

# WINSTER COUNCIL

Clerk & Financial Officer: Trisha Dale  
Ivy Dene, Main Street, Birchover DE4 2BN  
[clerk@winsterCouncil.gov.uk](mailto:clerk@winsterCouncil.gov.uk)

## MINUTES OF ORDINARY MEETING: 3<sup>rd</sup> June 2024, 7:20pm, held at the Jubilee Room, Burton Institute, Winster.

*These minutes are hereby approved as a true and accurate record of the above meeting following Resolution of the Council at its monthly Council meeting on 8<sup>th</sup> July 2024*

Signed ..... Chair of meeting

In attendance: Cllr. Frederickson (Chair), Cllr. Hatfield (Vice Chair), Cllr. Brown, Cllr. Geddes, Cllr. Randles, Cllr Stone.

Also Present: Trisha Dale (Clerk), 4 members of the public.

No.	Item	AP
06/01/24	<b>Apologies</b> Apologies received from Cllr. Cooper, Cllr Robinson	
06/02/24	<b>Declaration of Interests</b> No declaration of interests received.	
06/03/24	<b>Reports:</b> A: County Councillor's Report: None this month. B: Borough Councillor's: None this month. C: Police Report: None this month. Chair will meet PCSO Carly Mattison at the next street meet to give thanks for all the help and support and wish her luck as she leaves the role in Winster. D: Chair Report: The Chair was pleased to announce, following a lot of hard work from various individuals, that the Winster Community Wakes and Carnival Archives Project has been awarded funding of a sum of £64,233.00 from the National Lottery Heritage Fund. Also secured independent funded partnership with Derby University and Derbyshire Record Office. The project covers a two-year period, preserving and digitizing memories and other information from the past. Posters are displayed around the village with further information and can also be found on the Parish Council website.	
06/04/24	<b>Public Participation</b> Resident 1: The issue of cars parking on pavement is still an ongoing problem. When, due to ability/restrictions it is required to walk alongside another for support you can often be unable to pass due to complete obstruction or have limited accessibility due to cars parking on the pavements with side mirrors sticking out. The lead Councillor advised that they were aware and are to produce notices for placing on windscreens requesting not to park in this manner. If, once a notice has been given, they persistently continue to park on pavements the local police will be informed. It was also noted that it is not just pavements but inconsiderate parking causing pedestrians to walk on uneven cobbled stone. The resident was horrified to find that a lady in her nineties is walking on the road passed the Church Yard, facing further obstructions when reaching Main Street because of the obstructions of pavement parking. The lady struggles with steps, she has now been advised there is a ramp in place at the Church Yard that she can use but will still face issues going up and down kerbs along Main Street. A Councillor to speak to the lady's daughter requesting that she uses the route via the Church Yard for her safety. On another occasion a gentleman with impaired vision was walking with a white stick with a ball on the end, moving it back and forth, allowing the pavement edge to be sensed under a car but not the vehicle itself. This unfortunately caused the gentleman to walk into a parked car, he did yelp in pain but carried on before he could be approached to check if he was alright.	<b>DR</b>          <b>MR</b>

	<p>The Councillors advised firstly that it is not illegal to park on pavements, but it is illegal to cause an obstruction and secondly the reason most park on the pavement is due to Main Street being busy and that around twenty incidence have occurred that caused damage to vehicles parked on the road, in the last year.</p> <p>In response the resident replied that whilst it costs to repair damage to vehicles, individuals are more important and should an accident occur could not be repaired or replaced.</p> <p>A draft notice to be produced and circulated for approval.</p> <p>Resident 2: Following on from the above had concerns over dangerous parking at the top of East Bank in some cases emergency vehicles would not be able to access. If notices are available could the residents have some, as parking there tends to happen later in the day. It was suggested that the Fire Brigade have previously put notices on cars, it was agreed to contact them to see, if possible, they could be used.</p> <p>Another issue with parking is on the corner on the triangle opposite the Miners Standard and Poor House, as when vehicles park on the corner then trying to pass could cause damage to both vehicles. It was asked if cones, previously placed, could be reinstated. It was thought that the police may have placed the cones, the Parish Council will ask if they can be replaced. Long term the instalment of white lines on the corner may be a solution but a TPO would need to be produced and time in going through the process.</p> <p>On the B5056 Laurel is now growing over the container, which is still in situ, it was suggested that the Parish Council cut this back, but it is the responsibility of the resident/owner. Resident/Owner to be contacted requesting action to be taken. It was also believed by a Councillor that the same area covering a footpath was included in the ground's maintenance map, this to be investigated before commissioning any work to be carried out.</p> <p>Resident 3: Wished to have an update following correspondences originally sent on the 4<sup>th</sup> April, to which a response was sent, followed by a further request sent on the 28<sup>th</sup> May. Clerk advised that a response will be sent by the end of this week.</p> <p>Concern raised over the playing areas in the village being overgrown and looking like a jungle. On a recent visit taking his child to play, it was impossible due to the overgrowth. The area was left to the Parish Council as a recreational area for children to play on, when will this be mown?</p> <p>Resident 1 responded that it had been mown on Sunday but the wildflowers were left, that the overgrowth was mainly down to the wet and warm weather.</p> <p>The Parish Council agreed to look into this with the Lead Councillor.</p> <p>Resident 3 also asked if there will be a consultation with the village on plans to repair Burma Road. Chair advised that this had been discussed at the previously held Village consultation, that the intention was only to improve the access and repair the potholes that had formed. The resident asked that the Chair please consult with the village as this intention were unclear. The Chair agreed to provide an article for the Village Magazine.</p> <p>At last month's meeting it was agreed to write to the resident who had mowed the triangle, had the resident been written too and under what powers? It was confirmed that as yet the resident has not been written to, as it was under investigation to determine who need be approached. As for powers, the Councillors do not agree that powers are required; residents, individuals etc have the power to write to anyone they choose.</p> <p>The resident disagreed having a different opinion.</p>	<p>DB</p> <p>DB</p> <p>DB, DF</p> <p>DF</p> <p>Clerk</p> <p>DF</p>
06/05/24	<p><b>Members Questions to the Chair</b></p> <p>The Parish Council were asked to change the date of the next meeting to the 8<sup>th</sup> July as the 1<sup>st</sup> July would clash with the Winster Wakes event. It was agreed to revise the date.</p> <p>The Parish Council were asked if mowing at Leacroft would be done prior to the Carnival, it was confirmed that this will be taking place.</p> <p>The Parish Council were asked to consider recording Parish Council meetings, this may be of benefit to the Clerk. The recording of meetings was introduced in the Openness of Local Government Regulations 2014. There was a brief discussion with concerns that it may be disruptive and residents in attendance may wish not to be recorded. Item to be added to the next agenda.</p>	<p>Clerk</p>
06/06/24	<p><b>Minutes of Last Meeting and Matters Relating Thereto</b></p> <p>A: The minutes of the previous Council meeting held on 13<sup>th</sup> May 2024 were considered and approved.</p> <p>(Prop: MH 2<sup>nd</sup>: JG; Unan)</p>	

06/07/24	<p><b>Finance</b></p> <p>A: To note the Council's monetary assets: Royal Bank of Scotland, and for the Chair of the meeting to examine, approve and arrange to sign the bank reconciliation and latest current account statements when available.</p> <table border="1" data-bbox="339 315 1350 741"> <thead> <tr> <th></th> <th>As at 3rd June 2024</th> <th>As at 13th May 2024</th> </tr> </thead> <tbody> <tr> <td>Balance brought forward 1st April 2024</td> <td>£44,730.52</td> <td>£44,730.52</td> </tr> <tr> <td>Total Income</td> <td>£24,586.64</td> <td>£23,145.04</td> </tr> <tr> <td>Total Expenditure</td> <td>£6,823.12</td> <td>£3,482.35</td> </tr> <tr> <td>Balance</td> <td>£62,494.04</td> <td>£64,393.21</td> </tr> <tr> <td></td> <td></td> <td></td> </tr> <tr> <td>Last Statement Balance as at 1st May 2024</td> <td>£63,685.15</td> <td>£45,482.92</td> </tr> <tr> <td>Less un-presented cheques</td> <td>£4,280.43</td> <td>£4,234.75</td> </tr> <tr> <td>Add uncleared deposits</td> <td>£3,089.32</td> <td>£23,145.04</td> </tr> <tr> <td>Available Balance 3rd June 2024</td> <td>£62,494.04</td> <td>£64,393.21</td> </tr> </tbody> </table> <p>B: To approve and instruct the payment by cheque, of presented invoiced items, including the following:</p> <ul style="list-style-type: none"> <li>i) T. Dale – Salary, holiday pay and expenses (printer ink, stamps) £33.59 + £533.40 = £566.99</li> <li>ii) F. Purslow – Salary and expenses (petrol and spare part) – £23.34 + £387.54 = £410.88</li> <li>iii) E. Smith – Cleaning - £100.00</li> <li>iv) P D Street – Bus Stop Cleaning - £15.00</li> <li>v) Rural Services – Annual Subscription - £50.00</li> <li>vi) RoSPA – Annual Inspection Play Area and Outdoor Gym - £280.80</li> <li>vii) Waterplus – utilities - £18.60 paid 2nd April and £19.91 paid 30th April (DD)</li> </ul> <p>In addition, late submissions:</p> <ul style="list-style-type: none"> <li>i) Simon Wood Gardening Services – Buffer Maintenance - £170.00</li> <li>ii) Open Spaces – Annual Subscription - £45.00</li> <li>iii) J. Marriott – Internal Auditor - £115.00</li> </ul> <p>C: To note the income and receipts of the Council.</p> <ul style="list-style-type: none"> <li>i) DDC – Place (PROW) - £385.00</li> <li>ii) Honesty Box - £43.60</li> <li>iii) Burial Ground – Memorial - £235.00</li> <li>iv) P N Gossop – Rental - £778.00</li> </ul> <p>(Prop: JG 2nd: DB; Unan)</p> <p>D: Clerk informed the Parish Council that the 2023-24 internal audit had been completed successfully, all forms will be uploaded onto the website.</p>		As at 3rd June 2024	As at 13th May 2024	Balance brought forward 1st April 2024	£44,730.52	£44,730.52	Total Income	£24,586.64	£23,145.04	Total Expenditure	£6,823.12	£3,482.35	Balance	£62,494.04	£64,393.21				Last Statement Balance as at 1st May 2024	£63,685.15	£45,482.92	Less un-presented cheques	£4,280.43	£4,234.75	Add uncleared deposits	£3,089.32	£23,145.04	Available Balance 3rd June 2024	£62,494.04	£64,393.21	Clerk
	As at 3rd June 2024	As at 13th May 2024																														
Balance brought forward 1st April 2024	£44,730.52	£44,730.52																														
Total Income	£24,586.64	£23,145.04																														
Total Expenditure	£6,823.12	£3,482.35																														
Balance	£62,494.04	£64,393.21																														
Last Statement Balance as at 1st May 2024	£63,685.15	£45,482.92																														
Less un-presented cheques	£4,280.43	£4,234.75																														
Add uncleared deposits	£3,089.32	£23,145.04																														
Available Balance 3rd June 2024	£62,494.04	£64,393.21																														
06/08/24	<p><b>Council Matters</b></p> <p>A: A brief update on Playground replacement and funding was given. The lead Councillor was made aware of a possible funding opportunity that will be investigated. Following the RoSPA inspection it was requested a list of all repairs and priority be produced. To be added to the next agenda.</p> <p>B: A brief update on Management and 2024 Grounds Maintenance contract was given. Evidence of the wild flowering seeding is becoming evident. 150 yellow rattle flowers have been seen the flowers grow in clumps, growing along the roadside at Leacroft. In addition, four – five patches of Ladies Smock are growing.</p> <p>Leacroft will be mowed in advance of the Carnival along the top on the housing side of the green, therefore not touching the growing wildflowers. The Parish Council were asked about the area near the bus stop as the band generally park there. This will also be included in the mowing.</p> <p>The Clerk, following correspondence, asked each Councillor in turn if they were aware of any Japanese Knotweed in the area's maintained by the Parish Councillor. Apart from being aware that there was some over ten years ago they are not aware of any at</p>	DB,  DR, MR																														

	<p>present. Surveys completed in the areas have not identified any either. The Parish Council were made aware that Japanese Knotweed had been seen in a couple of gardens. The Parish Council requested the Clerk to write to the owners to make them aware.</p> <p>C: A discussion took place on the issues related to the mowing and parking on the Triangle opposite Miners Standard Public House. The Parish Council were made aware that bollards have been removed, it was agreed that the bollard that had been removed to be reinstated and another placed within a gap. The Parish Council to reestablish that there is no parking on the triangle. It was requested that the Clerk write to the individual who is it suspected mowed and instructed parking recently. It the individual has any issues with the area then to please contact the Parish Council to discuss. S. Wood to reinstate bollards.</p> <p>D: Following the request under Freedom of Information regarding housing discussed at last month's meeting, where it was agreed to appeal against withheld information, this has been actioned. Further updates/response to be considered at the next Parish Council meeting. Item to be added to the next agenda. (Annex A)</p> <p>E: The Parish Council were advised that a second quote for repairs/improving the pathway from Florence Gladwin Close to the Play Area has not been received. Quote to be chased. Clerk to check if the funding window is now open. Item to be added to next agenda.</p> <p>F: A discussion took place earlier in the meeting under Public Participation on the issues relating to parked vehicles on pavements.</p> <p>The Parish Council were asked, following the incident where a large vehicle become stuck and hit a wall on West Bank, if they knew were the drivers end destination was. If so, the Parish Council could contact the business concerned.</p> <p>The Parish Council were asked if they knew of anyone living on Main Street that uses heating gas. The request came following a large vehicle seen on the Street.</p> <p>The Parish Council were unaware and could not answer the questions raised. Item to be added to the next agenda.</p> <p>G: An update on footpath from Clough wood was given. After further research, prior to requesting details from the Land Registry, identified that the footpath does not fall within Winster Parish Council boundaries. Clerk was instructed to contact South Darley/Wensley Parish Council to establish if they could look into this with the offer that Winster Parish Council would help and support. Item to be added to next agenda.</p> <p>H: A brief update on the burial ground expansion was given, that a site visit has taken place with the Lead Councillor, Clerk and Warden.</p> <p>The Lead Councillor confirmed that it had been agreed with the previous Council some years ago that the area marked for scattering ashes to be used for burials on the flat section with interment of ashes on the bank. A map to be drawn up to identify and number the grave and interment plots.</p> <p>The Parish Council were advised that the long-term plan for the expansion of the burial grounds needs thorough investigation and costing. If required, to be added to the next agenda.</p> <p>The Parish Council would like it noted their appreciation for the Parish Warden.</p> <p>I: A site meeting with Longcliffe regarding the repairs to Burma Road took place. Longcliffe are willing to provide for free the recommended material. An article to be produced setting out the details of the repairs consulting residents on the situation. Item to be added to the agenda.</p> <p>J: Clerk advised that RoSPA Outdoor Gym and Play Area inspection has taken place with a report available and circulated to the Councillors. It was said that the link forwarded shows a survey, Clerk to reissue link. All repairs to be listed in priority order and circulated. A copy to be sent to S. Wood following agreement on an hourly rate to</p>	<p><b>Clerk</b></p> <p><b>Clerk</b></p> <p><b>DB, Clerk</b></p> <p><b>AC, MR, Clerk</b></p> <p><b>DB, Clerk</b></p> <p><b>Clerk</b></p> <p><b>AS</b></p> <p><b>DF</b></p>
--	--	---

	<p>repair the equipment at a meeting held last and captured in 3<sup>rd</sup> July 2023 minute, Council Matters I item. Item to be added to next agenda.</p> <p>K: It was agreed to take part in the 2024-25 Public Rights of Way Minor Maintenance (PROW) scheme. A number of footpaths and ginnels were discussed including Placket Wood. Councillors to have a walk around to identify which footpath should be priority. Clerk advised the Councillors the scheme covers certain repairs up to the value of £385.00.</p> <p>L: A response to Derbyshire Dales Local Plan Review as advised by Cllr Buckler at last months meeting was circulated and read as follows:  Question: Restricting Second Homes and Holiday Lets would have a beneficial impact on local communities and smaller villages.  Response: Second homes are damaging for local communities both inside and outside the PDNP. They reduce the number of permanent residents who contribute to the local economy and community, negatively effecting our local schools (who suffer from reduced number of children, our local shops, institutions like Town halls etc) as well as eroding the senses of community. The increase house prices forcing local and young people out of communities and making it more difficult for young families to move in. We call upon the District Council and PDNPA to work together to restrict Second Home ownership in the Peak District National Park and in those villages on its doorstep, and outside of it, that are also adversely affected.  We further ask that the District Council works in tandem with the PDNPA to put into practice the needs and wishes of local communities.  It was resolved to proceed.</p> <p>M: The Parish Council were made aware that there were issues with the roll out from Gigaclear with any benefits now not going to be available till Quarter 4. An article has been written for the village magazine to notify residents.</p>	<p>Clerk</p> <p>MR, AS</p> <p>DB</p> <p>JG</p>
06/09/24	<p><b>Planning:</b>  A: The following were discussed, considered and instruction reporting the Council's views on applications received are available to view on <a href="http://www.peakdistrict.gov.uk">www.peakdistrict.gov.uk</a>, including the following:  None this month.  B: To note any planning decisions as notified by the Peak District National Park Authority:  None this month.</p>	
06/10/24	<p><b>Correspondence &amp; Circulars:</b>  Noted and discussed, correspondence received and pre-circulated to Members by email, unless otherwise indicated, including the following:</p> <ul style="list-style-type: none"> <li>i) DCC – Parish and Town Liaison Forum, Community news.</li> <li>ii) DDDC – Road Closures.</li> <li>iii) Public Sector Executive – various.</li> <li>iv) PDNPA – News, RSPB and PDNP News.</li> <li>v) DCC Voluntary Services – CVS Great Get Together Events</li> <li>vi) MP Sarah Dines – Q and A Session</li> <li>vii) Democratic Services – Annual Parishes Days</li> <li>viii) Ron Bailey – Safety of Lithium-ion Batteries, E-Bikes and Scooters</li> <li>ix) PCSO Carly Mattison – Newsletter.</li> </ul>	
06/11/24	<p><b>Items for the Village Magazine:</b>  Items on Gigaclear and Burma Road</p>	<p>JG, DF</p>
	<p><b>The next Council Meeting will take place at 7.00pm on Monday 8<sup>th</sup> July 2024, at the Jubilee Room, Burton Institute, Winster.  Meeting closed at 8.00pm.</b></p>	

**Freedom of Information Request: FOI/7333/24**

Dear Madam,

This letter is a request for an internal review of the above FOI request and is sent on Behalf of Winster Parish Council for whom the original request was made.

We believe that the two points (5 and 6) to which you have failed to provide the requested FOI should have been considered separately and the response should have been delivered separately and reasoned separately. They are different requests and the reasoning for refusing them may be valid for one but not the other.

We believe that rejecting the request for a list of holiday lets on the basis that this information may lead to the risk of crime is unreasonable.

It firstly assumes that the Parish Council would allow this information to be made public beyond the knowledge of PC members; it will not.

Secondly, it ignores that fact that this information is largely obtainable by anyone through the internet and the numerous holiday sites that abound and list the names and locations, including often detailed directions and mapping to these properties. Anyone wishing to find this information is more likely to look for it through these methods than attempt to obtain it from the Parish Council.

Thirdly, it fails to allow us the reasonable use of the information in attempting to look for and challenge any fraudulent registrations of holiday cottages (such that do not meet the requirements) in order to avoid increased Council Tax charges for Second Homes. With changes in local policy in increasing Council Tax charges for Second Homes, even newspapers and online publications have shown how these can be avoided by registering Second Homes as Holiday Lets. The PC was already concerned about the potential fraud before, but the risk is now increased and we believe we have a duty and responsibility on behalf of the local residents to check for such instances. If this is happening then it is local residents who pay proportionately more Council Tax to cover the precept and thus lose out financially.

We understand the reasoning about the risk of crime from releasing lists of empty properties as these are not readily available on the internet or by other searches. However, we still believe this to be unreasonable in this case:

Again, it firstly assumes the Parish Council would allow this information to be made public beyond the knowledge of PC members; it will not.

Secondly, it does not allow the Parish Council to attempt to shape policy on empty homes, encourage them back into use, and show how they can be damaging to local communities. We are not able to challenge Local Authorities to use their powers to bring empty homes back into use without the full information on the history of such properties. We believe it is reasonable for the PC to be given this information and use it accordingly.

Thank you for your consideration of this appeal