

STAPLEFORD PARISH COUNCIL

MINUTES OF THE MEETING OF STAPLEFORD PARISH COUNCIL held on THURSDAY 6th January 2022 at 7.00pm In the Jubilee Pavilion, Gog Magog Way, Stapleford

PRESENT: Cllr G Pett (Chairman), Cllr Jenny Flynn, Cllr Michael Gatward, Cllr B Kettel, Cllr H Kettel, Cllr David Pepperell.

Stapleford Parish Council Clerk: Belinda Irons – Minutes

Cambridgeshire County Council: Cllr Brian Milne

South Cambs District Council: Cllr Peter Fane

MEMBERS OF THE PUBLIC: There were 6 members of the public present

01.2022 Apologies: none

02.2022 Declaration of Members Interest: disclosable pecuniary, other disclosable, personal: none

03.2022 Election of Vice-Chairman: **PROPOSAL: That Stapleford Parish Council herewith appoints Cllr Jenny Flynn as Vice-Chairman with immediate effect.** PROPOSED: Cllr H Kettel, seconded Cllr Pett. AGREED AND RESOLVED UNANIMOUSLY.

04.2022 Minutes of the previous meeting:
PROPOSAL: That Stapleford Parish Council herewith agree the minutes of the meeting held on the 4th November 2021 and the amended minutes of the meeting held on the 7th October 2021: PROPOSED: Cllr H Kettel, seconded Cllr Flynn. AGREED AND RESOLVED UNANIMOUSLY.

5.2022 South Cambs District Council and Cambridgeshire County Council:
Councillors reports: Cllr Fane:
Axis Appeal: appeal upheld: There are implications for Stapleford now that the appeal has been granted.
1: Local Plan and the release of Green Belt land for development: this may be relevant in the future as the Mingle Lane proposal is in the Green Belt. The impact on the landscape of the Axis Development was not deemed as impactful as SCDC and SPC believed it would be. The Inspector considered the benefit of the proposed country park outweighed the impact of the development. The route of the busway, which was to go through the development site, will need to be rerouted as the Inspector commented that it was not sufficiently developed to be considered, despite the GCP comments to the contrary.
2: This is an outline application with all matters reserved except access: the Parish Council was urged to carefully consider the Reserved Matters

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application when it eventually comes forward for consideration. SPC was further urged to ask for the Reserved Matters application to be 'called in' for decision by the Development Management Committee. Matters of principle need to be brought to the attention of the Committee.

Specific issues for consideration would be landscape, appearance, scale, and management of the country park.

The Inspector considered highlighted the benefits to the village, including the increase in biodiversity (country park) and access to the site. There is an associated £350,000 management fee in the Section 106 which is a condition of the permission. It is understood the Magog Trust may be interested in managing the country park.

Cllr H Kettle commented that CPPF had objected, but had not been advised of the appeal and was therefore unable to make representation. Cllr Fane responded there is no third party right of appeal. The only option would be a judicial review on a technical aspect of the appeal.

Cllr B Kettel commented that the Parish Council is not allowed to consider other planning applications and outcomes when it is making recommendation, but the Planning Inspector has considered a much wider context and other applications in his decision. This is not an equitable situation.

Cllr Flynn commented that SCDC had written to Central Government stating it would not allow any further development to take place until the water situation had been resolved. Water was not mentioned in the Inspector's report. How does this work when there is a swimming pool as part of the proposal?

Cllr Fane commented water is a key consideration in the Local Plan. The developer will be asked to bring forward a low water use Reserved Matters application. Technology has moved on and there are a lot of opportunities to reduce water use.

Cllr Fane advised the Making Business Greener application is open to the 24th February. It is also open to support households which have suffered hardship from Covid.

Green bin emptying resumes on the 18th January.

Cambridgeshire County Council: Cllr Milne report:

Green bins: as many as possible will be emptied, but there is a lot to do, so not all may be emptied.

Haverhill Road: this route has been swept and the gullies cleaned. SCDC and CCC work collaboratively to ensure swept items don't block the gullies. The

new software is detailing all gullies and drains to ensure the system is correctly recorded and profiled.

CCC is working closely with the contractor Milestone to ensure that works are completed correctly. Microsurfacing has been undertaken without first filling pot holes. This situation is being rectified as Councillors continue to monitor works to ensure the process is efficient in terms of time and funding.

CCC does have an audit department which is challenging utility companies to ensure correct remediation is carried out when utilities dig up and then reinstate highway surfaces. Utility companies are only liable for the remediation for 3 years from the date of the works. It is therefore extremely important that CCC is advised of failing works as soon as possible so that it can challenge the utility company responsible.

Cllr B Kettel asked which department was responsible for ensuring planning conditions were adhered to when it involved off-site vehicle parking?

Cllr Milne responded it is SCDC Planning Enforcement, as conditions have been breached.

Cllr Milne further commented that if on-site parking is not feasible, a traffic management plan should be part of the application

06.2022

Public comment

London Road cycleway: no gritting regime in place creating unsafe conditions for school children and other cyclists. Cllr B Kettel pressed Cllrs Fane and Milne to resolve this issue.

Pavilion booking schedule: comments were received that single monthly bookings scheduled for Thursdays only mean residents are unable to attend other meetings which was not the intention of the pavilion. Profit should not be put in front of community use. The History Society only met 6 times a year and its meeting dates for a Tuesday should be enabled.

Clerk's Piece: there is excessive litter and a recommendation was made that the bench is removed.

Bus shelter: this is in a very poor state with a lot of litter. Cllr Pett commented that she cleans out the litter on at least a bi-weekly basis. The Parish Council has the option to remove the bus shelter, or change it for a different design so that people cannot sit unnoticed in it.

Tree planting: has the PC applied for any grants?

Pavilion management: the Parish Council has recorded that it is not going to employ a caretaker. It can be seen that there is a strong need in the village for a caretaker to do things like litter picking. Other costs the Parish Council

It has transpired that the County Council will have to authorise the Transport and Works Act Order before it can be submitted to the Department of Transport. The group is therefore formulating an approach to the County Council to outline alternatives to the GCP's preferred route and in particular providing bus lanes along the A1 307 where the road is already duelled with a busway from the Hinton Way roundabout through the proposed expanded Cambridge Biomedical Campus.

i-Transport are unable to represent us given a conflict and we have therefore approached an alternative transport consultant who has quoted us £7,000 plus VAT for a high level report on the options in preparation for the public inquiry.

Crowdfunding is continuing to support the anticipated costs.

10.2022 Neighbourhood Plan: Cllr Flynn

A new website page is being developed on the Great Shelford PC website with a link to the Stapleford PC website for public use. Focus will be on an early stage consultation. Work is ongoing.

11.2022 Finance

Scribe accounting: update: all inputs completed. Cllr H Kettel recommended a vote of thanks to the Clerk for her hard work loading all relevant documents to the Scribe system and producing the latest set of reports and accounts through it. The Clerk thanked Councillors for their support.

Accounts summary: Jan Meeting

Income Nov: £5,139.40

Expenditure Nov: £13,198.29

Income Dec: £20,018.52

Expenditure Dec: £9,504.48

Less S106 Ring-fenced: £23,114.42

Carried forward: £168,893.876

Description	Reference	Value
Salary	December	£854.30
Salary	December	£340.38
Expenses (Jun-Dec 2021)	Petrol	£109.71
PAYE & NICS	December payment	£320.59
November payment	Direct Debit	£14.65
Pavilion Electricity	BGL0159029 / Bill number 21831153	£1,594.33
Pavilion deposit refund	06/11/2021	£200.00
Pavilion deposit refund	14/11/2021	£200.00

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12.2022

Budget & Precept:

The Clerk produced a draft budget which was circulated to all Councillors for comment. The Clerk commented that inflation is reported as running at 6% which will impact all products and services it commissions. Energy costs are projected to rise by 50% which will severely impact the pavilion costs. Cllr Gatward commented that some products have risen by 100% in the past year.

PROPOSAL: That Stapleford Parish Council herewith adopts the budget and agrees the precept is set at £85,000 (Eighty Five Thousand Pounds)

PROPOSED: Cllr B Kettel, seconded Cllr Gatward. AGREED AND RESOLVED UNANIMOUSLY. The Chairman and Clerk signed the precept application form in the meeting. **ACTION: CLERK**

13.2022

Section 106 Reports

Shed renovation: Snagging update: Cllr Gatward will contact the developer regarding the completion of the insulated area. **ACTION: MG**

Pavilion renovation incorporating a public access toilet: Discussion: Cllr Pett Councillors agreed that works associated with the pavilion will be put on hold until the grant for the playground renovation has been received. However, recommendations through discussion included toilets with direct external access, reconfiguration of changing rooms to produce one, possibly two, small meeting rooms, enlargement of the kitchen, improvements to the acoustics or installation of a hearing loop. Changes may need to be made to the drainage system. Cllr Gatward emphasised that a profit needs to be achieved or maintenance works and improvements cannot be completed. Architects: Cllr H Kettel has previously reviewed architect services and Blue Ink was the most competitive. It was recommended that a survey of the community be undertaken with options put forward for consideration. The Slaughterhouse needs to have careful consideration.

Play Area renovation: Cllr Pett: the renovation is completed and is being very well used. Some areas have been taped off to enable the grass seed to grow. The wooden tower will be repurposed into a Wendy house. The contractor will be asked to clear the brambles and perimeter vegetation. **ACTION: CLERK**

Art fund: Cllr G Pett:

SCDC has advised that artwork needs to be undertaken by a professional artist. Councillors agreed that initial work needs to come from local children with final artwork produced by a professional. Several ideas have come forward.

PROPOSAL: That Stapleford Parish Council herewith agrees to commission a Jubilee Pavilion sign to be sited at the top of the drive.

PROPOSED Cllr Pett, seconded Cllr Gatward. AGREED AND RESOLVED UNANIMOUSLY.

PROPOSAL: That Stapleford Parish Council herewith agrees to commission an art installation to form part of the perimeter fencing to the play area. PROPOSED Cllr Pett, seconded Cllr Flynn. AGREED AND RESOLVED UNANIMOUSLY.

14.2022

Staffing update: Cllr Pett

Following advice received from the HR consultant, and discussion with the Clerk, Stapleford Parish Council agreed to accept the Clerk's retraction of notice.

PROPOSAL: That Stapleford Parish Council herewith agrees the reviewed Clerk Contract and agrees the salary scale to remain at point 28 at £32,234.00 per annum pro-rata. PROPOSED: Cllr Pett, seconded Cllr H Kettel. AGREED AND RESOLVED UNANIMOUSLY

Kerry Byrne has said that she would like to continue to work for Stapleford Parish Council on a reduced contract solely on burials.

PROPOSAL: That Stapleford Parish Council herewith agrees to retain Kerry Byrne to manage the Administrative processes associated with the Burial Ground to a maximum cost of £1,200 (one thousand two hundred pounds) per annum. PROPOSED: Cllr H Kettel, seconded Cllr Flynn. AGREED AND RESOLVED UNANIMOUSLY.

15.2022

Sports Facilities & Agreements:

Tennis: Next agreement due April 2022.

MUGA: management & maintenance: Tennis net fixings rusted: Cllr Flynn: the contractor has agreed to replace the spring when next in the area. Additional users are Netball, and Football which is increasing in the winter months. Perimeter vegetation clearance and fencing are a priority.

Stapleford Tennis Club request for a path to be laid from the pavilion to the MUGA and then to Haverhill Road:

Cricket: agreement to include use of toilets and storage facilities: Cllr Pett: use of the toilets has historically been included in the agreements. The increase in cleaning regime associated with Covid has increased costs. Phoenix Cricket Club has advised that they do not use the toilets.

Cricket run up: progress on repair of run up: Cllr Gatward: completed.

Adult gym equipment: repair needed.

ACTION: CLERK

16.2022

Cemetery: Cllrs Gatward & Pett

Repairs to concrete caps: update: The Clerk will contact the Parish Council contractor and request a commencement date. **ACTION: CLERK**

17.2022

Environment, Ecology & Climate Change: Cllrs Flynn & Gatward

Cllr Flynn apologised to Cllr Gatward for failing to include him in the Messenger report.

The Parish Council gave a vote of thanks to Cllrs Gatward and Flynn for their hard work on the ecology event which took place in November. It was well attended and very informative.

Cllrs Gatward, Flynn and Pett will work to co-ordinate the proposed toy exchange with associated bird and bat box construction and cycle repair workshops. **ACTION: MG/ JF/ GP**

18.2022 Communications: Cllr Flynn
Cllr Pett will provide a report on the playground and Chairman's report. Cllr h Kettel will provide a report on CSET with Cllr B Kettel outlining the issues associated with the Axis appeal. Pavilion booking and the Hallmaster system are to be explained.

(Cllr Pepperell left the meeting at 9.30pm)

19.2022 Pavilion Management: Cllr Pett
Access update: the key code system is working well.

Hallmaster linked to Parish Council website and operational

Stapleford Parish Council requires more volunteers to come forward to become Councillors. The shortage of Councillors has meant that the Parish Council is now calling on volunteers to come forward to assist it carry out important works under the supervision of current Councillors, including management of the pavilion. To that end, Stapleford Parish Council is seeking to create a management committee. The committee members will not be expected to carry out maintenance, but to advise the Council and the Clerk of maintenance and repairs, and to organise consumable products through the Council. Terms of Reference detail what is expected.

PROPOSAL: that Stapleford Parish Council herewith agrees the formation of a Stapleford Parish Council Pavilion & Recreation Ground Sub-Committee. PROPOSED: Cllr Pett, seconded Cllr Gatward. AGREED AND RESOLVED UNANIMOUSLY

PROPOSAL: that Stapleford Parish Council herewith agrees the Terms of Reference for the Stapleford Parish Council Pavilion & Recreation Ground Sub-Committee. PROPOSED: Cllr Pett, seconded Cllr Flynn. AGREED AND RESOLVED UNANIMOUSLY.

Fencing: discussion: the Parish Council contractor will be asked to quote to replace the perimeter fence and carry out vegetation clearance.

ACTION: CLERK

20.2022 The Public Stone, Chalk, Gravel and Clay Pit: 268975
Response from the Charity Commission:

We are satisfied from the information provided that we can make a scheme to change the purposes for which the land is held. In making such changes, under section 67 of the Charities Act 2011, we must have regard for:

- The spirit of the original gift;
- The desirability of providing new purposes that are close to the original; and
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- The necessity for the new purposes to be suitable and effective in light of current social and economic circumstances.

I note your proposal is that the Charity be re-purposed to allow it to transfer the site (currently designated land) to an existing charitable organisation with aims as close as possible to the existing aim of benefitting the residents of Stapleford. Such aims to explicitly include open public access to the site and maintenance of good environmental standards.

The Magog Trust is a charitable company and if the land were transferred to it free of trusts it would become part of its corporate property and could be disposed of at any time. We believe that to have proper regard to the three factors above we need to ensure, as you suggest, that residents of Stapleford continue to benefit from the land, all be it for different purposes. This can be done by retaining the designated nature of the land (but for purposes that are suitable and effective) and I have attached a draft scheme which would achieve this purpose.

A charitable company cannot hold designated land as a part of its corporate property. It can however act as trustee of designated land, holding it on separate (but compatible) trusts. It is for this reason that the draft scheme appoints the Magog Trust as trustee and transfers the land to it for the purposes set out in the draft scheme.

Please confirm whether the trustees are content with the draft scheme. In addition, before proceeding, we would need evidence that the Magog Trust is also content with the draft scheme.

The proposed scheme could also, if the prospective new trustee wishes, include a linking direction to link the Public Stone, Chalk, Gravel and Clay Pit charity to the Magog Trust for accounting and registration purposes. If this is to be included in the scheme we will need confirmation that the Magog Trust has read our [guidance on linking directions](#) and understands the advantages and limitations of a linking direction. Alternatively, they could apply for such a direction any time after the scheme has been authorised.

MAGOG TRUST RESPONSE:

Linking

We have considered that option and we will apply after the scheme has been authorised.

Evidence

I would be pleased to provide you with a letter on headed notepaper.

Residual liabilities

Whilst you (SPC) may not have conducted any formal due diligence enquiries, I am sure that the SPC has already considered the evidence that The Magog Trust, on the basis of its past history and strong financial position, is an appropriate organisation to become the new trustee of the Pit

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Charity. Regarding residual liabilities, there is no evidence that any exist. Even if any did surface these would remain the liability of the Pit Charity and not of the SPC as a former trustee. The Magog Trust would be in a position to assist financially in the event of this very remote possibility.

The only conceivable residual liability on the SPC is if it, as the former Trustee, is subsequently found to have been negligent or perhaps fallen short of the standards expected of a trustee. I am certain that has not been the case but only the SPC is in a position to know for sure, certainly not Birketts. For this reason, and the fact that the SPC is not their client, I don't consider that such a letter is either possible or appropriate.

Finally, the proposed resolution is not technically correct as there is no transfer to a new charity. It is the same charity operating under a new scheme with a new trustee. Therefore, I think your resolution should simply be:

Proposal: Stapleford Parish Council has considered the new Scheme for the Public Stone, Chalk, Gravel and Clay Pit (268975) drafted by the Charity Commission and herewith accepts and agrees to implement that Scheme. PROPOSED: Cllr H Kettel, seconded Cllr Pett. AGREED AND RESOLVED UNANIMOUSLY.

Once a letter of acceptance is received from the Magog Trust, the Clerk will formalise the application to the Charity Commission. **ACTION: CLERK**

21.2022

Clerk's updates

Review governing documents: next agenda

Standing Orders

Financial Regulations

Risk Assessment & Risk Assessment Inspection Sheets

Asset Register

Slaughterhouse Garden: tree pollarding: Cllr Pepperell has conducted a site inspection and agreed a way forward with the adjacent landowner.

22.2022

Correspondence

Stapleford Tennis Club: complaint: Tennis net fixing rusted

Queens Platinum Jubilee: public holiday: Thursday 2nd June to Monday 6th June

Ms A Pance: concern that MUGA lighting is on when there is no activity: The MUGA lights are activated through the booking system and come on 15 minutes before play commences, and remain on for 15 minutes when play has finished.

23.2022

Code of Conduct: issue resolved

24.2022

Dates of Meetings:

3rd February, 3rd March, 7th April, 12th May, Wed 1st June, 7th July, 1st September, 6th October, 3rd November, 1st December

Date of June meeting: discussion for next agenda

Annual Parish Meeting: discussion for next agenda.

Meeting closed at 9.45pm