

Hilton Parish Council
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**MINUTES OF THE MONTHLY HILTON PARISH COUNCIL MEETING HELD ON
WEDNESDAY 26TH OCTOBER 2016 AT HILTON VILLAGE HALL COMMENCING AT
7PM**

Present:

Cllr Cooper (in the Chair)
Cllr C Smith and Cllr Darlington

1 District Council Representative, 1 County Council Representative, and 2 member of the Public were in attendance.

AGENDA

1. Minute Number 1831/16 - To receive apologies for absence

Resolved Apologies were received and accepted as follows:

- ***Cllr Spencer due to maternity leave***
- ***Cllr M Smith due to other work commitments***

2. Minute Number 1832/16 - Co-Option of a Councillor

Resolved Mr Simon Brundish was co-opted onto Hilton Parish Council with immediate effect.

3. Minute Number 1833/16 - Variation of the Order of Business

There were no Variations to the Order of Business.

4. Minute Number 1834/16 - Declaration of Members' Interests.

There were no Declarations of Members Interests.

5. Minute Number 1835/16 - Public Speaking.

Minute Number 1835/16/A – Public Speaking

Members of the Public raised the following matters:

- Mrs Una Walton-Knight explained that some householders did not realise that they were responsible for cutting hedges and shrubbery overhanging the

pavement from their property. – The Clerk explained that if the addresses were passed onto her for any overhanging vegetation from properties, she would write to them asking that they be cut back to their boundary line. Cllr Patten replied that she would had this matter to her next report in the Hilton and Dove Life Directory reminding residents to keep their vegetation cut back to their boundary line.

Minute Number 1835/16/B – Police Representative Report

There were no Police Representatives present at the meeting and there was nothing to report.

Minute Number 1835/16/C – District Council Representative Report.

Cllr Plenderleith sent her apologies, there was nothing to report.

Cllr Billings sent his apologies, the Clerk read out his report as follows:

Local Plan Part 2 Consultation

The consultation for the above has been extended until 7th December and a series of drop in sessions are taking place at which the public can comment. The session in our area are:

Frank Wickham Hall, Etwall – 2.30pm to 7.30pm on Thursday, November 3.

The Pre-Submission consultation is the third phase of consultation on South Derbyshire District Council's Local Plan Part 2, which will allocate housing sites in the District for developments of fewer than 100 homes and contains policies that will be used to guide development in the District up to 2028.

Minute Number 1835/16/D – County Council Representative Report

Cllr Patten was present at the meeting, she gave her report which she would email to the Clerk, the report had not been received at the time the minutes were completed.

The Chair asked Cllr Patten if the overgrown trees and hedges could be cut back at the bottom of The Mease by the entrance to the industrial estate as they were growing over the footpath. Cllr Patten replied that she would report this matter.

6. Minute Number 1836/16 - Chairpersons Report

The Chair gave his report as follows:

- He explained that he was very disappointed about the amount of vandalism on the Village Hall Site and the offensive graffiti on the Skate Park, it was a shame that this was happening in the village. He reported that the Clerk was reporting all incidents of this kind to the Police. Unfortunately this started to happen after the

last Safer Neighbourhood Meeting. The Chair reported that he would take this matter to the next Safer Neighbourhood Meeting to see what could be done and hopefully the Police will continue to help and assist us in resolving this matter.

7. Minute Number 1837/16 - To confirm the monthly minutes of the Hilton Parish Council Meeting held on 28th September 2016.

Resolved: Hilton Parish Council approved that the Minutes of then Hilton Parish Council Meeting held on Wednesday 28th September 2016, having been circulated were approved and signed as a true record.

8. Minute Number 1838/16 - Committee Reports

A) Minute Number 1838/16/A - Community Services – To be discussed in full Parish Council Meeting

- Community Information and Publicity.

There was nothing to report.

B) Minute Number 1838/16/B - Finance - All Councillors and the Clerk to Hilton Parish Council – All Councillors to sit on this committee

- Fees for the use of Parish Council Facilities
- Suggested Amount of Annual Precept
- Regular Scrutiny of the Accounts
- Audit of the end of year Financial Accounts

There was nothing to report.

C) Minute Number 1838/16/C - Environment and Green Space – To be discussed in full Parish Council meeting

- Maintenance of Public Footpaths, Cycle Paths, Greenway, Verges, Open Space, Trees and Hedges

1) Quote from Fairview Arborist re winter maintenance

The Clerk reported that she had obtained a quote from the above company who were the Parish Councils current preferred supplier for our Tree Maintenance needs.

The quote was to pollard all of the willow trees in the Nature Area at the bottom of the Back Lane Playing Field at a cost of £1,200.00,

To reduce the hedges on the far side of the Back Lane Playing Field at a cost of £550.00

To reduce the hedges on the near side of the Back Lane Playing Field at a cost of £550.00

Resolved: Hilton Parish Council agreed the above quotes for the work to be completed as soon as possible.

- Environmental Issues
- Recycling Facilities
- Dog and Litter Bin Provisions
- Groundsman/Lengthsman's Report

1) Maintenance of the Astro Turf – re-sanding with silica sand

The Clerk reported that she had been required to order Silica Sand to maintain the Astro Turf whilst there was still enough staff on site to complete the work. She explained that the Grounds Maintenance Staff had re-filled the Astro Turf. She explained that the sand to complete this work had to be silica sand. She had looked around at prices and this type of sand per 25kg bags was very expensive. In the end she contacted Aucuba Landscapes Ltd who sourced the Silica Sand on Hilton Parish Council's behalf at a cost of roughly £169.00 excluding Vat, for one ton of Silica Sand bagged in 25kg bags to make it easier for the staff to lay.

Resolved: Hilton Parish Council were happy with the Clerks actions to obtain the Silica Sand through Aucuba Landscapes Ltd at a really reduced cost.

2) Clearing of the watercourse ditch down the side of the Back Lane Pitch has been complete

The Clerk reported that there is a water course ditch at the side of the Back Lane Main Football Pitch, which runs from the side of the Pavilion to the bottom of the field. She explained that this is the watercourse for the run off of surface water from Back Lane. The Clerk explained that the Grounds Maintenance Staff had now cleared this ditch of all debris and this work would now be completed every six months to make sure that the water could run freely.

3) Youth Shelter attracting Anti-Social Behaviour, littering, drug taking and graffiti – All of which have been reported to the Police and the future of the Youth Shelter

The Clerk explained that the problems started really bad on 10.10.2016 and were continuing on an almost daily basis, however the worst of the problems were over the weekends. The Clerk explained that to date the rough costings for the damage and graffiti to be rectified had cost the Parish Council as follows:

- Staff time 9 hours at a cost of £87.30
- Graffiti remover £17.99
- Clean Team this bill had not yet been received but was expected to be between £100 to £200.00

The Clerk explained that the Youth Shelter was the item that was attracting the majority of the problems being endured.

Resolved: Hilton Parish Council agreed to monitor the situation for the next few months before deciding on if the Youth Shelter should be removed.

Resolved: The Clerk to put a notice on the Parish Council notice board explaining that the future of the Youth Shelter may be in jeopardy if these issues persist.

Resolved: Cllr Patten agreed to add something about this situation to her report in the next Hilton and Dove Life Magazine.

- 4) Installation today of the new table tennis table- due to vandalism the first one will need to be repaired in the summer, resin around the edges and repainting, they are going to let us know what colour and type of paint it is so that it can be repaired by our own staff.

Resolved: The Clerk to email SDDC and thank them for the donation of the second Table Tennis Table.

- 5) Bus Shelter by Tesco smashed on the weekend of 22nd and 23rd October 2016

The Clerk reported that the Grounds Maintenance Staff had cleaned the glass up on Monday 24th October 2016. The Clerk reported the damage to DCC on the same day.

D) Minute Number 1838/16/D - Village Infrastructure – To be discussed in full Parish Council Meeting

- Planning matters including the Village Plan
- New Road Adoptions
- Traffic Management and Parking
- Street Lighting
- Public Transport Provision

There was nothing to report.

E) Minute Number 1838/16/E - Recreation and Leisure –To be Discussed in full Parish Council Meeting

- Provision and maintenance of sport and leisure facilities, Parish Council Office and Garages
- Children play equipment
- Parish Council owned Parks and Landscaping

There was nothing to report.

9. Minute Number 1839/16 - Reports from Councillors that have attended any other Meetings.

- Etwall Area Meeting & Safer Neighbourhoods – **The Chair and Vice Chair**

Safer Neighbourhoods 11/10/16

Sergeants Overview

There were no crime statistics reported this time as a new system is being rolled out and the figures were not available.

PC Karen Martin is moving to Swadlincote to take up a new post in the investigation unit. Thanks were expressed for her hard work in the time she has been with the team. Nov 4th will be her last day.

PC Joe Stafford will be taking over and another PCSO will be joining the team.

With the Astro being open during the holidays, the crime bus and a new youth club in Hilton having between 150-200 people there has not been a lot of trouble in Hilton over the Summer.

ABC contracts had led to a decrease in ASB

Theft from Aldi in Hilton.

Project Zero is starting to be rolled out to schools dealing with knife crime.

Partnership Update

£500.00 has been awarded to the Hilton Youth Group held at the Village Hall

The safer homes scheme that is being run by the CAB and gives free advice to people has a pot of money available to them and are looking to help elderly people with overgrown gardens.

Hate crime had rose post Brexit but has now dropped back to normal figures. 2 Seminars have been held on it.

A talk on Crime had been given to school children at John Port and a further event was planned.

Funding is still available for security projects in the area.

6 individuals were on ABC contracts for ASB.

Local Issues Forum

Updates

New road signs had been put up at Egginton Cross Roads following concerns after a serious crash.

Parking outside Heath Fields Primary School in Hatton is being looked into but difficult to enforce if not there at the time it happens.

Parking on main road in Hatton is becoming an issue. If spotted people will be spoken to and that usually solves the problem.

New Issues

Etwall – Allotments plots being stripped of fruit in the early hours. Ok to put up their own cameras.

Burnaston – Issue of lorries parking outside the service station on the main road.

Rail Head – Concern raised on the effect on the traffic and crime in the area. Have police had any input into the plans. Locally they have not been asked about it. Normally it would be been dealt with at headquarters level.

Agreed Priorities

Agreed to continue with ASB, Drugs and Drug Dealing as no other priorities were raised during the meeting.

AOB

Public space protection orders. Phase 2 consultation till Sept 1st.

Next Meeting

Jan/Feb – 3 Months' time.

Area Forum 11/10/16

Chairman's Announcements

Planning a brief overview of current schemes and highlights.

Scropton Modernisation
Etwall – Road Scheme
Mickleover – Newhouse Farm

Local Plan Part 2 will be out for consultation again soon as it had been agreed at full council 29/9/16. It starts on the 14/10/16 for 6 weeks.

The nearest to us is Etwall at the Frank Wickham Hall on Portland Street. It is on 3rd November between 2.30pm to 7.30pm

The Newhouse Farm Appeal to the secretary of state cost the council in the region of £99,950.00

The Rail Head at Egginton is starting again. There is a well-developed scheme now and will probably be released in January. The proposal is circa 15k pages there will likely only be a 21

day consultation on it. A planning application is likely to follow in May /June with a start date in 2020.

The Donnington Railhead is held up at present due to commercial issues.

Presentation on Dementia Friends

Sessions are being held at Swadlincote and Parish Councils/Village halls are being encouraged to hold sessions and become Dementia Advocate/Champions around the District.

Next Meeting

Jan/Feb – 3 Months' time.

- Toyota Liaison – **The Chair and Vice Chair**

There was nothing to report.

- The Mease Management Committee – **To nominate a representative as required**

There was nothing to report.

- Marston on Dove Relief in Need Charity – **To nominate a representative as required**

There was nothing to report.

- Hilton Dog Walking Group – **To nominate a representative as required.**

There was nothing to report.

- Flood Liaison – **To nominate a representative as required**

There was nothing to report.

- DCC – Parish and Town Liaison Forum – **To nominate a representative as required**

There was nothing to report.

- SDDC - Joint Meetings with Parish Councils – **To nominate a representative as required**

There was nothing to report.

- EMIP updates – **To nominate a representative as required**

There was nothing to report.

- Party on the Park

The Clerk reported that she had passed on all the information received from the utility companies in relation to their assets in this area and had given Party on the Park the go

ahead to continue with the installation, providing that their contractors are careful when excavating the area that they do not hit any utility services/assets which may be contained within that specific location.

10. Minute Number 1840/16 - Clerk's Reports

- a. Update The Mease Committee request to amend the Lease agreement and the chance to extend the lease if The Mease Committee will split the cost 50/50 – Previously reported under minute number 1523/14, 1540/14, 1568/14, 1585/14, 1602/14, 1618/14, 1635/14, 1654/14, 1671/14, 1693/14, 1710/15, 1727/15, 1744/15, 1761/15, 1573/15, 1624/15, 1640/15, 1643/15, 1659/15, 1677/16, 1718/16, 1722/16, 1748/16, 1769/16, 1791/16, 1814/16– Clerks Report. Parish Property and documents – Power to receive and retain – Local Government Act 1972 – s.226

There was nothing to report.

- b. Object License update – Roma's Garden re the Christmas Tree Fixing – Previously reported under minute number 1718/16, 1722/16, 1748/16, 1769/16, 1791/16, 1814/16

Nothing further to discussed already discussed above.

- c. Main Street/Mill Lane Playing Field registration

Cllr Darlington gave her report as follows:

- All the paperwork to register the area as the Village Green had been completed and handed over to DCC for approval.
- This application would now be put before their meeting to be held on 31.10.2016 and Hilton Parish Council should know the outcome, if our application has been successful by 01.11.2016

- d. Local Plan Part 2 – Invitation to comment

Resolved: Hilton Parish Council agree for the Chair to complete the questionnaire with the comments on behalf of Hilton Parish Council.

Cllr Brundish asked if the Parish Council knew anything about the new school. The Chair replied that planning has been approved but the finer details still needed to be resolved and a sponsor would need to be found as the school would be an academy.

- e. CCTV of an incident on the Green Area at the rear of the Village Hall – Approval to hand over a copy of the CCTV should the Village Hall require this.

The Clerk explained that the Village Hall committee would like a copy of the CCTV of the incident.

Resolved: Hilton Parish Council agreed for the Clerk to allow the Village Hall Committee to see the incident and have a copy.

f. Weston Power distribution finished the installation just the snagging to complete The Clerk reported that the installation had now been completed and snagging would take place within the next few weeks.

11. Minute Number 1041/16 - Derbyshire Association of Local Councils

Resolved: Hilton parish Council noted the following information:

There were no DALC Circulars

Other DALC Information

- a) Yorkshire Local Councils Associations CONFERENCE 2016 'Fit for the Future – Your Skills, Your Council' Friday 28 to Sunday 30 October 2016, at The Spa, Scarborough
- b) DALC Annual Report 2015/2016

12. Minute Number 1042/16 - Finance

Resolved: Hilton Parish Council approved the following payments:

a) Accounts for Payment.

CHEQUE NO	PAYEE	DESCRIPTION	AMOUNT	POWER
003037	R Darlington	Replacement Tee for Frost	25.00	
003038	Hilton Village Hall	Room Hire and electricity Sub Meter	103.34	
003039	R Massey and Son Ltd	Various Items	77.42	
003040	Warwick Directories Ltd	Advertising of Questionnaire	132.00	
003041	Sterilizing Services Ltd	Water Testing	68.39	
003042	Aucuba Landscapes	Maintenance	615.10	
003044	Aucuba Landscapes Ltd	Maintenance Village Hall Site	458.21	
Card	South Staffs Water	Water for Office and Back Lane Pavilion	155.86	
Card	ESE Direct	Replacement	85.38	

		Bollard Avon Way Entrance		
Card	Halfords	Evo Stick Strong	7.50	

Resolved: Hilton Parish Council approved the following payments:

b) Payments by BACS for Salaries, Tax, NIC's, Expenses, Pension - including Chq 003043 for the Inland Revenue.

Description	Amount
Salaries, Tax NICs, Expenses etc	£8,628.27
NEST Staff Pension	£591.32

Resolved: Hilton Parish Council approved the unaudited accounts from 01.04.2016 to 30.09.2016

c) Unaudited Accounts 01.04.2016 to 30.09.2016 for approval

Cash in transit	75.00
Current Account	30,204.35
Reserve Account	92,027.94
Less unrepresented chq's	<u>8,277.77</u>
Total	<u>114,029.52</u>

Resolved: Hilton Parish council approved the other income as follows:

Other Income for approval

Voucher	Code	Date	Receipt No	Description	Customer	Gross
24	Astro Turf Hire	01/07/2016	024	Astro Turf Hire	Name Removed	180.00
25	Astro Turf Hire	11/07/2016	025	Astro Turf Hire	Name Removed	182.00
26	Memorial Meadow	11/07/2016	027	Plaque, engraved & fitting	Name Removed	75.00
27	Memorial Meadow	11/07/2016	028	Plaque, engraved & fitting	Name Removed	75.00
28	Memorial Meadow	15/07/2016	029	Plaque, engraved & fitting	Name Removed	75.00
29	Memorial Meadow	18/07/2016	030	Plaque, engraved & fitting	Name Removed	75.00
30	Astro Turf Hire	18/07/2016	031	Astro Turf Hire	Rev Andy Murphie	25.00
31	Football Pitch Hire	25/07/2016	032	Football Pitch Hire	Hilton Harriers	23.00
32	Memorial Meadow	25/07/2016	033	Plaque, engraved & fitting	Name Removed	75.00
33	Football Pitch Hire	12/07/2016	034	Football Pitch Hire	Name Removed	12.00
34	Astro Turf Hire	30/06/2016	035	Astro Turf Hire	Name Removed	225.00
35	Memorial Meadow	31/08/2016	036	Plaque, engraved & fitting	Name Removed	75.00

36	Football Pitch Hire	31/08/2016	037	Football Pitch Hire	Name Removed	31.00
37	Football Pitch Maintenance	02/09/2016	038	106 contribution GOAL POSTS ETC	South Derbyshire District Council	2,935.00
38	Precept	01/07/2016	BGC	Precept Second Payment	South Derbyshire District Council	82,500.00

Resolved: Hilton Parish Council approved the other expenditure as follows:

Other Expenditure for approval

Voucher	Code	Date	Cheque No	Description	Supplier	NET	VAT	Total
128	Electricity	01/07/2016	DD	Electricity Office	Eon	76.67	15.33	92.00
129	Electricity	01/07/2016	DD	Electricity Pavilion	Eon	60.00	12.00	72.00
133	Van	14/07/2016	DD	Fuel	Brobot Petroleum Ltd	65.93	13.19	79.12
135	Van	27/07/2016	DD	Van Insurance	Swinton Insurance	226.74	0.00	226.74
136	Van	01/08/2016	DD	Van Lease Agreement	Toyota	284.08	56.82	340.90
137	Electricity	01/08/2016	DD	Electricity Pavilion	Eon	60.00	12.00	72.00
138	Electricity	01/08/2016	DD	Electricity Office	Eon	76.67	15.33	92.00
143	Van	26/08/2016	DD	Van Insurance	Swinton Insurance	226.74	0.00	226.74
144	Van	31/08/2016	DD	Van Lease Agreement	Toyota	284.08	56.82	340.90
145	Electricity	01/09/2016	DD	Electricity Pavilion	Eon	60.00	12.00	72.00
146	Electricity	01/09/2016	DD	Electricity Office	Eon	76.67	15.33	92.00
148	Telephone	05/09/2016	DD	Telephone	British Telecommunications	158.49	31.70	190.19
151	Van	14/09/2016	DD	Fuel	Brobot Petroleum Ltd	65.41	13.09	78.50
172	Van	26/09/2016	DD	Van Insurance	Swinton Insurance	226.74	0.00	226.74
173	Van	30/09/2016	DD	Van Lease Agreement	Toyota	284.08	56.82	340.90

13. Minute Number 1043/16 - Items for Information

Resolved: Hilton Parish Council noted the following information:

- a) SDDC – Press release – New Community Centre and facilities ready to be unveiled
- b) SDDC – Press release – Jammy so-and-so to get a fruity treat
- c) Fields in Trust – Impact Report 2015

- d) SDDC – Press release – Schools take a spellbinding approach to food waste issues
- e) SDDC – Press release – Blast off for some serious fun at Science Discovery Day
- f) SDDC – Press release – Waging war on hate crimes
- g) SDDC – Press release – Swadlincote braced to cater for thousands of fine food fans
- h) SDDC – Press release –Walking Scheme seeks a new batch of volunteer leaders
- i) Get Active in the Forest – Nordic Walking starting 11.10.2016 at 10am in Swadlincote Woodlands
- j) Get Active in the Forest – Nordic Walking Taster Session on 06.11.2016 at 9am at Rosliston Forestry Centre
- k) Get Active in the Forest – Mince Pie and Mulled Wine Walk 10.12.2016 at 2pm at Rosliston Forestry Centre
- l) Letter of thanks from Mr and Mrs Root re the replacement tree for Frost
- m) Royal Mail – Information on the P O Box Number
- n) HAGS – Get active with NRG

14. Minute Number 1044/16 - Items for discussion

There was nothing to report.

15. Minute Number 1045/16 - Planning Matters for Decision

- a) 9/2016/1066 - 109 AVON WAY HILTON DERBY DERBYSHIRE DE65 5AE - THE ERECTION OF AN EXTENSIONS INCLUDING THE PART CONVERSION OF THE GARAGE

Resolved: Hilton Parish Council had no objections to the above planning application.

- b) 9/2016/0967 - 16 HALIFAX CLOSE HILTON DERBY DERBYSHIRE DE65 5HH - THE ERECTION OF AN EXTENSION

Resolved: Hilton Parish Council had no objections to the above planning application.

- c) 9/2016/0948 - BADGER FARM WILLOWPIT LANE HILTON DERBY DERBYSHIRE DE65 5FN - CREATION OF A NEW DOMESTIC VEHICLE ACCESS AND DRIVEWAY

Resolved: Hilton Parish Council had no objections to the above planning application.

- d) 9/2016/0916 - HILTON BUSINESS PARK 1B HARRISON COURT HILTON DERBY DERBYSHIRE DE65 5UR - THE INSTALLATION OF NEW WINDOWS IN FRONT ELEVATION OF BUILDING AND THE SITING OF A GROUND MOUNTED EXTERNAL GENERATOR TO REAR

- REASON FOR RECONSULTATION: Revised description and amended / additional plans.

Resolved: Hilton Parish Council had no objections to the above planning application.

16. Minute Number 1046/16 - Planning Matters for Information

Resolved: Hilton Parish Council noted the following information:

- a) 9/2016/0817 - 8 OTTER STREET HILTON DERBY DERBYSHIRE DE65 5NS - PRIOR NOTIFICATION OF A LARGER HOUSEHOLD EXTENSION WITH EAVES AT 2.2M, A MAXIMUM HEIGHT OF 3.1M AND EXTENDING 4.5M FROM THE REAR WALL – **HAS BEEN GRANTED**

17. Minute Number 1047/16 - To consider a resolution under the Public Bodies (Admission to Meetings Act 1960) to exclude members of the Public.

Resolved: In view of the confidential nature of the business to be transacted, it was advisable in the public interest, that the press and public be temporarily excluded and were instructed to withdraw from the meeting.

18. Minute Number 1048/16 - Police Office Lease agreement – Previously reported under minute number 1377/13, 1394/13, 1396/13, 1413/13, 1431/13, 1447/13, 1464/13, 1481/14, 1499/14, 1523/14, 1540/14, 1568/14, 1585/14, 1602/14, 1618/14, 1635/14, 1654/14, 1671/14, 1693/14, 1710/15, 1727/15, 1744/15, 1761/15, 1573/15, 1624/15, 1640/15, 1643/15, 1667/15, 1726/16, 1730/16, 1756/16, 1777/16, 1799/16, 1823/16 – Clerks Report Parish Property and documents – Power to receive and retain – Local Government Act 1972 – s.226

There was nothing to report.

19. Minute Number 1049/16 - Architect and Contract information for the Tarmacking of the Parish Council Car Park and Phase 2 of the garage – Previously reported under minute number 1759/16, 1779/16, 1801/16, 1824/16

The Clerk explained that Phase 2 was due to start in November 2016.

Resolved: Hilton Parish Council agreed that the Clerk should contact the Architect to start the tender process for the tarmacking of the Parish Council Car Park. The Tenders to be received back prior to the Finance Committee Meeting on 18.01.2016. The proposed work to be completed over the Easter Half Term if possible.

20. Minute Number 1050/16 - Maintenance Contract for the shutters to the Parish Council Office and Garage – Previously reported under minute number 1827/16

The Clerk reported that she had spoken to RSL the Shutter contractors and in her opinion, option 2 would be the best option for Hilton Parish Council as it included everything with a comprehensive yearly service to resolve and fix any problems that may cause issues. Open 2 was purely a call out service once the equipment was broken. The Clerk reported that if there was a breakdown the company could send an engineer the same day if called in the morning, but may have to wait till the following day if the breakdown is not reported till the afternoon. There was a manual way of opening and shutting the shutters if something was to go wrong.

Resolved: Hilton Parish Council agreed that the Clerk should contact the company and sign up to option 1 including the yearly service for the shutters as soon as possible.

21. Minute Number 1051/16 - Staff Matters

Clerk Gratuity

The Clerk reported on minute number 1826/16 in relation to her accrued gratuity. She explained that after the last meeting she had taken advice, as agreed at the previous meeting from the legal team at SLCC. The Clerk gave the advice obtained to the Councillors present at the meeting.

Extract of the Information received:

- If there is a clause in the Clerks current contract of employment that they will be paid a gratuity, and that clause pre-dates the change in the law on 16 January 2016, then it is likely that the council will have to honour that commitment for making a gratuity payment for the period of the Clerks employment from the time of the contract term taking effect and up to the date on which the Clerk was enrolled in a pension scheme.
- As NEST was not a substitute for the past years, only for future ones, the Clerk and the council could both agree that a sum equivalent to that which has been 'accrued' under the gratuity clause be paid into the pension scheme (subject to the scheme rules allowing this).
- This agreement would replace the earlier contractual obligation to pay a gratuity. The Clerks council should not 'pay twice' in that the Clerk is not entitled to gratuity and pension payments in respect of the same period of employment, but they can distinguish between the gratuity provision up to joining NEST, and then the NEST pension provision for the later period.
- Unless the Clerk is eligible to retire now, the gratuity payment should not be paid over to the Clerk. Either the council should retain control of the money, or agree that it will pay it into the Clerks pension scheme as discussed above.
- From a practical point of view, the Clerk should ensure that there is a clear record of what her council agrees.

- Calculation of accrued gratuity – The Clerk to Hilton Parish Council earns over the Lower Earnings Limit of £5824 but below the Upper Earnings Limit of £43004. The prescribed maximum if the Clerk was retiring would be the Lower Earnings Limit x Completed Years' Service x 3.75%. The Upper Earnings Limit only becomes included where an employee earns more than that amount in that employment. In that situation the earnings above the Upper Earnings Limit are added to the Lower Earnings Limit to create the prescribed maximum. Therefore the calculated value of the pot for the Clerk of Hilton Parish Council is currently $£5824 \times 10 \text{ full years} \times 3.75\% = £2184$ accrued Gratuity.

Resolved: Hilton Parish Council accepted the advice obtained and the calculation that had been worked out. Hilton Parish Council agreed that £2184 should be paid into the Clerks pension pot with Nest as a one off payment, subject to the scheme rules allowing this.

Resolved: The Clerk to contact Nest and arrange for the payment to be made as soon as possible if the Nest scheme rules allow this.

Resolved: If Nest will not accept the payment into the Clerk pension pot, the Clerk to establish if it can be paid into her state pension pot subject to the scheme rules allowing this.

Resolved: If neither are able to accept the payment into the Clerks pension pot, the Clerk to take further advice on this matter.

Fixed Term Contract

Although the Clerk was not required to leave the meeting at this stage, due to her having an Interest in the item to be discussed, the Clerk felt that it was right and proper for her to leave the meeting whilst this matter was discussed and resolved by Hilton Parish Council.

Cllr Smith reported that the Fixed Term Contract for the Groundsman/Lengthsman was due to end on 28.10.2016. She explained that when the vacancy was advertised it was advertised as a Fixed Term Contract with the possibility of an extension, which would be reviewed at the end of the current contract. It was reported that the Fixed Term Groundsman/Lengthsman had settled in well and worked well with other members of staff. He was also very handy and could complete jobs that the Parish Council would normally have called in a contractor to complete.

Hilton Parish Council discussed the following options:

- Option 1 – To issue the employee with his P45 and finish him as of 28.10.2016, writing him a letter of thanks for all his hard work over the summer, explaining that Hilton Parish Council wish for him to come back in the Financial Year 2017/2018.
- Option 2 – To amend the Fixed Term Contract to a Seasonal Contract, leaving the employee on the Parish Councils payroll and pension system to save on the administration of having to take the employee off to add them back on again next year. This option may also give both Hilton Parish Council and the employee security going forward.

Resolved: Hilton Parish Council agreed on Option 2, to amend the Fixed Term Contract to a Seasonal Contract, keeping the employee on the payroll and pension system to save on the administration time and costs.

Resolved: Hilton Parish Council agreed that this was the best option for both Hilton Parish Council and the employee as it did give both Hilton Parish Council and the employee some form of security going forwards.

Resolved: The Clerk to continue put the employee through on payroll as £0.00 pay for the next 5 months to create a tax rebate if applicable to make sure that the employee's tax was correct at the year end.

22. Minute Number 1052/16 - Date of the next meeting

Resolved: The date of the next Hilton Parish Council Meeting was confirmed as 30th November 2016 at Hilton Village Hall commencing at 7pm for the monthly meeting of Hilton Parish Council.

Signed.....Dated.....