



## CLERK'S REPORT

### Full Council Meeting – 13<sup>th</sup> December 2023

**Biodiversity** – the Council has a duty to conserve and enhance biodiversity and must consider what policies, objectives, and action it can take, consistent with the exercise of its functions, to further the general biodiversity objective.

*Natural Environment and Rural Communities Act 2006, s.40 & Environment Act 2021, s.102*

Number	Item
1.	<p><b>Apologies for absence &amp; housekeeping*</b></p> <p>At the time of writing, no apologies have been received.</p> <p><i>*In accordance with The Data Protection Act 2018 all attendees of the meeting are hereby notified that the meeting could be recorded as an aide memoire for the Clerk when compiling the minutes. The recordings are held securely and are deleted after the resolution that the minutes are a true and correct record. Members of the public should be aware that being present at a meeting of the Council, or one of its committees or sub-committees, will be deemed as the person having given consent to being recorded (photograph, film, or audio recording) at the meeting, by any person present. Persons who record the parish Council's meetings are reminded that the "Public Forum" period may not be part of the formal meeting and that they should take legal advice themselves as to their rights to make any recording during that period.</i></p>
2.	<p><b>Disclosure of Interests</b></p> <p><i>(As defined under the Plaistow and Ifold Parish Council <a href="#">Code of Conduct</a> and the <a href="#">Localism Act 2011</a>, Chapter 7 ss.26 – 37 in relation to matters on the agenda).</i></p> <p>At the time of drafting this report, no disclosures of interests have been received from any Member. If a Member becomes aware of an interest in any agenda item, they must notify the meeting (either at the beginning of the meeting, or before the agenda item is discussed).</p> <p>Members have a positive duty to consider the agenda and notify the meeting if they, or their partner, have a Disclosable Pecuniary Interest (DPI), or other interest in any matter listed. If a Member, or their partner, has a DPI, or any other interest, they are prohibited from participating in the discussion and/or voting. However, a Member can apply in writing to the Proper Officer (Clerk) for dispensation to participate and/or vote in the matter. It is a criminal offence for any Member to withhold disclosure of a DPI without</p>

	reasonable excuse and/or participate in debate and/or voting (in the absence of dispensation from the Proper Officer).
3.	<p><b>Minutes</b></p> <p>Approval of the draft minutes of the full Council Meeting held on 8<sup>th</sup> November 2023. The draft minutes are published on the <a href="#">website</a> and were circulated to Members, via email on 20<sup>th</sup> November.</p> <p>Approved minutes shall be signed by the meeting Chair via Secured Signing – a secure and legally recognised digital signing software package - in accordance with Standing Order 12(g). The signed minutes will be published on the website.</p>
4.	<p><b>Public Forum</b></p> <p>In accordance with <a href="#">Standing Orders</a> (SO) 3(e) the public are permitted to make representations, answer questions, and give evidence in respect of any item of business included in the agenda. However, public participation shall not exceed 10 minutes, unless otherwise directed by the Chairman (SO 3(f)). A speaker is limited to 5 minutes (SO 3(g)). The Council is not required to respond and/or debate a matter/question raised during public participation and the Chair can direct a response to be provided (oral/written) by either a Councillor or the Clerk (SO 3(h)). Only one person shall speak at a time and if more than one person wants to speak, the Chair shall direct the order (SO 3(k)). A record of the public participation session shall be included in the minutes (SO 3(t)).</p> <p>The business of the meeting will resume immediately following the public forum.</p>
5.	<p><b>To receive reports from <a href="#">County and District Councillors</a></b></p> <p>Reports provided in advance of the meeting are published alongside the agenda on the Parish Council's <a href="#">website</a> and circulated to Members, via email, for advance consideration.</p>
6.	<p><b>Neighbourhood Plan</b></p> <p><u>Design Code</u></p> <p>AECOM will attend the Parish on 13<sup>th</sup> December to conduct a 'walk about'. Cllrs. Jordan and Woolf will attend. Other Councillors can join if they wish.</p> <p>Councillors are asked to consider the <a href="#">preparation document</a> for discussion at the meeting.</p> <p><i>Process:</i> -</p> <ul style="list-style-type: none"> <li>- Site visit (13.12.2023) and meeting with the Council to discuss what will be included in the Design Code.</li> <li>- Follow up with 'contents page' and outline of report structure (standard template).</li> <li>- Draft report produced within 2/3 months</li> <li>- Final report within 4 months (to include Council's comment/amendments).</li> <li>- AECOM technical support has no hard cut off, so can over run beyond 31st March 2024.</li> <li>- The Design Code sits at the end of the NDP and the policy hook is referenced within the main body of the NDP.</li> </ul>

	<p>- It is advisable to include the Design Code within the Regulation 14 public consultation process.</p> <p><u>Housing Needs Assessment (HNA)</u></p> <p>Please refer to the <a href="#">notes</a> taken at a meeting with AECOM on 14.11.2023 . The HNA is a desk-top exercise based on census and secondary data in the public domain. It takes c.12 weeks to complete, with multiple stages. The Council should receive the draft report in January 2024.</p> <p><u>Public Consultation Event</u></p> <p>A verbal update will be provided at the meeting. The event is being run by Colin Smith Planning Ltd, who has recommended that the presentation material be made available on the website to allow the community a further opportunity to comment (for a period of 1 month). The AECOM Design Team have provided presentation material for the event.</p>
7.	<p><b>Committee minutes &amp; reports</b></p> <p>Councillors are invited to note the following minutes and resolutions therein: -</p> <p><a href="#">Planning &amp; Open Spaces Committee, 29<sup>th</sup> November</a></p> <p><a href="#">HR Committee, 29<sup>th</sup> November</a></p>
8.	<p><b>Parish Bus Shelters</b></p> <p>WSCC's Partnerships and Communities Team led by Darren Rolfe, Senior Community Solutions Officer, has begun the onsite build stage of the Ifold bus shelter. The foundations were laid 6th December and the week commencing 11th December the brick work will begin. The wooden frame will be erected in January 2024. The build speed will depend on the weather, as well as the number of available volunteers. Once the Ifold shelter is complete, the Team will begin the Plaistow build.</p> <p>Project background information can be found on the website <a href="#">here</a>.</p>
9.	<p><b>Policies</b></p> <p>The Council is advised to adopt the following policies: Biodiversity   Trees   HR Committee Terms of Reference   Winter &amp; Emergency Plan Committee Terms of Reference   Data Protection   Debit Card Use   Expenses   Freedom of Information   Internal Controls   Investment   Playground Inspection &amp; Maintenance</p> <p>Members have received the draft policies in advance of the meeting via Dropbox.</p>
10.	<p><b>Risk Management Scheme</b></p> <p>The Council is advised to review and adopt the updated Risk Management Scheme. Councillors are advised to note the high risks detailed on pages 12 and 30. Further to advice / recommendations from the Internal Auditor, these activities remain at risk until the Council has in place cyber insurance and adequate policy.</p>

11.	<p><b>Cyber security</b></p> <p>On 17<sup>th</sup> May 2023 the Council resolved to take out Cyber Insurance (C/23/076(2)). However, at the time the Council could not comply with the standard protection requirements specified by the insurer. Since this time, the Council's insurance broker Gallagher have partnered with a new cyber insurance provider called Coalition Risk Solutions Ltd, which are cheaper than their previous offering and provide a better solution, which is more 'in tune' with local government working. Members have been sent the quote pack to review before the meeting. The Council is recommended to approve the quote and resolve to take out the insurance. The Clerk and Cllr. Robinson is attending a cyber security audit review meeting with the insurance company on 11<sup>th</sup> December. The Council will need to adopt a cyber security policy and risk assessment before its end of year Internal Audit; as well as improve some of its processes. Once these processes have been updated, the cyber insurance protection can be updated at no extra cost.</p>
12.	<p><b>Laptop</b></p> <p>The Council have two (2) redundant laptops. To minimise security risk, these should be professionally wiped and then sent away to be recycled – one has a broken hard drive (hence the need for a new laptop in October 2023); the other is much older (it was the Council's laptop in 2018 and needed replacing in 2019 due to its slow processing). The Council is recommended to approve this course of action. The Clerk proposes to use <a href="#">Lizard Computing Ltd</a> – they supported the Council recently to transfer data to the new laptop and are local to the Clerk who can support the process.</p>
13.	<p><b><a href="#">Interim Internal Audit</a></b></p> <p>The Council is recommended to receive and note the Interim Internal Audit report, which is published on the website <a href="#">here</a> and note/action the following recommendations: -</p> <ul style="list-style-type: none"> <li>• Complete a cyber risk assessment, and that a decision on cyber insurance is considered as part of this process. See 12 above.</li> <li>• Adopt an Investment Policy, as all Councils with more than £100K of cash or deposits are required to have an investment policy in place ( Statutory Guidance on Local Government Investments 3rd edition). See 9 above.</li> </ul>
14.	<p><b>Plaistow Pond</b></p> <p>The Council received a report from a MOP regarding one of the concrete posts holding the railings by the pond. It was reported as cracked at the base and leaning. The matter was reported to WSCC Highways, as this street furniture belongs to them. To date, Highways have not provided an update. However, Cllrs. Brown and Jordan attended to ensure it did not present an immediate risk to the public. Their informal assessment found that the post remains stable and secure. The matter rests with WSCC Highways.</p> <p>One of the retaining walls of the pond is being damaged by a tree root and disintegrating into the water. The Clerk has sought quotes to remove the root from six (6) tree surgeons. One has advised they will not tender, and another has advised that the work</p>

to the wall should be undertaken by a general builder and the tree root removed as part of that process and so likewise will not quote. No other quotes have been received at the time of drafting this report.

Ansell's are attending the pond to assess the area and report/quote to the Council (pending); at least 2 other quotes will be required.

A heras fence panel has been erected to warn the public of the damaged wall. Its continued situation needs to be monitored and the Council is advised to consider alternative safety measures until the works have been completed.

The following has been received from CDC's Environmental Officer, which may have an impact – more specific advice will be sought further to contractor information:

*"If at all possible, it would be best to avoid draining the pond totally. Most inhabitants of the pond will cope with lowered water levels. Apart from fish most ponds can cope with going totally dry occasionally in summer with little long term ill effect so late summer could be a good time to do the work if there is no immediate time pressure. Does the pond have a natural base or a pond liner? Does the pond need to be drained to access part of it adjacent to the wall... maybe this is more accessible at the end of summer when water levels are low. If the contractors are worried about construction materials polluting the pond it could perhaps be covered with a clean tarpaulin. Or it may be possible for them to build a temporary waterproof partition across part of the pond, empty that section of wildlife and pump out the water so they can access the wall. I am unsure of the size of the pond. If it does need to be mostly emptied, try to store as much of the water from the pond in large holding tanks where the fish and other aquatic species can also go (although they may need aeration depending on the duration of their temporary accommodation.) Do you need fish in the pond at all? Are the fish wild or introduced ornamental fish which could go to another pond. Most ponds have more biodiversity without fish (sticklebacks are OK). Depending on weather and duration of exposure, many aquatic plants may be fine. However, if removed they can be kept in a shady place in bin bags or similar clean containers for a week or so. Ideally you should not store things in other ponds and then return them to this one as you could introduce disease or alien species. The links below may also prove useful and offer advice.*

[Ponds - Freshwater Habitats Trust](#)

[Ponds and Standing Water | Sussex Wildlife Trust](#)

[Pond care / RHS Gardening](#)

The pond jetty is over 20 years old and needs to be assessed and repaired. The wood is submerged and liable to rot. The wood 'shelf life' is c.10 years. It was last repaired in 2013. A quote from the installing company (Kirdford based) is pending for the Council's consideration at the meeting. Given public access, it is important that the jetty is assessed, and remedial works undertaken to prevent collapse/injury.

Cllr. Robinson has been researching floatation aids in case anyone - especially a child - falls into the pond. He has obtained three options which he will circulate to Member's

	<p>via email. The Council is advised to approve the purchase and installation of safety equipment. The cost is under £100.</p> <p>Councillors have been sent the latest tree survey at the pond dated April 2022 - 20 months ago. The recommendation is for surveys to take place every 3 years (April 2025). However, given the</p> <ul style="list-style-type: none"> <li>- public footpath around the pond</li> <li>- the proximity of the road / pavement</li> <li>- the fact that vegetation is impacting the fabric structure of the pond</li> <li>- and overgrown vegetation masks the pond edge which heightens the risk of someone slipping/falling in</li> </ul> <p>It is recommended that the Council instruct the Arboricultural Consultant to undertake another full survey of the area. The current report's timescales (2025) is in relation to the health of the trees, rather than looking at the health of the trees <u>in conjunction with</u> the pond and public access. It is recommended that the report cover tree management in relation to the pond (both structurally and in terms of public access).</p> <p>Legal powers – the Council has the General Power of Competence. However, there are many other legal powers to undertake the necessary work to the pond and land: - Public Health Act 1936, s.260(1) Public Health Act 1875, s.164 Open Spaces Act 1906, ss.9 &amp; 10 Landowner responsibilities   Health &amp; Safety legislation</p> <p>Budget – this is an unbudgeted item and, as yet, the full cost is unknown (quotes pending). The likelihood is that this matter will straddle two financial years (23/24 and 24/25). Provision has been accounted for in the 24/25 draft budget being prepared.</p> <p>In terms of the 23/24 budget, the tree surgery budget has £1,200 remaining. The Council holds £2,000 in the Village Maintenance ring-fenced reserve and a further £5,000 in the Community Reserve Fund.</p> <p>The Clerk has undertaken a review of the finances alongside the Chair of the Finance Committee and adding a £5,000 expenditure item to remedy the pond in 23/24, the end of year forecast is still looking better than the start of year forecast due to other underspends throughout the year. This will be reviewed by the Finance Committee on 3<sup>rd</sup> January at its next Working Group meeting.</p> <p>Therefore, although this is unbudgeted works, it must be undertaken. The cost can be spread into 2024/25 and the budget has the bandwidth to meet the cost.</p> <p>The Council is advised to adopt the Pond policy and Risk Assessment.</p>
15.	<p><b>Financial Matters</b></p> <ol style="list-style-type: none"> <li>1. <u>Financial Reports for November – December 2023 (Payments and Receipts Analysis)</u> Includes income and expenditure between 3<sup>rd</sup> November – 14<sup>th</sup> December 2023.</li> </ol>

There has been no income over this period.

2. Fingerpost signs

The Council is asked to consider the [quote](#) to replace the fingerpost by the Church in Plaistow. The Council has resolved to budget £1,400 in the 24/25 budget to fix 2 fingerposts. It has already received/considered quotes for the two signs in Plaistow village, at either end of Common House Lane (Nov 2023 meeting). If the Council wishes to fix the one by the Church this financial year, it would be an unbudgeted expense.

3. Winter & emergency kit list

The Winter & Emergency Plan Committee have resolved to provide emergency kit in each village hall. The total cost is £600. However, their current annual budget is £300 short. Therefore, it is recommended that the Council approve an increase to the Committee's annual budget to meet the cost of this community equipment.

The Parish is currently without a local contractor to remove snow and grit the roads at the time of emergency, when WSCC Highways divert its resources to key routes and infrastructure. WSCC have advised that their £35p/h pay rate remains the same regardless of what contractor is used. Therefore, the Council can use a commercial contractor. The agreement is between the Parish Council and the contractor and WSCC agrees to undertake the payment within this agreement, so any communication with the contractor and approaching for documents etc. is down to the Parish Council to do. The Council will need a new agreement once it identifies a contractor. Any hourly rate deficit would need to be met by the precept. The Clerk has approached a commercial contractor for indicative costs (pending).

4. Bank mandate change

The Council is recommended to resolve to undertake all necessary procedures to remove the outgoing Clerk and add the incoming Clerk to all bank mandates for the Council.

5. Unity Bank

To resolve to transfer £45,987.18 into the new Unity Bank savings account. It is recommended that the Council retain some funds (suggested c.£23,676.65) in the NatWest Reserve Account to avoid the BACS fees associated with transferring funds from Unity into the current account.

- NatWest – The interest rate is 1.45% gross 1.46% AER. This is based on your balance from end of day (03.12.2023). <https://www.natwest.com/business/savings.html>
- Unity - Instant Access Savings Account - <https://assets.unity.co.uk/Unity-Trust-Bank-Historic-Interest-Rates-Nov-23.pdf>

	<p>6. <u>Tribute bench</u></p> <p>The Council said farewell and an unreserved thank you to David Ribbens in April 2022. A MOP has asked the Council to consider dedicating a bench in his honour. The Asset Audit identified that the bench by the pond requires some work. In March 2023, the Council agreed that every effort should be made to replace the trees recently felled around Coxes Pond due to disease and re-affirmed its intention to plant a tree in celebration and thanks of 27 years of voluntary service to the community. Therefore, considering the pond issues already outlined, and the existing bench in need to attention, it is suggested that the Council budgets for a new bench in its 24/25 annual budget.</p>
16.	<p><b>Priorities and funding survey</b></p> <p>The survey closed on 30<sup>th</sup> November. There were 151 responses.</p> <p><u>Response Rate</u></p> <p>Surveys without inducements and surveys sent out to a large diverse range of people (rather than a defined smaller group) via a range of media are particularly hard to get a comprehensive response rate. Anything between 5% - 30% is considered 'good' or 'normal', with lower expectations (5-15%) for this type of survey.</p> <p>Some perspective:</p> <ul style="list-style-type: none"> <li>- the Lady Hope Play Park survey, which predicated the £50,000 loan and refurbishment works got 35 responses (and effort was made to target playground user groups in particular e.g., school/preschool/youth club)</li> <li>- the recent Ifold play area consultation got 95 responses (500 households)</li> <li>- the 2021 parish survey got 135 responses (<a href="https://www.plaistowandifold-pc.gov.uk/public-consultation-0">https://www.plaistowandifold-pc.gov.uk/public-consultation-0</a>)</li> </ul> <p><u>Our results</u></p> <p>1898 (2011 parish population) = 7.95%</p> <p>1599 (electoral role) = 9.44%</p> <p>765 households receiving the postal newsletter = 19.74%</p> <p>Therefore, the results fit within the expected / normal / good range and what was expected given this type of survey.</p> <p><u>Next Steps</u></p> <p>To establish a Priorities Plan Working Group. The Council needs a dedicated group who can consider the detailed survey data and link it with the asset audit data / the data from the January 2023's road safety public meeting and the 2021 parish survey and put together a 3-year business, or Priorities, plan. This Priorities Plan will allow the Council to better manage its expenditure, projects, and overall future plans and budget requirements.</p> <p>The survey results will help to guide the 2024/25 annual budget setting process. It is recommended that the Working Group has an initial meeting before the January 2024</p>



	full Council meeting – at which time the draft budget will be approved and a 24/25 Precept set – to help advise the Council.
17.	<b>Newsletter &amp; website ‘pop-up’</b> The survey garnered many more newsletter signups, which currently stands at 180 people. A ‘pop-up’ has been created for the website, to encourage more signups. There are some ‘bugs’ which the IT company are addressing.
18.	<b>Highway Matters</b> The Council has been advised that the Rickman’s Lane TRO has been approved: -  <i>“Please be advised that the your Traffic Regulation Order application for Rickmans Lane has now successfully passed the Public Consultation process, with only positive comments of support received. I have therefore created a works instruction based on our design, and this has now been passed to our contractor to be programmed in accordingly.”</i>
19.	<b>Clerk’s update &amp; items for inclusion on a future agenda</b> <i>See Clerk’s Report</i> Recommendation: - To receive general updates and resolve to add any matters arising to a future agenda in relation to: - <ol style="list-style-type: none"> <li>1. Council’s new phone number – 01403 83 93 00</li> <li>2. Tennis court – quotes are pending to advise the 24/25 budget</li> <li>3. Plaistow Playing Field – The resolution of the Trustee and updated Trust Deed has been submitted to the Charity Commission, who have approved the change. AiRS have submitted their invoice, and this matter has now been successfully resolved.</li> <li>4. 24/25 budget – being prepared. The Finance Working Group will review on 3<sup>rd</sup> January and the full Council will meet to approve it on 9<sup>th</sup> January. It will be circulated to all Members in advance of this meeting.</li> <li>5. Ifold Playpark – the lease remains with the Solicitor. The Clerk has chased an update.</li> <li>6. Disclosure of Interest Forms security – Councillors to advise if they wish to redact in accordance with the Monitoring Officer’s advice.</li> <li>7. Pavilion fire risk assessment – Cllr. Denyer and Clerk to provide an update at the meeting.</li> </ol>
20.	<b>Correspondence</b> CDC’s Council Tax support scheme   Kelsey Hall’s new digital meter   Local Plan submission   Minutes of APCAG AGM   Minutes from Sussex Police Op Downsway 2023 End of Season Event.  These emails have been circulated to Members.

21.	<p><a href="#"><u>Date of next meetings</u></a></p> <p>Due to the Clerk's departure, it is recommended that the Council resolve to change the date for the January meeting to 9<sup>th</sup> January 2024.</p> <ul style="list-style-type: none"> <li>• Finance Committee, 9<sup>th</sup> January 2024, Kelsey Hall, Ifold - 7:15pm</li> <li>• Full Parish Council, 9<sup>th</sup> January 2024, Kelsey Hall, Ifold - 7:45pm</li> <li>• Planning &amp; Open Spaces Committee, 31<sup>st</sup> January 2024, Kelsey Hall, Ifold - 7:30pm</li> </ul>
22.	<p><b>Exclusion of Press and Public</b></p> <p>Due to the confidential nature of staffing matters, the Council is advised to resolve to exclude the Press and Public from the meeting during the consideration of item 19, in accordance with s.1(2) of the Public Bodies (Admissions to Meetings) Act 1960 on the grounds that it may involve the likely disclosure of exempt information.</p>
23.	<b>Recruitment update</b>