for reviewing the Council's Standing Orders, Financial Regulations and other council policies and procedures (as and when it appears necessary) and recommend any changes to Full Council.
- 15) To be responsible for approving all grant applications in accordance with their terms and conditions. Any grant exceeding £2000.00 must be recommended for approval by full council.

**Sub-Committees**

**l) To appoint sub-committees as and when required:**

- a. The sub-committee must comprise of three members of the parent committee and cannot exceed the responsibilities on it by the parent committee and the quorum shall be three.
- b. The terms of reference delegated to a sub-committee shall be agreed by the parent committee at the time the sub-committee is appointed and the collective decision making responsibilities in the committee or sub-committee must not exceed the terms of reference of the parent committee.
- c. The Chairman of the sub-committee shall be appointed by the parent committee at the time the sub-committee is appointed.
- d. The Standing Orders shall regulate the proceedings of the committee and sub-committees.

**Budget Process:**

- 1) To review the committee bids submitted by each committee for inclusion in the draft budget (each spending committee must have regards to it's three year forecast of revenue and capital receipts).
- 2) To consider the draft budget prepared by the RFO detailing all estimates of receipts and payments including the use of reserves for the following financial year. The draft budget will include the committee bids submitted by each committee.
- 3) The committee may request a second version of the budget to be prepared by the RFO, but the committee must reach an agreement on the draft budget to be recommended to full Council
- 4) To ensure that the budget process outlined in the committee terms are carried out in accordance with the councils Financial Regulations.

**Financial Delegation & Responsibility:**

- 1) To be responsible for any budgets delegated by Full Council in accordance with the approved council budget
- 2) To review and approve the committee payments list for compliance in accordance with the Financial Regulations and Schemes of Delegation.
- 3) To consider sponsorship and contributions to jointly funded projects that may be made that fall outside of the grant criteria but within the committee's terms of reference.
- 4) To receive and recommend approval of the monthly schedule of payments incorporating all council expenditure to full council having satisfied that all payments represent previously authorized expenditure in accordance with the committee delegated budget, Financial Regulations and the Scheme of Delegation.
- 5) To receive the committee financial statements for monitoring purposes and to ensure that the committee does not exceed it's overall budget.
- 6) To receive and review, estimates of income and expenditure for the preceding 3 years in respect of services of this Committee no later than 31<sup>st</sup> October each year.
- 7) To be responsible for the review of expenditure not delegated to any other standing committee.

**(D) Health, Safety and Wellbeing Committee**

**Membership:** Six Parish Councillors

**Quorum:** Three Parish Councillors with voting rights

**Non-Councillors:** Permitted

**Meetings:** Quarterly (or as required)

- 1) Full Council to elect Committee members and a Chairman with the Vice Chairman being elected from within its own membership. Where Chair and Vice Chairman are not present at the Committee then a temporary Chair for one meeting, will be voted in by the Committee members present.
- 2) To consider where appropriate alternative external funding on council projects on request by a committee or Council.
- 3) To oversee the health, safety and building compliance management for all council buildings under the parish councils responsibility including:
  - a) Risk Assessments and Fire Risk Assessment
  - b) Pest Protection
  - c) Music License
  - d) PAT Testing
  - e) Kitchen Extraction Fan Cleaning
  - f) Roller Shutters maintenance
  - g) Fire Procedures:
    - Fire Alarm Test (Weekly)
    - Fire Alarm Service Record (Quarterly, where required, six monthly and annual)
    - Emergency Lighting, Inspection, test and maintenance (monthly and annual)
    - Fire and Emergency Evacuation Record, fire alarm drill (Twice yearly)
    - Fire Extinguisher Training Record (Routine)
    - Fire Procedures Review (annual – more often in higher risk premises)
    - Action Log (record any issues found during checks, tests, drills, assessments etc carried out) and recording them in a log (continuous requirement)
  - h) Reception/Visitor Signing in procedures
  - i) Internal Signage
  - j) Disabled Access
- 4) To oversee the service charges as set out in lease schedule to North East Derbyshire County Council (part B services) which include:
  - a) 40% of the 11.58% service charge percentage to be billed quarterly, covering:
    - Supply of gas and electricity; Water rates; Gas testing; Insurance; Asbestos surveys; Provision of sanitary bins; Alarms; NNDR unless the Premises are rated separately to the remainder of the Landlord's Building; Legionella testing; Electrical testing; Fixed wire only; Cleaning repair maintenance and landscaping where relevant of the Common Parts; Maintenance, repairs and improvements (where beyond reasonable repair) to the drainage, pipes heating and systems, electrical and mechanical, apparatus and vents
  - b) 100% of the 11.58% service charge percentage to be billed quarterly, covering:

- Maintenance, repairs and improvements (where beyond reasonable repair) to that part of the structure and exterior of the Landlord's Building which immediately touches the Premises including but not exclusively, the frames, walls (including cladding), floors, roofs, barge boards, windows and doors SAVE THAT where work also includes maintenance repair and improvements to parts of the Landlord's Building not immediately touching the Premises the Service Charge will be calculated based on the proportionate area of the Landlord's Building affected.
- 5) To oversee all health and safety matters not otherwise delegated to other council committees.
  - 6) To review recommendations of health and safety for all council employees and contractors.
  - 7) To oversee the procurement of employment health and safety support services.
  - 8) The Clerk will answer to the full Parish Council but the Chair of the committee or the Chair of the Council will act as the day-to-day contact support for the Parish Clerk (Line Manager), to approve annual leave or sick leave in accordance with the Council policies and overtime in exceptional circumstances (within budget approved parameters). In the absence of the nominated member, the committee Chair (or another member of the Personnel committee) will act as the day to day contact support (Line Manager).
  - 9) To review staffing structures and levels and make recommendations to the Council.
  - 10) To authorise overtime for staff in exceptional circumstances subject to budget parameters.
  - 11) To receive reports from the Parish Clerk for the management of other Council employees.
  - 12) To confirm the appointment of appropriate staff member(s) to undertake the work of the Responsible Financial Officer when the Responsible Financial Officer is absent taking into account the employees job descriptions.
  - 13) To oversee the Clerks responsibilities for contracts of employment, job descriptions and person specifications for employed staff and to oversee the execution of new employment contracts and changes to contracts.
  - 14) To consider and approve pay awards, increments and payroll management including payroll service level provision.
  - 15) To review staff pension arrangements.
  - 16) To consider and approve appropriate training and continual professional development programs are in place for the staff of the Council, and that these are underpinned by a robust performance appraisal scheme which is created, designed by the Clerk and monitored by this committee.
  - 17) To review staff salaries and terms of employment and make recommendations to Council if required. The committee will take in to consideration recommendations to Society of Local Council Clerks (SLCC) or the National Association of Local Council Clerks (NALC).
  - 18) To be responsible for the recruitment and appointment of all staff posts including the post of Parish Clerk and Responsible Financial Officer.
  - 19) Should the Clerk's position become vacant, the deputy Clerk would assume temporary responsibility for HR matters, including recruitment process and will report any material matters to this Committee. In the absence of both the Clerk and Deputy Clerk roles, this Committee along with the Appointed Temporary Responsible Person will assume HR responsibilities or seek delegated responsibility where possible.
  - 20) To appoint from its membership a recruitment panel when necessary. Recruitment panels will normally include three members and Chair of Council in the case of appointment to the Parish Clerk or RFO posts; and two members of the Committee plus the Clerk for all other posts. The recruitment panel must report its findings to this committee prior to the offer of employment being made to the candidate.
  - 21) To oversee any process leading to the dismissal of staff (including redundancy).
  - 22) To monitor and address regular or sustained staff absence.
  - 23) To consider a grievance or disciplinary matter (and any appeal).

- 24) To consider any staffing matters referred to the Committee or by the Council.
- 25) To review all Council policies that relate to staff employment on an annual basis.
- 26) The Clerk to ensure the Council complies with all legislative requirements relating to the employment of staff and provides monitoring reports to this Committee.
- 27) To review the Employee Handbook and make amendments as and when required.

**Sub-Committees (Grievance, Disciplinary and Appeal Panels):**

- 1) To appoint a grievance or disciplinary sub-committee comprising of no less than three members to consider grievance or disciplinary matters (not including any appeals) in accordance with the council's grievance or disciplinary policies/procedures. The members appointed must not previously been involved in the case.
- 2) The Chairman of the sub-committee shall be appointed by the parent committee at the time the sub-committee is appointed.
- 3) To be responsible for any appeals which must be heard by a panel of three members of this committee who have not previously been involved in the case. There may be insufficient members of this committee who have not previously been involved. If so, the appeal panel will appoint a member of the Council by consent.
- 4) The Standing Orders shall regulate the proceedings of the committee and sub-committees.

**Financial Delegation & Responsibility:**

- 1) To be responsible for any budgets delegated by Full Council (in accordance with the approved council budget).
- 2) To review and approve the committee payments list for compliance in accordance with the Financial Regulations and Scheme of Delegation.
- 3) To receive the committee financial statements for monitoring purposes and to ensure that the committee does not exceed its overall budget.
- 4) To assemble and submit to the Finance Committee, estimates of income and expenditure for the proceeding 3 year in respect of services of this Committee no later than 31<sup>st</sup> October each year.

**6 DELEGATION TO OFFICERS**

The delegations to officers in this scheme should not be construed as a job description for individual members of staff. This is a Scheme that sets out specific delegations to officers to act within defined parameters on behalf of the council. Delegated actions for officers shall be in accordance with Standing Orders, Financial Regulations and this Scheme of Delegation and with directions given by the Council from time to time.

**a. Parish Clerk (Proper Officer)**

- 1) The Parish Clerk is designated and authorised to act as the Proper Officer for the purposes of all relevant sections of the Local Government Act 1972 and any other statute requiring the designation of a proper officer.
  - 2) As Proper Officer, to sign all documents on behalf of the Council including the Summons to Elected Members to attend Council Meetings in accordance with paragraph 4 and Schedule 12 of the Local Government Act, 1972
  - 3) The Clerk may authorise another officer or officers of the Council to exercise the powers of the Clerk in his/her absence, without removing the overall responsibility of the Clerk for any such decisions.
  - 4) In the extended absence of the Proper Officer the Deputy Parish Clerk may assume this role and responsibility under agreement and in consultation with the Chair of Health, Safety and Wellbeing Committee and will have the delegated powers to act as the Parish Clerk, in the absence of the Parish Clerk. The powers exercised by the Deputy Parish Clerk in such circumstances shall be recorded in a delegation register.
  - 5) The Proper Officer shall be responsible for signing all the Council's Official Notices and for sealing Council documents as set out in the Standing Orders.
  - 6) The Clerk is responsible for processing declarations of acceptance of office.
  - 7) The Clerk is responsible for retaining a copy of every Councillors Register of Interests.
  - 8) The Clerk is responsible for dealing with dispensation requests from Members of the Council.
  - 9) The Clerk has delegated authority to take appropriate steps to ensure the Council does not exceed its powers.
  - 10) The Clerk has delegated authority to delegate any delegated responsibilities to any member of staff as appropriate.
  - 11) The Clerk has responsibility for ensuring the Council follows the Public Contracts Regulations 2015, as laid down in the Council Finance Regulations Section 11.
- Day to Day Administration**
- 12) The Clerk is responsible for day-to-day administration of services, together with routine inspection and control.
  - 13) The Clerk is responsible for placing orders and incurring expenditure on revenue items in accordance with the approved scheme of delegation and Finance Regulations, on behalf of the Council up to the amounts included in the approved budget and where required, in consultation with the relevant Chair of the committee.
  - 14) The Clerk is responsible for the management for all staff employed by the Council and is given delegated authority to manage the council staff in accordance with the Council's policies, procedures, and budget.
  - 15) The Clerk has authority to release press statements on any activities of the Council in accordance with the Council's Communication policy in agreement with the relevant committee Chair or Council Chairman or in his/her absence the Deputy Council Chairman



- 16) To be responsible for editorial control of the Parish Council websites and social media accounts.
- 17) The Clerk shall have authority to issue written authorisation to individual officers to act as the Council's authorised officers in the performance of their statutory or other duties.
- 18) The Clerk/RFO is afforded delegated powers, as defined in the Financial Regulations, to be able to practically deal with the need to place orders and make payments from the Bank Account(s) as required and to transfer between Bank Accounts and Investment accounts in order to optimise cash flow and interest income generation.

**Council Assets & Emergency Expenditure**

- 19) In cases of extreme risk to the delivery of council services, the Clerk may authorise revenue expenditure on behalf of the council which in the Clerk's judgement it is necessary to carry out. Such expenditure includes repair, replacement, or other work, whether there is any budgetary provision for the expenditure, in accordance with the approved scheme of delegation and shall report to the Chairman as soon as possible and to the Council as soon as practicable thereafter.
- 20) In the case of an emergency, the Clerk shall have the authority to take reasonable steps to secure the Council's assets or position, following consultation with the Chairman (if practicable in the circumstances).
- 21) The Clerk will have authority to act immediately on all Health and Safety or emergency issues without waiting for endorsement by the council or committee.
- 22) Delegations to The Proper Officer in relation to the letting of contracts are set out in the Standing Orders.
- 23) Delegations to The Proper Officer in respect of land and premises are set out in the Standing Orders.
- 24) The Clerk will have the authority to dispose of the Council's assets (excluding land and building assets) subject to the estimated value of any one tangible, moveable item does not exceed £250.00 in accordance with the Councils Asset Policy.

**Training for Officers & Members**

- 25) The Clerk is required to identify training needs for all staff and seek approval from the Chair of Health, Safety and Wellbeing Committee to agree these.
- 26) The Clerk is authorised to book training courses for themselves and council staff within the budget approved parameters or as directed by the Health, Safety and Wellbeing Committee.
- 27) The Clerk is authorised to book training courses for members of the Council in accordance with the members training policy.

**(g)(b) Responsible Financial Officer**

- 1) The Clerk will be the Responsible Financial Officer and will be responsible for all financial records of the Council and the careful administration of its finances and accounting procedures in accordance with the Accounts and Audit Regulations in force at any given time and with the policies and procedures set by the Council and within the law
- 2) The Responsible Financial Officer shall ensure the approved precept is issued to the billing authority

and shall supply each member with a copy of the approved annual budget

- 3) The Responsible Financial Officer will have the authority to release any financial related report or document to the Council or its committees in discharge of the Responsible Financial Officer responsibilities

- 4) The Council shall appoint appropriate staff member(s) to undertake the work of the Responsible Financial Officer when the Responsible Financial Officer is absent.
- 5) The RFO will be responsible for maintaining a petty cash float of £200 and ensuring it is managed in line with Financial Regulations 6.21.

**(h)(c) Deputy Parish Clerk**

- 1) The Deputy Parish Clerk has the delegated responsibility to issue the meeting summons agenda for any Council or committee meetings under the direction of the Parish Clerk or in the absence of the Parish Clerk.
- 2) The Deputy Parish Clerk is given delegated responsibility to manage and support all administration in relation to the Council services and activities and to support the Clerk to the Council in the execution of all Council business to meet the Parish Council's statutory requirements. This will include attending meetings, minute taking, events management support, maintaining records, supporting the Parish Clerk with day-to-day management of the Council, and ensuring that all legal requirements are complied with.

- 3) The Deputy Parish Clerk shall have the delegated powers of the Proper Officer in the Absence of the Proper Officer. The powers exercised by the Deputy Parish Clerk in such circumstances shall be recorded in the delegations register.

- 4) Responsible for the administration and management of allotments:

- a) collection of fees and charge
  - b) Letting of vacant plots
  - c) Ensuring that the rules and regulations are adhered to (Rules and regulations in the use of the Council's allotments by plot holders are set out in the Tenancy Agreements signed by all tenants)
  - d) Resolution of disputes
  - e) Promotion of allotments
  - f) Reporting to the Environment committee on allotments management including the submission of a formal allotments management report.
  - g) Ensuring that all allotment sites are maintained, and repairs undertaken and reported back to the Environment Committee.
  - h) To instruct the Handypersons to carry out site visits and inspections on allotment sites.
- 5) To incur expenditure on revenue expenditure items subject to approved budget parameters and to a maximum limit of £500.

**(h)(d) Events/Business Manager**

- 1) Under the general supervision of the Clerk, the Events/Business manager shall have specific delegated responsibility for the following:

- a) Delegated management responsibility for the parish suite including maintenance and provisions of hall hire and event services.
- b) Revenue expenditure up to the maximum limit of £500.00 per order for the functions of the Parish Suite and event services. The Events and Communications Committee

- should be consulted on further expenditure and a full monthly report provided to the Committee, showing a full breakdown of income and expenditure.
- c) Supervision of volunteers in accordance with the council policies
  - d) To act as the appointed Fire Warden and Co-ordinator in the event of a fire in conjunction with the building fire safety regulations.
  - e) To work in conjunction with council employees to manage the parish suite functions.
  - f) In the absence of the Events/Business Manager, the Proper Officer will be responsible for delegating these responsibilities.

**4)(e) Handypersons**

- 1) Under the general supervision of the Clerk, the Handypersons shall have the authority within approved budgets, to incur revenue expenditure on maintenance and repairs on council land, assets including machinery and shall report to the Environment & Climate Change Committee from time to time.
- 2) To carry out allotment site visits and support allotments management as directed by the Deputy Parish Clerk.
- 3) To support the Parish Office to maintain all council services and activities.

**4)(f) Consultants / Self-Employed Contractors**

- 1) Consultants or self-employed contractors engaged by the Council do not have any delegation to make decisions or financial commitments on behalf of the Council.

**7. Summary of Financial Delegation to Officers in accordance with the Financial Regulations**

Authority	Officer	Limit	Scope of Decision Making
<b>To incur expenditure (FR)</b>	Parish Clerk	Within budget < £1,000. No single commitment exceeding £1,000.	As Proper Officer to the Council, the Clerk is tasked with enacting the decisions of the Council and does this within approved budget parameters.
	Deputy Parish Clerk	Within budget < £500. No single commitment exceeding £500 without further approval from the Parish Clerk.	As the Deputy Clerk to the Council, routine expenditure may need to be incurred and/or in the absence of the Parish Clerk. Expenditure is restricted to items less than £500.
	Events/Business Manager	Within budget < £500.00 per order for the functions of the bar and catering services.	For the management of the Parish Suite Bar and Catering Services.
		Within budget < £250.00 for event management services.	For ad-hoc events managed by the council or on behalf of the council that requires a cost element.
	Handypersons	Within budget < £100.00. No single commitment exceeding £100.00 without further approval from the Parish Clerk.	Expenditure on maintenance and repairs and purchase of machinery/tools.
<b>Emergency Expenditure</b>	Parish Clerk	Maximum of up to £3,000 with or without any budget provision	In cases of extreme risk to the councils services which in the Clerks judgement is necessary to carry out.
<b>Certification of Invoices</b>	Responsible Financial Officer	All invoices	RFO is responsible for carrying out the majority of data inputting on the accounts system and they are required to carry out another level of checks for compliance with the Financial Regulations whilst analysing and coding.

Signed..... Chair of Council Cllr S Clough

<b>TO:</b>	Members of the Parish Council
<b>MEETING DATE:</b>	30 <sup>th</sup> May 2022
<b>SUBJECT:</b>	Committee Budgets
<b>REPORT AUTHOR:</b>	Cllr Steve Clough, Appointed Acting Proper Officer

### Agenda Item 11: Committee Delegated Budgets 2022/23

To consider the delegation of financial responsibility and council budgets as recommended within the report enclosed.

**Purpose of Report:** To provide members with recommended changes to be applied to the accounting structure on the Omega Accounting system and consideration of committee delegated budgets.

#### Recommendations

- 1) That the council budget headings are delegated to the Standing Committees as referenced within the report and that the coding structure on the RBS Omega Accounts is reset to reflect the new changes.

#### Summary

Historically the full parish council has had responsibility for the budgets but has given standing committees the authorisation to incur expenditure from time to time. Members were advised at the 2021 annual meeting that the current systems do not comply with the appropriate controls, as decisions on spending were being passed between committees and any spending was currently being approved in retrospect. The council at this time was advised to allocate a budget to each Committee as per the Scheme of Delegation. Committees would then be responsible for their own spending with any payments within their allocated budgets being approved at their meetings. The Finance committee or full council would continue to receive the full up to date payments list, to oversee the spending of each Committee to ensure compliance with the Financial Regulations.

#### Coding Structure on the Accounting System

The RFO (accountant) provided a list of the cost centres, committees and budgets for the 2022/23 financial year that are set-up on the RBS Omega accounting system.

#### Coding Changes and Committee Delegations

##### Committees

- 1) There are four committees currently set-up:

- Committee 1 - Finance Committee
- Committee 2 - Environment and Climate Change Committee
- Committee 3 - Events and Communications Committee
- Committee 4 - Health, Safety and Wellbeing Committee

##### Cost Centre / Coding Structure + Committee Delegations – Recommended Changes

Cost Centre	Code	Description	Proposed Renaming Change	Ctte	Cost Centre Change	Proposed Ctte Change	Budget 22/23	I or E
101		Corporate Management		1				
101	4006	Pension Added Years	Ex-emp Pension Added Years				£800.00	E
101	4056	Legal Fees					£2,000.00	E
102		Democratic Rep'n and Management		1				
102	4013	Rent	Rent of NEDDC Notice				£1.00	E
106		Killamarsh in Colour		2				
106	4706	Killamarsh in Colour					£6,500.00	E
106		Seasonal Events		3				
106	4092	Seasonal Events					£12,000.00	E
107		Grants and Donations (Inc 137)		1				
107	4711	Grants - \$137 General					£5,000.00	E
109		Capital and Projects		1				
109	4993	TFR To Rolling Capital Fund					£15,500.00	E
201		Leisure Centre - indoor		1				
201	4088	NEDDC U/Centre Subsidy					£150,000.00	E
212		Parish Suite		3				
212	1002	Hire Income					£13,000.00	I
212	1040	Bar Income					£7,000.00	I
212	3101	Purchases - Wet Stock					£5,000.00	E
212	3120	Catering Purchases food&drink					£4,000.00	E
212	3125	Catering - non-food					£1,500.00	E
212	4000	Salaries & Wages Basic		4			£21,000.00	E
212	4032	Publicity					£800.00	E
212	4040	Equipment & Small Tools					£1,200.00	E
212	4072	Entertainers					£800.00	E
212	4087	Lease	Parish Suite Lease				£22,000.00	E
212	4115	Licenses	Food-Drink Licenses				£1,000.00	E
301		Allotments - Belk Lane		2				
301	1001	Rent Received	Belk Lane Rent Rec'd				£500.00	I
302		Allotments - Station Road		2				
302	1001	Rent Received	Station Rd Rent Rec'd				£500.00	I
321		Parks and Open Spaces		2				
321	4013	Rent					£89.00	
321	4019	Dog Bin Emptying etc					£6,000.00	
321		Gritting (Bags & Bins)					£2,000.00	
321	4037	Grounds Maintenance					£24,000.00	
331		Cemetery		1				
331	4012	Water Rates					£170.00	



## Annual Meeting Schedule 2022/23

There are a total of **37** scheduled meetings in the 2022/23 municipal year including the next annual council meeting in May 2023.

There are no scheduled meetings for August to enable councillors and officers to take holidays. Chairs have the opportunity to call extraordinary meetings if required for urgent business only. Extraordinary council meetings require a minimum of three clear days' notice. There are no meetings scheduled for May with the exception of the Annual Parish and Annual Council meeting.

\*Officer Support (PC) Parish Clerk; (RFO) Responsible Financial Officer; (DC) Deputy Clerk

Type	Date	Day	Officer	Venue	Time
------	------	-----	---------	-------	------

### Annual Parish Meeting 2023 (to be held between 01st March and 01st June inclusive)

Annual Parish	15/05/2023	Monday 15 May 2023 (TBC)	PC & DC	Parish Suite	6.00pm
---------------	------------	--------------------------	---------	--------------	--------

### Annual Council Meeting 2023 - Election of Chair and Vice-Chair (In an election year, the annual meeting of the Council shall be held on or within 14 days following the day on which the councillors elected take office)

Annual Council	15/05/2023	Monday 15 May 2023	PC & DC	Parish Suite	7.00pm
----------------	------------	--------------------	---------	--------------	--------

### Events & Comms – Bi-monthly (First Tuesday of the month)

Events & Comms	05/07/2022	Tuesday 5 July 2022	PC or DC	Parish Suite	7.00pm
Events & Comms	04/10/2022	Tuesday 4 October 2022	PC or DC	Parish Suite	7.00pm
Events & Comms	06/12/2022	Tuesday 6 December 2022	PC or DC	Parish Suite	7.00pm
Events & Comms	07/02/2023	Tuesday 7 February 2023	PC or DC	Parish Suite	7.00pm
Events & Comms	04/04/2023	Tuesday 4 April 2023	PC or DC	Parish Suite	7.00pm

### Environment & Climate Change – Monthly (Wednesday)

Enviro & CC	13/07/2022	Wednesday 13 July 2022	DC	Parish Suite	7.00pm
Enviro & CC	14/09/2022	Wednesday 14 September 2022	DC	Parish Suite	7.00pm
Enviro & CC	16/11/2022	Wednesday 16 November 2022	DC	Parish Suite	7.00pm
Enviro & CC	18/01/2023	Wednesday 18 January 2023	DC	Parish Suite	7.00pm
Enviro & CC	15/03/2023	Wednesday 15 March 2023	DC	Parish Suite	7.00pm
Enviro & CC	19/04/2023	Wednesday 19 April 2023	DC	Parish Suite	7.00pm

### Finance – Bi-monthly, except budget setting period (Monday, 1 week prior to full council meeting)

Finance	18/07/2022	Monday 18 July 2022	PC/RFO	Parish Suite	6.00pm
Finance	19/09/2022	Monday 19 September 2022	PC/RFO	Parish Suite	6.00pm
Finance	14/11/2022	Monday 14 November 2022	PC/RFO	Parish Suite	6.00pm
Finance	12/12/2022	Monday 12 December 2022	PC/RFO	Parish Suite	6.00pm
Finance	23/01/2023	Monday 23 January 2023	PC/RFO	Parish Suite	6.00pm
Finance	20/02/2023	Monday 20 February 2023	PC/RFO	Parish Suite	6.00pm

Finance	17/04/2023	Monday 17 April 2023	PC/RFO	Parish Suite	7.00pm
<b>Health, Safety &amp; Wellbeing – Quartetly (Monday - after Finance meeting, where applicable)</b>					
HS & Wellbeing	20/06/2022	Monday 20 June 2022	PC	Parish Suite	7.00pm
HS & Wellbeing	19/09/2022	Monday 19 September 2022	PC	Parish Suite	7.30pm
HS & Wellbeing	14/11/2022	Monday 14 November 2022	PC	Parish Suite	7.30pm
HS & Wellbeing	16/01/2023	Monday 16 January 2023	PC	Parish Suite	7.00pm
HS & Wellbeing	20/03/2023	Monday 20 March 2023	PC	Parish Suite	7.00pm

**Full Council - Monthly (last Monday of the month, except November and January due to conflict with District meetings)**

Full Council	27/06/2022	Monday 27 June 2022	PC & DC	Parish Suite	7.00pm
Full Council	25/07/2022	Monday 25 July 2022	PC & DC	Parish Suite	7.00pm
Full Council	26/09/2022	Monday 26 September 2022	PC & DC	Parish Suite	7.00pm
Full Council	31/10/2022	Monday 31 October 2022	PC & DC	Parish Suite	7.00pm
Full Council	21/11/2022	Monday 21 November 2022	PC & DC	Parish Suite	7.00pm
Full Council	19/12/2022	Monday 19 December 2022	PC & DC	Parish Suite	7.00pm
Full Council	23/01/2023	Monday 23 January 2023	PC & DC	Parish Suite	7.00pm
Full Council	27/02/2023	Monday 27 February 2023	PC & DC	Parish Suite	7.00pm
Full Council	27/03/2023	Monday 27 March 2023	PC & DC	Parish Suite	7.00pm
Full Council	24/04/2023	Monday 24 April 2023	PC & DC	Parish Suite	7.00pm

**Chris Henning**  
Executive Director - Place  
County Hall  
Matlock  
Derbyshire  
DE4 3AG

Mr A Kirkham  
Head of Planning (Dev & Leis Dept)  
North East Derbyshire District Council  
2103 Mill Lane  
WINGERWORTH  
Chesterfield  
Derbyshire S42 6NG

Telephone 01629 538651  
Ask for Robert Smith  
Email Robert.Smith@derbyshire.gov.uk  
Our ref xxx/HDC/RBS/38049  
Your ref 21/00690/FL  
Date 18 May 2022

Dear Mr Kirkham

**Application:** 21/00690/FL  
**Proposal:** Conversion of Existing Stable Block into a Dwelling  
**Site:** Stables West of Walnut Drive, Off Field Lane (NC), Killamarsh

Further to previous highway comments, the agent has submitted additional information (attached) to address highway concerns.

Within the site it is considered there is sufficient space for small service/ deliver vehicles to manoeuvre within the site, enabling vehicles to both enter and leave in forward gear.

Concerning refuse collection, in view the email dated 13th May 2022 from Streetscene and Waste Services Manager at North East Derbyshire, it is considered that a suitable condition could be appended to any consent, so as to ensure appropriate refuse collection is provided for the life of the development.

Regarding traffic movements associated with the site, the agent has submitted information demonstrating that the conversion would likely result in a reduce in vehicle movements associated with the development. It should be understood that, as a generality, the Highway Authority does not "agree" to the content of such documents or, inevitably, concur with every detail contained therein. However, providing it is considered that the conclusion is sound then it is not regarded as reasonable or warranted to require the applicant to devote resources to amending detail which would not vary the conclusion. In this instance the Highway Authority does not consider the proposal to result in a material increase in traffic associated with the site.

Accordingly, the Highway Authority has no objection in principle for the proposed conversion, subject to the following conditions being appended to any consent:

1. No development, including preparatory works, shall commence until space has been provided within the site for storage of plant and materials, site accommodation, loading, unloading and manoeuvring of goods vehicles, and parking and manoeuvring of employees and visitors vehicles, with this space laid out in accordance with a scheme first submitted to and approved in writing by the

Local Planning Authority. Once implemented, the approved facilities shall be retained free from any impediment to their designated use throughout the construction period.

2. The premises, the subject of the application, shall not be taken into use until space has been provided within the site curtilage for the parking, loading and unloading, manoeuvring and turning of service and delivery vehicles and space for manoeuvring of residents, visitors, staff, located, designed, laid out and constructed all as agreed in writing with the Local Planning Authority and maintained throughout the life of the development free from any impediment to its designated use.
3. The proposed residential accommodation hereby permitted shall remain ancillary to the existing stable and shall not be occupied as an independent dwelling house throughout the life of the development.
4. Prior to the occupation adequate bin storage and a bin dwell area for use on refuse collection days shall be provided clear of the public highway, clear of all access and parking and turning provision and retained thereafter free from impediment to designated use.
5. Any gates where fitted shall open inwards into the site only.

In addition to the above conditions, the following note should be appended to any consent for the applicant's information.

- a. Pursuant to Sections 149 and 151 of the Highways Act 1980, steps shall be taken to ensure that mud or other extraneous material is not carried out of the site and deposited on the public highway. Should such deposits occur, it is the applicant's responsibility to ensure that all reasonable steps (e.g. street sweeping) are taken to maintain the roads in the vicinity of the site to a satisfactory level of cleanliness.

Yours sincerely



Highway Development Control



## Planning Statement – Field Lane, Killamarsh.

### Stable Visits:

Following on to the email received from Robert Smith Highways; please see attached the document named as Stable Visits – Field Lane, Killamarsh. This identifies the number of daily visits to the site currently and proposed should this application gain planning permission as sought.

### Vehicular Manoeuvring:

Please see attached document named 3\_Block Plan as Proposed – Rev C which shows a swept path analysis for a small vehicle as requested. This shows that there is more than adequate manoeuvring for vehicles within the existing site area to allow access and egress of the site in a forward moving gear at all times.

### Refuse Collections:

Please see below the email received from Darren Mitchell Streetscene and Waste Service Manager confirming that due to the location, this site is able to be served from a smaller vehicle on collection days. An agreement needs to be in place between the department and the applicant as to the location of the collection point and that the refuse needs to be ready for collection in a Black bin liner and tied.

**From:** "Mitchell, Darren" <Darren.Mitchell@ne-derbyshire.gov.uk>

**Date:** 13 May 2022 at 12:31:37 pm BST

**To:** Mark Garfitt <mark@mgarchitecturaldesigns.co.uk>, Refuse <refuse@ne-derbyshire.gov.uk>

**Cc:** "Jowett, Heather" <Heather.Jowett@ne-derbyshire.gov.uk>

**Subject:** RE: Advise on a planning application.

Dear Mark

Following our conversation I would confirm that we are unable to access the roadway off Boiley Lane with our smaller refuse vehicles and should the development of a residential property occur then we would under the Section 46 of the Environmental Protection Act 1990 ask that the new residency to present their waste for collection at a designated collection point or alternatively we should suitable access be afforded to the lane in a transit van the we may place the

residency on a bagged collection system for their domestic waste. Suitable access will be to have sufficient turning area for our Transit pickup and the ability to undertake a unhindered turning manoeuvre to exit the lane.

In addition we would asked that the road way is constructed of suitable material to allow safe passage without damaging our vehicle i.e. No pot holes and an undertaking the lane will be maintained to a suitable standard, should this not occur then we would look for a collection point nearby to the other residencies on Boiley Lane.

Regards

Darren Mitchell

**Streetscene and Waste Services Manager**

Streetscene depot,

Rotherside Road,

Eckington ,

S21 4HL

☎ Direct dial: 01246 217285

✉ Email: [darren.mitchell@ne-derbyshire.gov.uk](mailto:darren.mitchell@ne-derbyshire.gov.uk)

Notes on the number of visits made to the stables per month, and a comparison of the number of trips that would be made should the stables be converted to a residential property.

**General number of trips per day from current residence to Stables.**

1. Check on horses four times per day. These trips are for removing horses from stables to paddocks, for feeding, putting rugs on and taking rugs off. (four trips per day, or 28 per week)
2. Toilet visits for grandchildren, lunchtime returns to home, collect forgotten items etc. (twice per day on average, 14 per week)
3. Farmer once per month and I have to be there when he comes.(one per month)
4. Deliveries of hay and feed once per month. (two per month)
5. Returning to home when home deliveries phone up, maybe once a week. (one per week)
6. Trips home to fetch tack when forgotten as cannot leave it at stables as nowhere to secure it.(possibly four per week)
7. Returning to home to collect water and for toilet breaks as no water or toilets at field.(two per day, or 14 per week)

**Summary of the above where one trip is vehicle travelling to field and back to residence.**

1. **The total trips per week on average can be up to 61 trips per week excluding farmers trips and deliveries.**

**Conclusion**

2. **Should the planning permission be granted then the number of trips per week would reduce drastically to an average of 10 per week excluding farmers trips and deliveries. Those ten would be for food shopping and visiting relatives.**



© THESE DRAWINGS ARE THE COPYRIGHT OF  
M&G ARCHITECTURAL DESIGNS LTD.  
NO PART OF THESE DRAWINGS ARE TO BE COPIED OR  
REPRODUCED WITHOUT THE WRITTEN CONSENT OF THE DESIGNER  
DRAWING PREPARED FOR THE PURPOSES OF  
IDENTIFICATION ONLY.



**M&G ARCHITECTURAL DESIGNS LTD**  
designing and building dreams

Website: [www.mgarchitecturaldesigns.co.uk](http://www.mgarchitecturaldesigns.co.uk)  
Email: [contact@mgarchitecturaldesigns.co.uk](mailto:contact@mgarchitecturaldesigns.co.uk)

CONSTRUCTION DESIGN & MANAGEMENT REGULATIONS 1994  
APPLICABLE TO ALL PROJECTS EXCEPT WORK TO A PERSON'S OWN HOUSE, OTHER  
THAN THAT CARRIED OUT BY THE DEVELOPER.

THE CLIENT SHALL BE ADVISED THAT ALL PROJECTS LASTING FOR MORE THAN  
THIRTY DAYS OR INCLUDE MORE THAN FOUR PEOPLE ENGAGED ON THE CONSTRUCTION  
ON SITE AT ANY ONE TIME SHALL BE SUBJECT TO THE ABOVE REGULATIONS.

THE CLIENT SHALL TAKE ALL RESPONSIBLE STEPS TO ENSURE THAT THE APPOINTED  
CONTRACTORS HAVE THE COMPETENCE AND ADEQUATE RESOURCES TO DESIGN AND  
MANAGE THE CONSTRUCTION WORK AND COMPLY WITH THE ABOVE REGULATIONS.

IF THE PROJECT IS SUBJECT TO THE ABOVE REGULATIONS, THE CLIENT SHALL  
APPOINT A PLANNING SUPERVISOR AND ENSURE THAT NOTICE IS SERVED ON  
THE HEALTH & SAFETY EXECUTIVE FROM ACCEPTANCE USING  
FORM 10.

**SERVICES:**

ELECTRICS ALL TO COMPLY WITH THE LATEST EDITION OF THE IEE REGULATIONS  
UNLESS OTHERWISE SPECIFIED. THE CLIENT FORKS TO BE ADVISED THAT ALL  
CONNECTIONS TO THE SUPPLIES TO BE CARRIED OUT BY THE CLIENT SHALL  
WANTS TO BE CARRIED OUT WITH THE FULL CO-OPERATION OF THE LOCAL SERVICE  
SUPPLIER, GAS AND HEATING WORK TO GAS SERVICE FROM METER POSITION TO  
BE CARRIED OUT BY CORGAS OR ACOG'S REGISTERED HEATING ENGINEERS ONLY.

BUILDER TO CHECK AND TO CLARIFY ALL LEVELS, DIMENSIONS, FINISHES,  
CONSTRUCTION AND SPECIFICATION PRIOR TO ANY WORKS ON SITE AND TO BRING TO  
THE CLIENT'S ATTENTION ANY VARIATIONS OR DEVIATIONS FOR WRITTEN CONFIRMATION  
BEFORE BEING CARRIED OUT ON SITE.

DO NOT SCALE FROM THESE DRAWINGS. IN ANY DOUBT ALWAYS ASK FIRST  
FOR THE EXACT DIMENSIONS. THE CONTRACTOR SHALL OBTAIN ALL NECESSARY  
DRAWING PERMISSIONS FOR THE PROVISION OF THE NECESSARY CONSTRUCTION  
PERMISSION AND BUILDING REGULATION APPROVALS ONLY.

ALL MATERIALS SHALL BE USED, APPLIED OR VOKED IN ACCORDANCE WITH ALL OF THE  
MANUFACTURER'S INSTRUCTIONS, RECOMMENDATIONS AND SPECIFICATION. ALL  
MATERIALS SHALL BE SUITABLE FOR THE PURPOSES THAT THEY ARE USED FOR.

THE CONTRACTOR SHALL TAKE INTO ACCOUNT EVERYTHING NECESSARY FOR THE  
PROPER EXECUTION OF THE WORKS AND TO THE SATISFACTION OF THE LOCAL  
AUTHORITY BUILDING INSPECTOR, WHETHER OR NOT INDICATED ON THE DRAWINGS  
OR IN THE SPECIFICATION.

IT IS THE RESPONSIBILITY OF THE OWNER/CLIENT TO SERVE A NOTICE ON THE  
ADJOINING OR ADJACENT NEIGHBOURS FOR THE PROPOSED WORKS UNDER  
THE 'PARTY WALL ACT 1939'. EXPLANATORY BOOKLETS CAN BE OBTAINED FREE OF  
CHARGE FROM THE CONCRETE RESEARCH INSTITUTE, PO BOX 2316, WEST YORSHIRE,  
LS23 7AB. TELEPHONE 02023 7627405 Email: [enquiries@wari.co.uk](mailto:enquiries@wari.co.uk)

DRAWING PREPARED BY:

MR & MRS BRIGHT

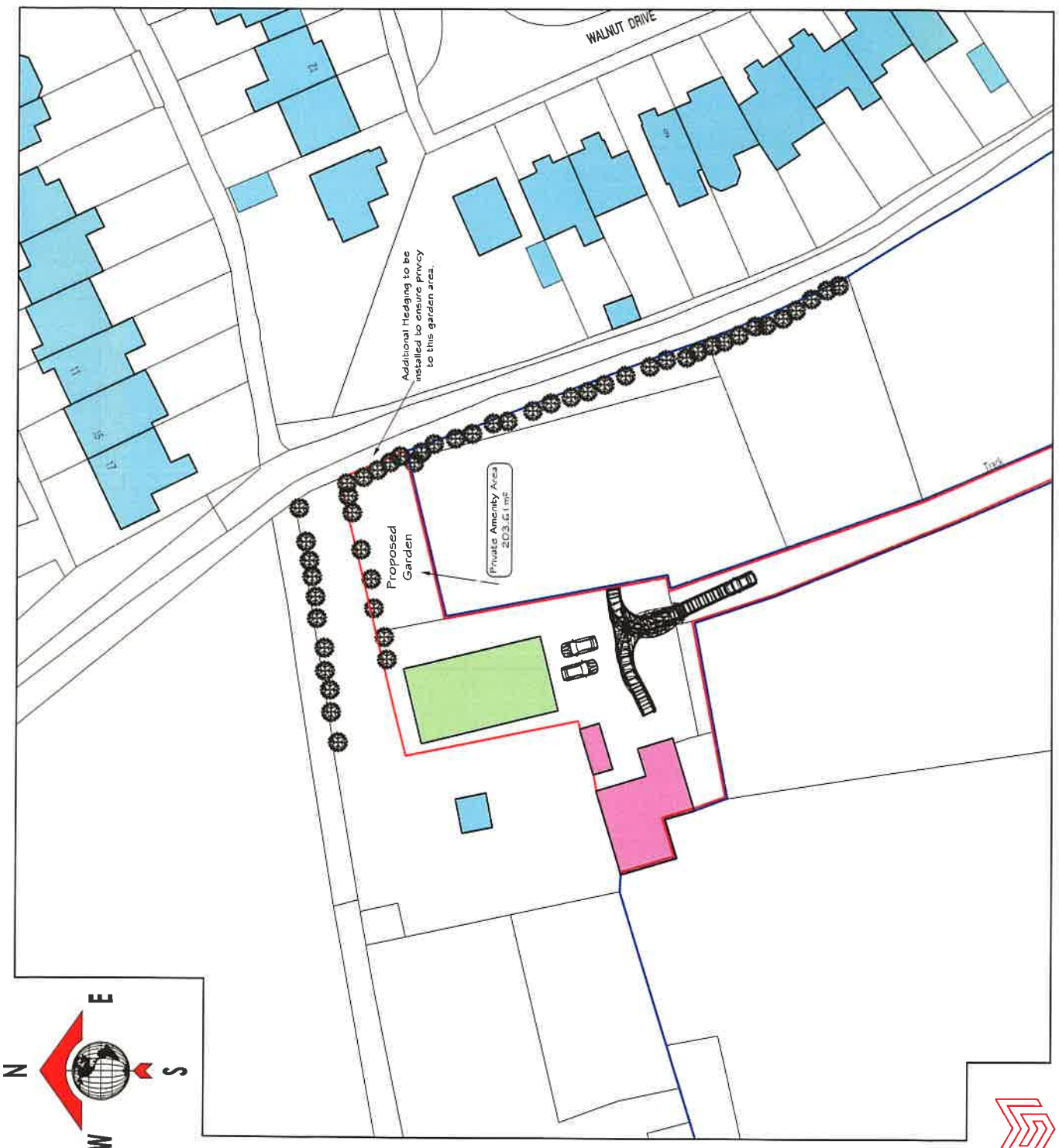
ARCHITECTURAL DESIGNS LTD

Tel: 07769 996636

Email: [mark@mgarchitecturaldesigns.co.uk](mailto:mark@mgarchitecturaldesigns.co.uk)

CLIENT:	Mr and Mrs Bright.
SITE ADDRESS:	The Stables off Field Lane, West of Walnut Drive, KILLAMARSH, S21 1GE, South Yorkshire.
PROJECT:	Proposed Conversion and Change of Use to Residential.
SCALE:	1 : 500 @ A3
TITLE:	Block Plan as Proposed.
DATE:	October 2020

Drawing Number 20-03C Ref: BRIGHT





**Register of** : TOWN AND VILLAGE GREENS

Register unit No. VG.19  
Edition No.

See Overleaf  
for Notes

LAND SECTION—Sheet No. 1

No. and date of entry	Description of the land, reference to the register map, registration particulars, etc.
1. 19th March, 1968 (see entry No.2 below	The piece of land known as Westthorpe Green situated at the junction of Westthorpe Road, Green Lane and Boiley Lane in the Parish of Killamarsh in the County of Derby as marked with a green verge line inside the boundary on Sheet-17 of the Register Map and distinguished by the number of this register unit. Registered pursuant to Application No. 57 made the 14th December, 1967, by T.H. Shimwell, Esq., Clerk to Killamarsh Parish Council, on behalf of the said Parish Council. (Registration provisional)
2. 7/Oct/70	The registration at Entry No.1 above, being undisputed, became final on the 1st October 1970.



In the Matter of the piece of land known as Westthorpe Green situated at the junction of Westthorpe Road, Green Lane and Bailey Lane in the Parish of Killamarsh in the County of Derby

DECISION

This reference relates to the question of the ownership of land known as Westthorpe Green being the land comprised in the Land Section of Register Unit No. VG 19 in the Register of Town or Village Greens maintained by the Derbyshire County Council, which no person is registered under section 4 of the Commons Registration Act 1955 as the owner.

Following upon the public notice of this reference no person claimed to be the freehold owner of the land in question and no one claimed to have information as to its ownership.

I held a hearing for the purpose of inquiring into the question of the ownership of the land at Chesterfield on 1 October 1980.

Mrs N B Long, Clerk to the Killamarsh Parish Council appeared at the hearing but called no evidence.

In the absence of any evidence I am not satisfied that any person is the owner of the land, and I shall accordingly direct the Derbyshire County Council, as registration authority, to register Killamarsh Parish Council as the owner of the land under section 8(3) of the Act of 1955.

I am required by regulation 30(1) of the Commons Commissioners Regulations 1971 to explain that a person aggrieved by this decision as being erroneous in point of law may, within 6 weeks from the date on which notice of the decision is sent to him, require me to state a case for the decision of the High Court.

Dated this 21<sup>st</sup> day of October 1980  
*George H. H. H.*  
 Commons Commissioner





NORRIS WAITE & SLATER

DATED 4<sup>th</sup> April 2005

KILLMARSH PARISH COUNCIL

to

STEPHEN ERIC PETRE

COUNTERPART

**DEED OF GRANT OF EASEMENT  
OF RIGHT OF WAY AND SIGHT LINES**

relating to

Land at Westhorpe Road Killamarsh Derbyshire

Norrie Waite & Slater  
Solicitors  
21/23 Bridge Street  
Killamarsh  
Sheffield S21 1AH



ER WHICH  
TRE  
S LEGAL  
O SERVE  
DWELLINGS.

BE

THIS DEED is made the *fourth* day of *April* 2005

BETWEEN:-

- (1) THE PARISH COUNCIL OF KILLMARSH of Killamarsh Sports Centre, Sheffield Road, Killamarsh, Sheffield, S21 1DY (hereinafter called "the Grantors")
- (2) STEPHEN ERIC PETRE of 16 Farm View Gardens, Hackenthorpe, Sheffield, S12 (hereinafter called "the Grantee")

WHEREAS:-

1. The Grantors are the owners by virtue of the Commons Registration Act 1965 of the land situate adjoining Westhorpe Road, Killamarsh, Derbyshire shown edged in red on plan number 1 annexed hereto ("the Property")
2. The Grantee is seized of the land situate in Westhorpe Road, Killamarsh aforesaid registered at HM Land Registry under title number DY (hereinafter called "the Grantees Land")

3. The Grantor has agreed with the Grantee in consideration of the sum of THIRTY SEVEN THOUSAND FIVE HUNDRED POUNDS (£37,500.00) to grant to the Grantee the rights hereinafter described

NOW THIS DEED made in pursuance of the said Agreement and in consideration of the sum of THIRTY SEVEN THOUSAND FIVE HUNDRED POUNDS (£37,500.00) paid by the Grantee to the Grantor (the receipt whereof the Grantor hereby acknowledges) witnesseth as follows:-

- (1) The Grantor with full title guarantee HEREBY GRANTS unto the Grantee ALL THAT the right for the Grantee and his successors in title owners or occupiers for the time being of the Grantees Land and his and their under tenants and servants and all other persons authorised by him or them in common with the Grantor and his successors in title owners or occupiers for the time being of the Grantors Land



OR WHICH  
RE  
LEGAL  
O SERVE  
DWELLINGS

and such other persons authorised by the Grantor from time to time at all times hereafter and for all purposes to pass on foot and with vehicles along the area of land shown coloured pink on plan number 2 annexed hereto TOGETHER with the right to establish sight lines fronting to Westhorpe Road, Killamarsh shown by black hatching on plan number 2 annexed hereto to the satisfaction of the Highway Authority and in accordance with the requirements thereof TO HOLD the same unto the Grantee with full title guarantee as appurtenant to the Grantors Land

- (2) (a) The Grantee hereby covenants with the Grantor and its successors in title that the Grantee and his successors in title shall at his or their own cost and expense at all times hereafter maintain and repair the said right of way hereby granted and sight lines in good and proper repair and condition and well and sufficiently drained
- (b) The Grantee hereby covenants with the Grantor for himself and his successors in title to be responsible at his own expense for the reinstatement of the surface of the said right of way following any works relating thereto
- (3) The Grantee hereby covenants for himself and his successors in title with the Grantor that the said right of way shall not be used to gain access to any other land other than the Grantees Land as defined herein
- (4) The Grantee hereby covenants that he will not at any time for himself and his successors in title seek to claim from the Grantor of their successors in title any other rights over and above the right of way hereby granted over any other part of the Grantors Land
- (5) It is hereby certified that the transaction hereby effected does not form part of a larger transaction or of a series of transactions of which the amount or value or the



aggregate amount or value of the consideration exceed Sixty thousand pounds (£60,000.00)

IN WITNESS whereof the parties hereto have hereunto set their hands and seals the day and year first hereinbefore written

Signed as a Deed by  
**KILLAMARSH PARISH COUNCIL**  
in the presence of:-

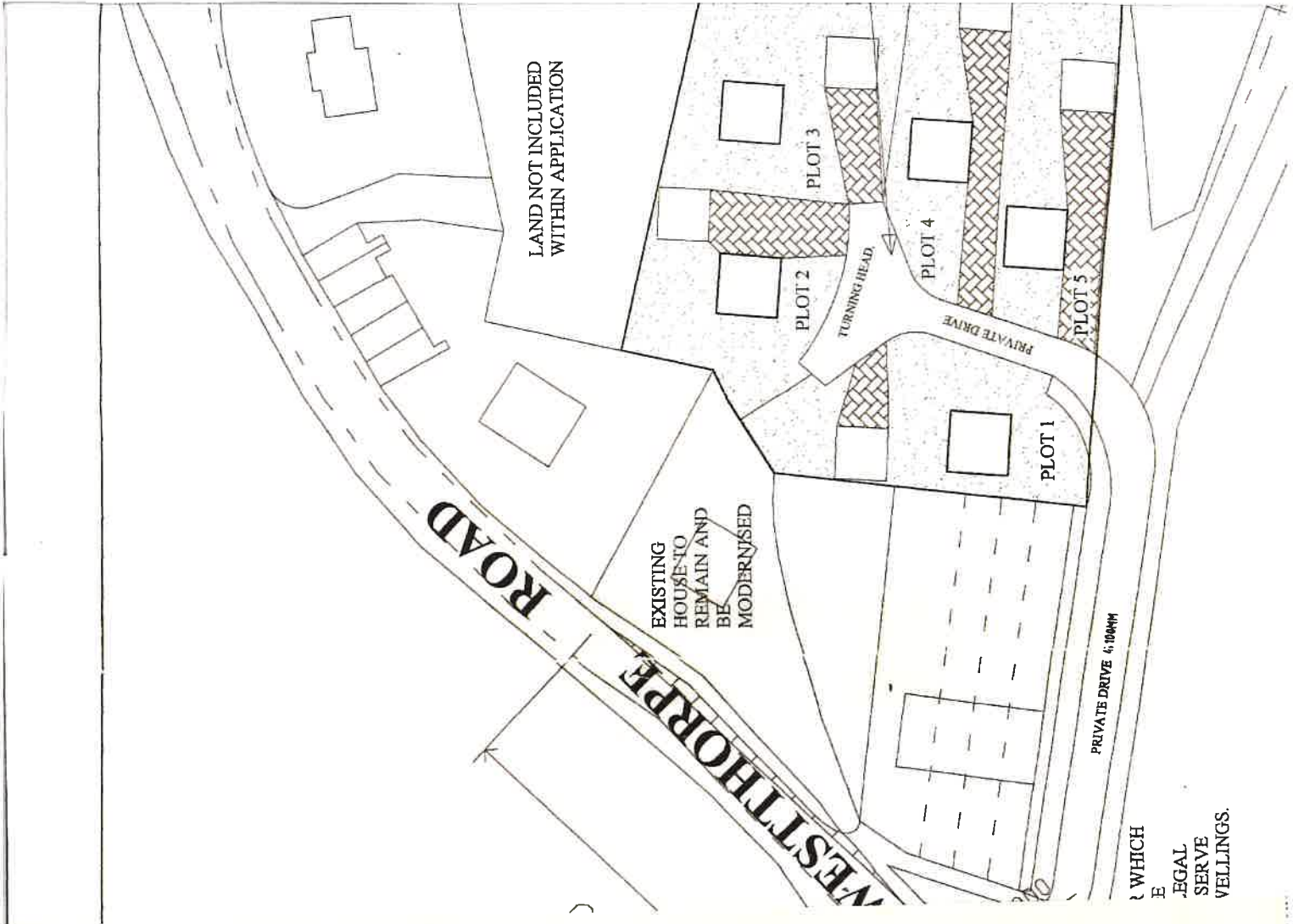
Chair

Vice Chair

Clerk

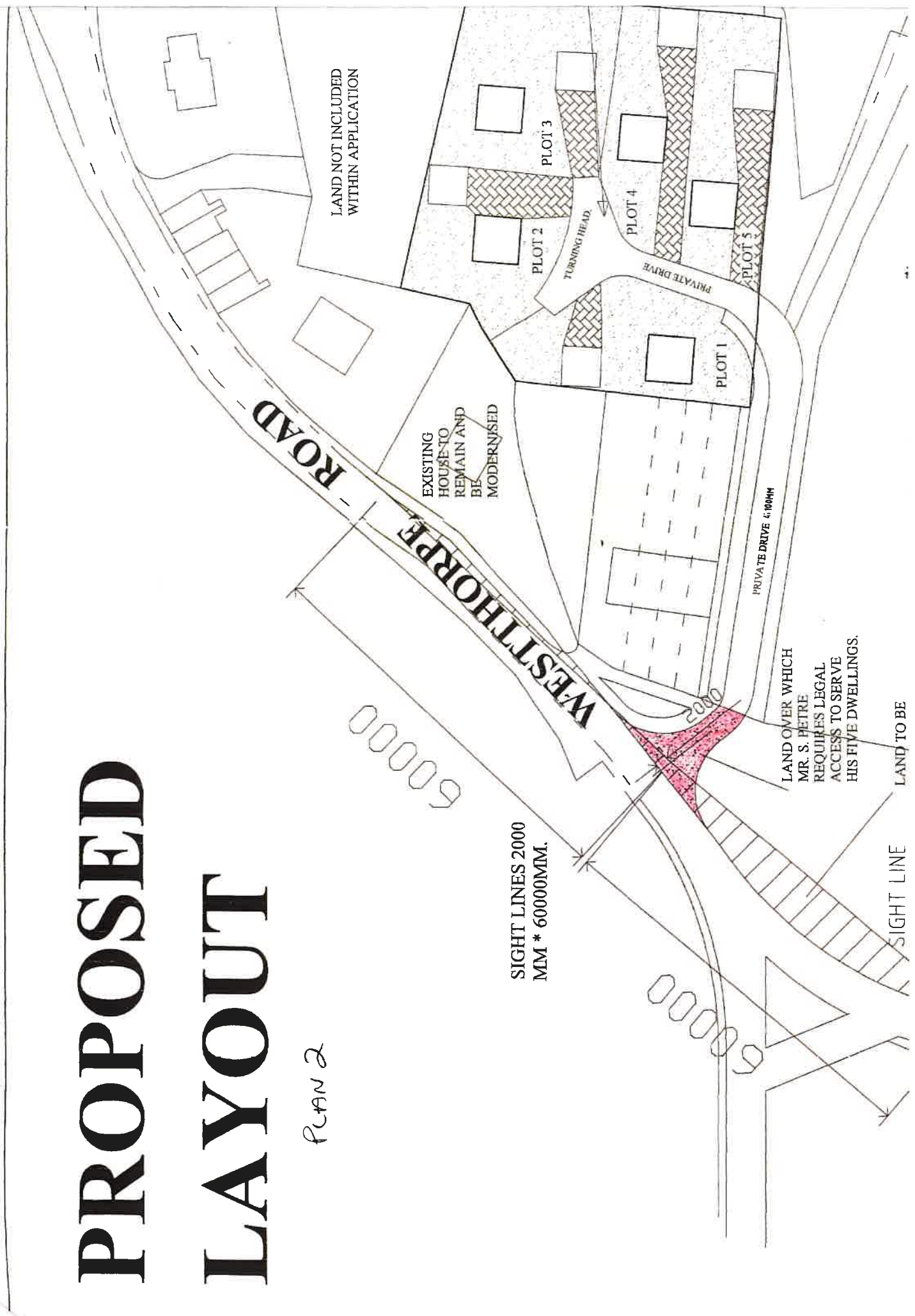
Signed as a Deed by  
**STEPHEN ERIC PETRE**  
in the presence of:-

*Steph*  
*Petrie*  
*Pauline Gots*  
*Cakes Solicitors*  
*Shelved*



# PROPOSED LAYOUT

PLAN 2



LAND NOT INCLUDED WITHIN APPLICATION

EXISTING HOUSE TO REMAIN AND BE MODERNISED

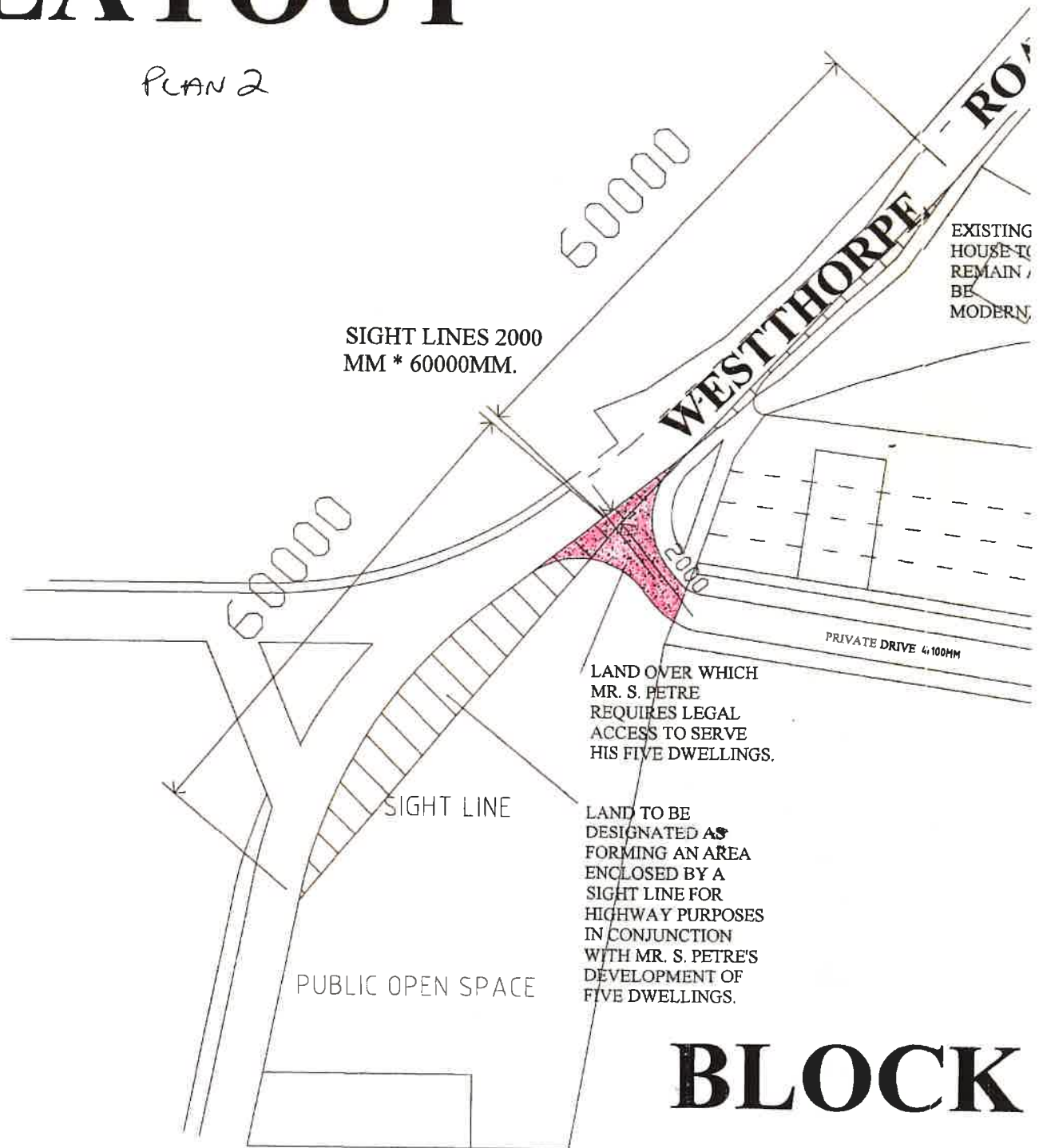
SIGHT LINES 2000 MM \* 60000MM.

LAND OVER WHICH MR. S. PETRE REQUIRES LEGAL ACCESS TO SERVE HIS FIVE DWELLINGS.

LAND TO BE

# PROPOSED LAYOUT

PLAN 2



## BLOCK