

**Minutes of the Meeting of the Burton-by-Lincoln Parish Council**  
**Held at the Burton Estate Club on Tuesday 8 July 2008**

**Present:** Steve Chadderton, Fred Myers, Eric Bell, Peter Cook, Ian Marriott, John Moore

**In Attendance:** Gordon Hickmore (Retiring Clerk), Maureen Wheeldon (New Clerk)

**Also Present:** Mrs M Cook, Mr & Mrs M Hukin, Mr R Lyons

**1. Apologies:** Joan Osterfield

**2. Minutes of the Last Meeting.** The minutes of the meeting held on Tuesday 13 May 2008 were agreed and signed by the Chairman.

**3. Clerk's Report**

3.1 Roads and Road Safety. (Item 3.5 from 13/05/08) The "Archer" device, to record the volume and speed of traffic, had been installed in the Lincolnshire Show Week. Results are expected in approximately 10 days but will probably show more traffic volume and less traffic speed. Gordon Hickmore will follow up with the police.

3.2 The Landings – Health and Safety Issues (Item 8.1 from 13/05/08) The Clerk confirmed that the onus is on the Management Company to ensure the safety of the area.

3.3 Burton Waters – Road Traffic Act (Item 8.2 from 13/05/08) Gordon Hickmore had investigated the powers of the police in relation to the enforcement of the Road Traffic Act at Burton Waters and obtained a ruling from the LRSP:

*"The Clerk is advised by the Lincolnshire Road Safety Partnership that a "public place" is defined within the Road Traffic Act as anywhere that is open to the public, including paid or unpaid access. Therefore those areas that are accessible to the public at Burton Waters are subject to the Road Traffic Act, but there are grey areas. For instance the 20 mph speed signs are only advisory so it would be difficult to enforce a speed restriction, but a driver could be charged with dangerous or careless driving. The residential area is private land so no offence, even drink related, can be enforced unless it can be proved that the driver first drove on a public road.*

3.4 Lincoln Cycle Race (Item 9.2 from 13/05/08) Cllr Moore will follow up the donation of the fee for the race to a charitable cause. The donation should come from the driver of one of the race's support vehicles who acknowledged dangerous driving.

**4. Appointment of a Parish Clerk**

4.1 Appointment of Parish Clerk. The new Parish Clerk, Maureen Wheeldon, was introduced and her Contract of Employment was circulated by the chairman to councillors. There being no observations raised on the contract the document was duly signed by Mrs Wheeldon and the chairman. A copy of the contract is at Annexe A.

**Resolved:** That Maureen Wheeldon be appointed Parish Clerk and Responsible Finance Officer (RFO) for the parish.

**4.2 Provision of Office Equipment** – Gordon Hickmore will pass the laptop computer, the desktop laser printer, and all files to Maureen Wheeldon following the production of the minutes for this meeting. He will also update the Burton-by-Lincoln Parish Website to include details of the new Clerk. The meeting agreed that Maureen Wheeldon should buy an economic mobile 'phone to be dedicated to parish council business; the number would be included on the Burton-by-Lincoln Parish Website and cash top-ups purchased as necessary.

## 5. Finance

5.1 Parish Balance. The clerk reported that as at 1<sup>st</sup> July the current account totalled £2715.03 with £2915.03 and £12.27 in cash.

5.2 Authorisation of Expenditure. The following expenditure was authorised.

5.2.1 Mr G Hickmore – Clerk’s salary May – June	£189.60
5.2.2 Hire of Burton Club for meeting 3 <sup>rd</sup> June	£25

5.3 Annual Audit. The Clerk confirmed that the parish accounts for 2007/08 had been forwarded to the external auditors. However, the internal audit completed by Mr Nigel France had raised observations on the accounts regarding the handling of the repairs to the wellhead in May 2007. The observations were:

- a. A councillor failed to record a prejudicial interest when Mr R Osterfield was appointed to complete the work in December 2006.
- b. The same councillor was one of two signatories on the cheque when payment was made in June 2007.
- c. The payment of £2000 was not correctly authorised by the full Council at the May 2008 meeting and the donation of £2000 and payment were not included in the 2007/08 accounts.

5.4. The Clerk stated that the minutes of the December 2006 meeting were in error as Mrs Osterfield had declared a prejudicial interest but this was omitted from the minutes. Mrs Osterfield has made a declaration in writing to the Chairman confirming that she had declared an interest at the meeting and she took no part in the discussion. The Clerk stated that it is not illegal for a person who has declared a prejudicial interest to sign a cheque provided the Council had authorised the payment. In this case although the payment was record in the July 2007 minutes, the cheque was not listed correctly under the Authorisation of Expenditure. This again was an error in procedure for which the Clerk could only apologise for his error.

5.5 The Clerk explained that Midas had originally agreed to meet the whole cost of the repairs to the wellhead and agreed to pay Mr Richard Osterfield direct without the involvement of the Parish Council. However for technical reasons it was agreed in May 2007 that Midas would donate the sum of £2000 to the council with a simultaneous payment out of £2000. The transaction is fully documented and at no time was the council placed at risk. It was the Clerk’s view that the simultaneous receipt and payment, although record in the cash book, need not be recorded in the annual statement of account. This view was not held by the internal Auditor and he observed in his report that the income and expenditure accounts were in error.

5.6 The clerk stated that there was a clear audit trail and there was no question of impropriety by anyone. However, there were a series of unfortunate errors which compounded the problem. The annual statement of accounts are now with the External auditors and we would now have to wait for their comments before the council could respond but it was likely that the council would have to approve a new Statement of Account and take remedial action to ensure that future transactions are properly authorised.

Following discussion the Council resolved the following:

5.6.1 That Mrs Joan Osterfield correctly declared a prejudicial interest at the December 2006.

5.6.2 That the Council retrospectively authorise the payment of £2000 to Mr Richard Osterfield for repairs to the wellhead.

5.6.3 That the Council approve the revised statement of account to show a payment in of £2000 and a payment out of £2000. A copy of the revised balance sheet is at Annexe B.

5.6.4 The declarations on the revised statement of accounts were duly signed by the Chairman and the Responsible Finance Officer

5.8 Tutor Training for Parish Clerk. Maureen Wheeldon explained that she hoped to enrol on a training course for Parish Clerks which would lead to the award of the Certificate in Local Administration (CiLA). This qualification is essential for the clerk if the Parish Council is to aspire to "Quality Parish" status. The cost of the course which is run by the LALC is £150 but a bursary is available which will cover the cost of the fees if the Council applies before August 2008. Following discussion, the council agreed to pay the cost of the tuition fees for the CiLA course and to subscribe to the LALC scheme covering the cost of training and seminars for Councillors and the Clerk in 2008/09.

**Resolved:**

5.8.1 That the Parish meet the cost of tuition fees for the CiLA course

5.8.2 The Parish pay £45 covering the cost of attendance for all Councillors at LALC training seminars.

5.9 Provision of Equipment. The Council authorised the purchase of a mobile phone for the use of the parish Clerk at a cost of £25. The Council agreed to review the requirement for a new printer when the Clerk is established in office.

**6. Planning Matters**

6.1 Lincoln Rugby Club (Item 6.3 from 13/05/08)– B1398 A Burton-by-Lincoln Public Parish Meeting had been held on 03 June 2008 which included a presentation by Jonathan Roberts of John Roberts, Architects, Lincoln. Parish Councillors would hold a private meeting on Monday 28 July 2008 to discuss the Rugby Club plans.

Cllr Bell will contact Edward Leigh, MP, in respect of the views of constituents and the Parish Council.

Maureen Wheeldon undertook to contact West Lindsey District Council to ascertain when the Parish Council could expect the plans back.

6.1 Application 121437 Burton Waters (Item 6.2.2. from 13/05/08) - Erection of a 120 bedroomed hotel, conference centre. A decision is still awaited on this application.

6.2 Site B Burton Waters Plans had been unveiled at the Annual Parish Meeting. The swath of land incorporated a landings site, shops and 50 new houses. It is expected that the final plans will be submitted to WLDC for consideration shortly.

6.3 Application 122109 2 Park Lane - A discussion took place about the process by which plans are passed by West Lindsey Planning Dept to the Parish Council for circulation and comments by Councillors. A summary of the composite comments is then submitted by the Parish Clerk to West Lindsey Planning Dept. Two objections had been raised about the proposals for 2 Park Lane which were not in keeping with the style in place at Burton Waters; the lack of Georgian-style windows and plain glass as opposed to beaded glass. Since this, new building at Burton Waters had incorporated the disputed features. (Mr Lyons put forward his point of view, outside the meeting, to this effect.). Cllr Bell proposed no further action, seconded by Cllr Moore. A vote of 'no action' was taken – 3 Councillors in favour, 2 Councillors against. The application will be considered by the Planning Committee on 17<sup>th</sup> July.

6.4 Application 122120 Site D Burton Waters - The Parish Council had no observation to make on the application to build offices and car parking on the land adjacent to the marine studio building.

6.5 Provision of Council Offices and Community Facility Burton Waters Informal discussions had taken place with Rick Costall regarding the provision of parish offices and a community facility at Burton Waters. Burton is now one of the larger parishes in West Lindsey with considerable residential, business and leisure interests and yet has no village hall nor separate accommodation that can be used for parish offices.

At the Annual Parish meeting in May, it was proposed that the Council should seek the provision of a facility whereby the cost of the building would be met by the developer under a section 106 agreement. Under the agreement, the building would be owned and administered by the Parish Council and the maintenance cost met through grants and hiring charges. Rick Costall indicated that as part of the 106 agreement, the developer could set up a Trust Fund that would provide income to meet the maintenance costs. Following discussion it was agreed to set up a sub-committee consisting of Cllrs Bell, Myers and Marriott – to produce a plan for requisite Parish facilities to be presented at the next Parish Meeting. Maureen Wheeldon to check on Village Hall essentials with Rural Lincolnshire/the DEFRA website. A business plan would be needed and further enquiries were necessary about funding.

6.6 Tree Surgery – Rosewalk – The owner has received permission from WLDC Environment Officer to remove the old apple trees to the front of the property

## **7. Correspondence**

7.1 Correspondence received included the following items:

- WLDC Postal Information
- CPRE Fieldwork Magazine
- Glasdon Brochure
- GB Alarms Security Equipment
- WLDC Information Book
- WLVC Flyers for Notice Board
- WLDC Draft Corporate Plan
- LCC Contact Details
- WLDC Olympic Handover
- WLDC Felling of Trees – Rosewalk
- WLDC Notice of Council Meeting
- CPRE AGM
- NKDC Planning Guidance
- LCC Environment Free Tree Scheme
- LCC Highways Area Response Teams
- LCC Highways Transport Brief
- LCC Roadside Verges
- Lincoln CC Affordable Housing
- NKDC Residential Development in Villages
- Glasdon Village Furniture Brochure
- Clements Keys Audit Form
- CPRE Country Voice Magazine

7.1.1 Free Trees for Parishes - Lincolnshire County Council had offered 25 small trees, or 10 larger trees under the free trees scheme. Cllr Myers to liaise with Gordon Hickmore to agree a suitable site

## **8. Burton Waters and Odder**

8.1 Unpleasant Smell at Burton Waters – Cllr Marriott as Chairman of the Residents Association had been in contact with West Lindsey District Council Environmental Department regarding unpleasant smells emanating from land on the Skellingthorpe side of the Fosdyke. Alan Jarvis of the West Lindsey District Council Environmental Department inspected the site considered that neither the sewage works nor A Hughes' abattoir were the originators. The smell could be the result of the disposal of industrial waste on a daily basis. Peter Cook was keeping a log of the dates when the smell was particularly pungent and the meeting considered that the way forward would be to request the attendance of the Environmental Protection Officer, on a badly smelling day, to personally assess the situation. The meeting agreed that Cllr Marriott should write again on behalf of the Parish Council, with the approval of the Parish Chairman. Maureen Wheeldon will contact West Lindsey District Council to ascertain to whom this new correspondence should be addressed.

8.2 Church Newsletter, Springline – Cllr Cook drew attention to this black and white printed publication, kindly produced by Julia Hepburn. Gordon Hickmore advised that the Parish Newsletter, printed in colour and produced by him before he relinquished this task, had amounted to 2 full days' work. Cllr Moore will speak to Julia Hepburn about future publications.

## **9. Highways and Road Safety**

9.1 Overhanging trees – Fen Lane – Highways had been informed of the problem of overhanging trees which were snagging agricultural vehicles and machinery. The trees are growing between the road and the dyke and are therefore a highways responsibility to maintain.

9.2 Lamp Post on A57 – Cllr Cook reported that this was still not working. Maureen Wheeldon will urge with the Highways Department.

9.3 Speeding Through Traffic Lights - Cllr Moore raised concerns about this problem. Maureen Wheeldon to contact PC Martin Clark about use of the ‘Archer’ device in the traffic lights’ area.

9.4 Cycle Path -The Chairman was pleased to report that Beal Homes had paid £90,000 to Lincolnshire County Council as their contribution under Section 106 for the construction of the Pyewipe to Burton Waters Cyclepath.

## **10. AOB**

10.1 Gordon Hickmore apologised that the Burton Waters’ Residents’ Association report had been omitted from the Agenda. A copy of the report is at Annexe C.

**11. Date of Next Meeting** – Tuesday 7 October 2008.

The meeting closed at 21.30 hrs.

S Chadderton  
Chairman Burton Parish Council

**Attachments:** Annexe A Parish Clerk Contract of Employment  
Annexe B Revised Council Balance Sheet  
Annexe C Burton Waters Residents Association Report