

WINSTER COUNCIL
Clerk & Financial Officer: Trisha Dale
Ivy Dene, Main Street, Birchover DE4 2BN
clerk@winsterCouncil.gov.uk

MINUTES OF ORDINARY MEETING: 2nd December 2024, 7:00pm, held at the 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 6th January 2025
Signed Chair of meeting

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

Also Present: Trisha Dale (Clerk), 11 members of the public, PCSO Trish Thompson.

No.	Item	AP
12/01/24	Apologies None received	
12/02/24	Declaration of Interests Cllr Wood, Finance 12/07/24 iv.	
12/03/24	<p>Reports:</p> <p>A: County Councillor's Report: None this month. B: Borough Councillor's: None this month. C: Police Report: PCSO Trish Thompson informed the Parish Council that she had looked into the provision of cones to be placed on the road opposite The Miners Standard, the Parish Council were advised that this was a matter for DDC and that they should be contacted to provide the cones. With regards to vehicle weight restrictions, any issues should be raised with Trading Standards. Cllr Stone confirmed that was already the case but due to staffing any complaints were not pursued with any vigour. Cllr Randles reminded that any vehicles should be reported to Ecobat, contact details have been communicated via the village magazine. Requesting that date, times and numberplates should be provided, Ecobat can then check their records and speak directly to the driver. D: Chair Report: There was no Chair report given; the Chair permitted Cllr Geddes to update the Parish Council on recent communications with the East Midlands Ambulance Service in relation to providing a direct number for the telephone tree service. At present this information will not be given even though this is provided by the West Midlands Ambulance Service. Having this telephone number would be of benefit to residents, as such Cllr Geddes requested that the Parish Council support ongoing requests. All Councillors agreed. PCSO Trish Thompson left the meeting</p>	<p>Clerk</p> <p>JG</p>
12/04/24	<p>Public Participation</p> <p>Resident 1: Asked if the Parish Council could share how many requests, including those under the freedom of information, had the Parish Council received since the current Parish Council were established. Could this information on numbers of queries, questions raised, responses and time/cost along with any anomalies such as number of issues raised by the same individual/s be included and published in the village magazine. Clerk will check the legalities of the request and if in a position to provide this information then will do so. Resident 2: Following issues of cars parking on pavements near to the Doctors Surgery on Leacroft, Cllr Hatfield confirmed that he had spoken to the resident he felt could assist in this matter. It was said that unfortunately there is no alternative parking spaces, that they and the family had parked there for over 6 years and were happy to come to a Parish Council meeting to discuss. It was said that space for pedestrians was always made available. Cllr Stone stated there was usually six cars parked in this area; other</p>	<p>Clerk</p>

	<p>residents park on the road therefore there are no spaces for them to park. Resident 2 responded that on that visit to the surgery there was no space to navigate with a wheelchair. Cllr Geddes questioned if there were spaces further a field that would suit although appreciated this may not be convenient.</p> <p>Cllr Randles offered to speak to the individual again on an informal basis requesting consideration for wheelchair users.</p> <p>Cllr Brown suggested that Resident 2 consider using the other side where there are dropped kerbs, that a section of the road at Florence Gladwin Close had been widened. It was asked if the road tarmacking surface had been repaired. It was confirmed that this had been completed. Resident 2 to consider this option.</p> <p>Resident 3: Questioned if the common was registered following the Commons 2006 Act as Bonsal and Birchover had done. The Chair confirmed that Winster did not and that the Act was predominately regarding village greens. The act was then used by rural groups to resist the building of new homes which was a misuse of the law and was clarified by the Government. Resident 4, advised that in 1990 a local mapping program was completed to identify ownership, Resident 3 also mention that in 1887 a map of Oddo along with common land identified several owners.</p> <p>The Chair responded that this all needs to be taken into consideration as we resolve the situation moving forward.</p> <p>Cllr Stone wanted to clarify, at the meeting on Wednesday a resident was mentioned as owning part of the common. This was not the case, the individual tried to lay claim to Mosey Mere, this was challenged by the then Parish Council. The claim was never substantiated and the claim withdrawn.</p> <p>With regards that Shothouse Spring used to be open land, Peak Park along with the owner built a wall and installed a gate. Post this a resident smashed the gate on the grounds that this should be open. It was questioned if at the point of the hearing decision to grant registration of Shothouse Spring had also included that the Common (Bank Top) was not registered to Winster Parish Council? Documents to be examined if available.</p> <p><i>Resident left the meeting</i></p>	Clerk DF, AS																														
12/05/24	<p>Members Questions to the Chair No questions raised. <i>2 Residents entered the meeting.</i></p>																															
12/06/24	<p>Minutes of Last Meeting and Matters Relating Thereto A: The minutes of the previous Council meeting held on 4th November 2024 were considered and approved. (Prop: DF 2nd: MH; Unan)</p>																															
12/07/24	<p>Finance 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="341 1391 1386 1827"> <thead> <tr> <th></th> <th>As at 2nd December 2024</th> <th>As at 4th November 2024</th> </tr> </thead> <tbody> <tr> <td>Balance brought forward 1st April 2024</td> <td style="text-align: right;">£44,730.52</td> <td style="text-align: right;">£44,730.52</td> </tr> <tr> <td>Total Income</td> <td style="text-align: right;">£27,137.75</td> <td style="text-align: right;">£25,473.05</td> </tr> <tr> <td>Total Expenditure</td> <td style="text-align: right;">£15,946.13</td> <td style="text-align: right;">£14,715.37</td> </tr> <tr> <td>Balance</td> <td style="text-align: right;">£55,922.14</td> <td style="text-align: right;">£55,488.20</td> </tr> <tr> <td colspan="3"> </td> </tr> <tr> <td>Last Statement Balance as at 1st November 2024</td> <td style="text-align: right;">£56,829.35</td> <td style="text-align: right;">£56,776.61</td> </tr> <tr> <td>Less un-presented cheques</td> <td style="text-align: right;">£964.27</td> <td style="text-align: right;">£1,329.85</td> </tr> <tr> <td>Add uncleared deposits</td> <td style="text-align: right;">£57.06</td> <td style="text-align: right;">£41.44</td> </tr> <tr> <td>Available Balance 2nd December 2024</td> <td style="text-align: right;">£55,922.14</td> <td style="text-align: right;">£55,488.20</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"> i) T. Dale – Salary, arrears and reimbursement (postage £1.65, Strimmer repair Russells £39.13) - £557.45 ii) F. Purslow – Salary, arrears and expenses (£4.98) - £344.84 iii) HMRC – Employer contribution - £144.80 		As at 2nd December 2024	As at 4th November 2024	Balance brought forward 1st April 2024	£44,730.52	£44,730.52	Total Income	£27,137.75	£25,473.05	Total Expenditure	£15,946.13	£14,715.37	Balance	£55,922.14	£55,488.20				Last Statement Balance as at 1st November 2024	£56,829.35	£56,776.61	Less un-presented cheques	£964.27	£1,329.85	Add uncleared deposits	£57.06	£41.44	Available Balance 2nd December 2024	£55,922.14	£55,488.20	
	As at 2nd December 2024	As at 4th November 2024																														
Balance brought forward 1st April 2024	£44,730.52	£44,730.52																														
Total Income	£27,137.75	£25,473.05																														
Total Expenditure	£15,946.13	£14,715.37																														
Balance	£55,922.14	£55,488.20																														
Last Statement Balance as at 1st November 2024	£56,829.35	£56,776.61																														
Less un-presented cheques	£964.27	£1,329.85																														
Add uncleared deposits	£57.06	£41.44																														
Available Balance 2nd December 2024	£55,922.14	£55,488.20																														

	<p>iv) S. Wood – Cleaning - £80.00 v) Waterplus (DD 2/10/24) – utilities (including adjustments) - £234.88 vi) Waterplus (DD 28/10/24) – utilities - £30.61</p> <p>C: To note the income and receipts of the Council.</p> <p>i) Honesty Box - £15.62 ii) HMRC – VAT - £1,649.08</p> <p>(Prop: JG 2nd: AS; Unan)</p> <p>Cllr Stone asked if the money that was budgeted for mowing the Common, which has not taken place and unlikely to now at this time of year, was held in the bank account and had assumed that this was an indirect saving. This was confirmed.</p> <p>D: An update on 2023/24 Audit was given by the Clerk. The external auditor has yet to correspond. The Clerk was asked if the challenger had withdrawn their complaints, the clerk confirmed that the challenger had not.</p> <p>Standing Orders were suspended.</p> <p>Resident 4 asked if the challenger was present would he/she be prepared to identify themselves and their motivation behind the challenge, as everyone at the meeting on Wednesday seemed to be bemused. No response was received.</p> <p>Cllr Randles gave an update on the Village meeting that took place on Wednesday the 27th November. The meeting was well attended with an estimated quarter of village residents attending. The Parish Council' aim is to be transparent, not only in Parish Council meetings minutes but also village meetings/consultations. This is necessary as a Parish Council is accountable to its parishioners. The Parish Council wants to be transparent and works for the best interests of the village and wishes residents to act likewise, of which there are many examples of that being the case.</p> <p>The Parish Council is open to challenges if they are of merit and will take them into consideration and act appropriately, that the Parish Council works for the benefit of all residents not the few. The Parish Council do not believe that the challenge to the accounts is of value to the village, as funds spent on this exercise is removing finances that can be better used. That the Parish Council will do everything they can to expediate the audit to try to minimise costs and will keep residents updated.</p> <p>However, the issue regarding the Common is complex and may take some months to resolve moving forward.</p> <p>Cllr Stone explained that a complaint regarding the spend on the Common had been received, the Parish Council took notice and have reduced the costs moving forward. Cllr Randles confirmed that this was done by splitting the contract three ways although it should be noted that when going to tender only three quotes were received. That the Parish Council will do all they can to encourage more tenders encouraging competition in the future.</p> <p>The meeting did not go into this detail it stuck to the audit challenges only.</p> <p>The Chair stated that it was clear in the meeting that the challenge has put an unnecessary risk to Parish finances.</p> <p>The Clerk, had received a number of questions post the village meeting as follows:</p> <p>Question 1. Did the Challenger contact the Parish Council in the first instance to resolve the issues raised.</p> <p>Response: There was a tight timeline where the challenger contacted the Parish Council for a response before the deadline of the audit process was completed.</p> <p>The Parish Council must post a notice of public rights and publication of unaudited annual governance and accountability return accounts for each year. This allows residents to inspect the accounts withing a 30-working day period and raise any concerns with the external Auditor.</p> <p>The notice was posted on the Parish Council website on 14th May giving advanced notice that the date for inspection of the accounts will commence on Monday 3rd June ending on Friday 12th July.</p> <p>The challenger raised issues with the Parish Council on the 10th July at 10:54pm.</p> <p>The Parish Council responded to the challenger on the 12th July at 10:18am in order to comply with the process, the responses given at this point included that investigations would need to take place.</p> <p>The challenger, as is their right, challenged the Parish Council accounts on the 12th July at 4:43pm.</p>	
--	---	--

	<p>Question 2. What is the Council doing to mitigate any additional costs incurred as a result of the challenges? Response. The Parish Council are preparing in advance a response to the challenge, corrective action has already taken place and rectification of all elements that had been challenged with the exception of the challenge on the Common Land expenditure, which is still being investigated.</p> <p>Question 3. If the auditor agrees with the challenge, what is the range of actions they could take - specifically can they issue a financial penalty? Response. There will be no financial penalty in addition to the auditor's costs. The Auditor could go to the High Courts if they find the PC Ultra Vires, however they considered if it is in the public interest and therefore this is highly unlikely.</p> <p>Question 4. If the auditor doesn't have powers to issue a financial penalty, would it be correct that the majority of costs incurred would be the auditor's time? If so, can the council take steps to minimise the amount of time the auditor spends on the challenge? Response. As above in response to question 2, the costs incurred will be for the auditor, we have resolved issues raised and in advance prepared our responses to mitigate the time taken therefore hoping to reduce costs.</p> <p>Question 5. Have expenses on the common been incurred in 2024/5 such that these could also be the subject of a challenge when the accounts are published? If so, can they be accounted for in such a way that would not be liable to challenge? Response: The Parish Council are ensuring that in case it is deemed we have no powers to spend on maintaining the Common than any costs incurred in 2024/25 are within the S137 spend.</p> <p>Cllr Cooper, explained at the meeting that all Councillors were volunteers, that there is no financial reward for being a Councillor therefore it is upsetting that this situation has occurred. <i>Standing Orders reinstated.</i> <i>Resident left the meeting</i></p>	
11/08/24	<p>Council Matters</p> <p>A: A discussion on proposal to seek registration of ownership of Common on grounds of "Adverse Possession" was postponed. It was felt that at present the Parish Council did not have the full picture. Following further research, a paper will be produced setting out the options. Adverse Possession also needs to be researched as at the village meeting held on Wednesday, it was advised that this may not be a wise approach, pros and cons will need be taken into account. Item to be added to the next agenda.</p> <p>B: A brief update on Playground replacement and funding was given. Following the village quiz another £202.00 has been raised. Work on this initiative continues.</p> <p>C: An update on Leacroft regarding the revised proposals for wild flowering following the petition was received. Leaflets for the revised proposal have been designed and ready for printing. Once printed the next stage is to deliver to residents on Leacroft.</p> <p>D: There was no update on repairs to Woodhouse Lane.</p> <p>E: A quote for repairs to Woodhouse Lane under the PROW scheme was not available for discussion.</p> <p>F: There was no major update on various traffic issues within the Village to include recent concerns regarding speeding. The "20's Plenty" signs have been placed by the school with additional signs still available if anyone has any other sites they think would benefit; no sites were identified at the meeting.</p> <p>The Chair advised the Parish Council that the Speedwatch group will be stepping up their activities with an increase in sessions taking place. That he had attended a meeting with other Speedwatch groups in the district who were able to share their knowledge and experience. Item to be added to the next agenda.</p> <p>In addition, it was questioned if speed bumps should be considered, the general feeling was that these were debatable and came with other issues.</p> <p>G: An update on the Winster phone box. Notice of 90 days of intention to withdraw the payphone service was given. Cllr Geddes informed the Parish Council that he had been in contact with BT, initially being told that they do not deal with members of the public on</p>	<p>DF</p> <p>DB</p> <p>DB</p> <p>AC</p> <p>DB</p>

	<p>these matters. Cllr Geddes continued to challenge questioning when a survey had been completed what data was used etc. After this conversation BT rescinded, the telephone box will remain. Cllr Geddes asked that Councillors and Residents remain vigilant in case this happens again. It was advised that an article in the village magazine should be produced to make residents aware.</p> <p>The Parish Council thanked Cllr Geddes for a brilliant job well done.</p> <p>H: It was greed that Cllr Stone would become the second Councillor to join the Playing Field Committee.</p> <p>I: Whilst there was nothing urgently required to discuss, Cllr Geddes notified the Parish Council that the Transport Select Committee were requesting written submissions of evidence about rural bus services with a deadline of the 17th January 2025. They are seeking evidence on social/educational and economic impact. Whilst aware that there would have been an impact with the changes from hourly services to every two hours we need specific evidence. An article to be prepared for the Village Magazine to ask for resident's experiences.</p>	<p>JG</p> <p>JG</p>
12/09/24	<p>Planning:</p> <p>A: The following were discussed, considered and instruction reporting the Council's views on applications received are available to view on www.peakdistrict.gov.uk, including the following:</p> <ul style="list-style-type: none"> i) NP/DDD/1024/1142 - Sunnybank House, Wensley Road, Winster. Demolition of existing single storey mono-pitched side extension containing the kitchen and a workshop, and erection of a two-storey dual pitched extension and replacement of the existing greenhouse. No objections raised. (late submission) ii) NP/DDD/1024/1257- Wyn Tor, East Street, Winster. Extension to dwelling. No objections raised. <p>B: To note any planning decisions as notified by the Peak District National Park Authority: - None this month.</p>	
12/10/24	<p>Correspondence & Circulars:</p> <p>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"> i) DCC – Community News, Cabinet Decisions, Road Closures, Derbyshire Parent Carer Voice. ii) DDDC– Bin Collections. iii) Public Sector Executive – various. iv) Peak Park Parish Forum – Planning Training. v) Rural Services – Bulletins. vi) Open Spaces – Gut not Cut. vii) Citizens Advice – 6 Month Impact Report. <p>Following correspondence received and noted at last month's meeting Cllr Geddes informed the Parish Council that he had been in touch with Charlotte Cupit in relation to Via Gellia Road closure. The road is expected to close between 8:00 – 16:00 hours 7 days a week. It is hoped that a weekly scheduled could be produced which will assist as many residents have to use alternative routes at present.</p> <p>Following the communication regarding the PDNPA local Plan, it was confirmed that the Parish Council response was submitted prior to the deadline.</p>	
12/11/24	<p>Items for the Village Magazine:</p> <p>An article on withdrawal of the payphone service (Council Matters G) and the Transport Select Committee request for written submissions of evidence about rural bus services. (Council Matters I)</p>	<p>JG</p>
	<p>The next Council Meeting will take place at 7.00pm on Monday 6th January 2025, at the Jubilee Room, Burton Institute, Winster. Meeting closed at 7.55pm.</p>	