



Minutes of the full Council Meeting held on **Wednesday 26th February, 2025** at 6:00pm in the Council Chamber at Franklin Hall, Spilsby. These are notes of the meeting until approved by the Town Council as a true and accurate record.

Present:

Cllrs L Day (Mayor), L Marsh (Deputy Mayor), A Day, P Gale, M Gibson, C Hewlett, T Kemp, E Marsh, T Robson, and W Rose; and Town Clerk - J Sargent.

There were 7 members of the public in attendance.

Public Session

Cllr L Day invited members of the public to speak.

Resident 1 introduced himself and 2 other residents from Masonic Lane to raise issues at Spilsby's allotments as their properties back onto the Occupation Lane, the lane used to access the allotments. The resident objected to a member of the public's application for a Spilsby allotment, due to not meeting the criteria to be eligible to be issued a tenancy agreement and suggested they should have an allotment in the town where they live, not Spilsby. The resident suggested the applicant has caused a nuisance to residents on Masonic Lane by increasing the volume of traffic on the lane which could be dangerous as the resident advised children play in the lane. The resident also suggested many motorists speed along the lane. The resident also queried whether the Town Council had proof that tenants of the allotments could use the lane. The resident claimed he had proof to show he owned halfway across the lane and that he and his neighbours had been maintaining the previously gated lane.

Resident 2, also of Masonic Lane, suggested that the access to the allotments was previously from the A16 but admitted an access point here could be dangerous now. The resident queried when tenants started using the Occupation Lane to access the allotments and who granted permission for tenants to use the lane. The resident queried why the access to the allotments was changed.

The Clerk advised one of the tenants confirmed their use of the lane for at least 40 years. This was disputed by the residents.

Cllr Marsh confirmed the member of the public has not yet been issued with a tenancy agreement. The Clerk confirmed that this member of the public has been delivering manure to tenants for at least the last 3 years and his deliveries were not an issue prior to this year.

Cllr L Day asked the Clerk to investigate and provide further information to Councillors.

Cllr T Kemp advised that HM Land Registry maps are for illustrative purposes and are not decisive in determining boundaries. **Resident 1** suggested that dotted lines on the map means that his property extends to the middle of the lane and the solid line means the boundary is on the hedge. The Clerk advised that there is a solid line on the resident's boundary which would suggest that's where his boundary ends and the dotted line shows the lane. The resident disagreed with this interpretation.

Resident 3, also of Masonic Lane, suggested that another neighbour is the only one with vehicular access and is threatening to block access to the lane.

The Clerk requested paperwork from the residents to show the Town Council as evidence to support their claims that they own the lane.

Resident 1 asked if tenants could park their vehicles elsewhere and walk to the allotments. The resident suggested the lane is unadopted and is allowed to install a fence on his grass verge.

Cllr Kemp advised that the Town Council have a duty to tenants and residents to find a solution and suggested this will take time. Cllr L Marsh suggested the Clerk writes to the tenants to remind them of appropriate conduct and fostering good relationships with neighbours.

Resident 4, a tenant on the allotments, disputed the suggestion that cars speed along the Occupation Lane due to the extremely poor condition of the surface, that Masonic Lane residents have maintained the lane and that children play in the lane. The resident queried whether it was legal for a resident on Masonic Lane to cut a hedge on the Occupation Lane in order to create a parking space and the resident confirmed the lane has been used for over 40 years by tenants.

Resident 5 queried why residents on Masonic Lane do not have an issue with the last property on Masonic Lane which is used as a business, who uses the Occupation Lane. **Resident 6** also commented on the resident of the last property using large vehicles on the lane, rather than Masonic Lane.

With no further questions or comments, Cllr L Day thanked the residents for attending.

To receive a report from Lincolnshire County Councillor W Bowkett

A written report was received from Lincolnshire County Cllr W Bowkett which was circulated with Councillors via email.

To receive a report from District County Councillor E Marsh

District County Councillor E Marsh provided a written report which was circulated with Councillors via email. Cllr E Marsh also reported that the Spilsby Market relaunch is on Monday 3rd March and encouraged Councillors to attend as ELDC's communications team and members of the press will be there.

Lincs Digital will be hosting a session at Spilsby Christian Fellowship to help residents with issues accessing digital platforms. The New Life Centre are hosting the Memory Café, supporting those suffering with dementia. Meetings of the scrutiny panel for town and parish council have been progressing well, and will soon be making recommendations to ELDC.

Cllr E Marsh also advised that her grant funding allocation has now been fully allocated to local groups, including the girl guides, the fire station, Franklin Hall and Spilsby Recreation Ground. The grant fund reopens in April.

With no further matters, it was **resolved unanimously** to move into formal session.

135. Welcome

Cllr L Day welcomed all present, reminding Councillors about emergency exits and safety protocols, to turn phones off and appropriate conduct.

136. Apologies

It was **resolved unanimously** to accept apologies from Cllr T Taylor.

137. Declarations of Interest

Cllr T Robson declared an interest in item 6 - to consider a funding request from Spilsby Recreation Ground Committee regarding the Playzone Project, although not a pecuniary interest, it is listed as other registerable interest.

The Clerk confirmed that Cllr Robson requested dispensation to participate and vote on the item. The Clerk advised that dispensation could be granted as this falls under the interests of persons living in the Council's area, however, advised in the Standing Orders and Code of Conduct it states that where a matter arises that relates to a financial interest the member shall withdraw from a meeting when it is considering a matter in which they have another interest and return after its conclusion. The Clerk recommended Cllr Robson leaves the room for both the discussion and the vote, due to how her involvement would be perceived by a reasonable member of the public.

Cllr Robson requested that the request is spilt, firstly to participate in the debate and secondly to vote. Cllr Rose advised that as a tenant of the allotments, he leaves the room when the allotments are discussed. Cllr Robson advised she would not personally benefit, financially or otherwise from the decision made. It was **resolved unanimously** to allow Cllr Robson to participate in the debate and **resolved by majority** not to allow Cllr Robson to vote.

138. To approve as a correct record the minutes of the full Council Meeting held on Wednesday 22nd January 2025.

With no matters arising, it was **resolved unanimously** to accept the minutes for January as a true and accurate record of the meeting.

At the discretion of the Mayor - Cllr L Day, agenda item 6 to consider a funding request from Spilsby Recreation Ground Committee regarding the Playzone Project was moved up the agenda to item 5.

139. To consider a funding request from Spilsby Recreation Ground Committee regarding the Playzone Project.

The Clerk provided a written report, included as an attachment to these minutes. The Clerk's advice to the Town Council was to reject the request in the current form. This recommendation was based on advice received from CiLCA qualified Clerk's, LALC, NALC, the SLCC and specialists in local authority VAT - the Parkinson Partnership.

The recommendation to reject the request from the Spilsby Recreation Ground Committee (SRG), based on advice received included factors such as, the timing of the request, which would suggest the project would have gone ahead without the Town Council, if the VAT had not been an issue. The tender process, which does not meet the legal requirements detailed in the Standing Orders and Financial Regulations. Concerns over liability, whether it would be perceived as deliberately deceiving HMRC and a potential HMRC investigation. There would be additional costs to the Town Council which have not been budgeted for and the Parkinson Partnership advised that the Town Council would not be able to receive any funds raised by the SRG as they are a charity.

Cllr L Day invited Chair of the Spilsby Recreation Ground Committee - Mr. T Bailey to speak.

Mr. Bailey reported on the recent virtual meeting held with members of the Town Council, members of the SRG and representatives from the Football Foundation (FF) and its contractors. Mr. Bailey confirmed the meeting was to discuss the possibility of the Town Council becoming the applicants for the grant funding for the Playzone. Mr. Bailey stated the desire to work together with the Town Council as the land owners.

Mr. Bailey confirmed the SRG are not VAT registered and would be unable to reclaim the VAT on the construction costs which would be approx. £300,000.00 +VAT. Mr. Bailey accepted there were issues with the timing of the request but did not intend to put pressure on the Town Council to agree to participate or agree hastily. Mr. Bailey confirmed that the VAT issue came to light at a recent meeting in January with the developers of the project, who advised that the VAT would be payable and not included in the grant offer. Mr. Bailey also advised that almost all Playzone projects have been developed with other Councils, so the VAT could be reclaimed.

The FF have agreed to stagger the invoices to accommodate the cash flow and reclaiming VAT. Mr. Bailey confirmed he was not asking the Town Council to pay their invoices, but to become a joint applicant to receive the grant from the FF, receive the invoices from the developers, pay the invoices and share ownership. Mr. Bailey confirmed it was the FF's recommendation to work with the Town Council.

If the Town Council were not willing to help due to costs, Mr. Bailey suggested that the trustees of the SRG would struggle to see how future developments would be possible and suggested that the FF expressed the need for future projects to have the Town Council's backing. Mr. Bailey commented that if the Town Council were not willing to support the project, the SRG trustees would want to look at transferring ownership, making it more flexible for trustees to invest in the play area.

Mr. Bailey expressed his disappointment in Councillors for not showing an interest in the project, commenting that only a handful of Councillors had engaged in the process. Mr. Bailey suggested that the Town Council should be helping the community more, particularly with recreation and wellbeing.

Cllr E Marsh left the meeting at 7:00pm due to work commitments.

Mr. Bailey disagreed with the Parkinson Partnership's advice on charitable gifts and Cllr Robson advised that a charity can make a donation to whoever it wishes, as long as it falls within its charitable purposes and has public benefit. Cllr Robson advised this is a similar process that Spilsby Sessions House and ELDC are going through, to make the best use of their resources lawfully.

The Clerk reiterated the advice from the Parkinson Partnership, where the Town Council would be unable to prove any meaningful involvement in the project as the contractors were ready to begin the construction.

Cllr Kemp spoke about trying to find a legal solution as this project is for the good of the town.

Cllr Rose suggested the advice received from the Clerk should be followed and expressed concerns over the funds raised by the SRG and the timing of the request. Cllr Rose suggested looking at other options to raise the funds and expressed concerns over the potential tax evasion. Cllr Rose insisted on finding a way that reduces the risk to the Town Council.

Cllr L Marsh thanked the Clerk for the research conducted and Tony Bailey for taking the time to attend the meeting to discuss the request. Cllr L Marsh felt reassured with the advice received during the virtual meeting with the developers and suggested that with the advice provided by Cllr Robson overcomes the stumbling block of the donation issue from the SRG. Cllr L Marsh confirmed that the Town Council has always had representative at SRG committee meetings and the Town Council have promoted and supported the project.

Mr. Bailey confirmed the developers were ready to start construction on 20th January, and advised that the longer they wait the more jeopardy there is in the grant being available. Mr. Bailey queried how to work as a collective but insisted the project would go ahead regardless. Mr. Bailey advised the SRG would not be appealing to the public to raise funds, that restarting the project would be a short time frame and disagreed that any illegal action would be taking place.

Cllr Kemp felt there were options available and the desire to work to achieve a positive outcome for all, whilst ensuring the Town Council are protected. Cllr Kemp agreed that the project would be fantastic for the town but faced challenges such as risk, finances, and liability. Cllr Kemp queried whether the Town Council have a guarantor.

Mr. Bailey suggested that there had been too many negative comments from Councillors, on the process not the project and Councillors seem uneasy with the request. Mr Bailey asked Councillors to discuss becoming involved in the project further, and that more research is conducted to find a way forward. Mr. Bailey acknowledged the problems with the funds raised and questioned how to legally provide the funds to the Town Council. Cllr Robson offered to discuss issues with the Clerk and find a way forward, particularly with regard to the finances.

Cllr Gibson expressed his displeasure at some of the comments made against the Town Council but thought the best course of action would be to gather more information on a possible way forward.

Councillors asked the Clerk to investigate further, to find more information on how this would be possible and the potential pitfalls. It was **resolved by majority** to defer to the March meeting when further information is available.

140. Co-Option:

- a. To invite applicants for co-option to present themselves to the Town Council and to allow the Councillors to ask questions of the applicants.**

Cllr L Marsh asked the candidate to expand on the information provided on their application. The candidate advised of having experience in these types of meetings having previously been a school governor. The candidate advised of being a resident for the last 6 years and wants to give something back to the community and build on the good work the Town Council have done so far.

The candidate advised of being motivated and dedicated, willing to help deliver the monthly markets, and bring new projects for young people in town.

The candidate was asked about the seven Nolan Principles. The candidate was aware of the Nolan Principles having agreed to them as a school governor, which include accountability, integrity, openness, and honesty.

Cllr Rose asked if the candidate was willing to attend training. The candidate confirmed a willingness to attend training and advised training was part of her working life in the NHS.

Cllr Day thanked the candidate for attending and answering the questions.

- b. To resolve to exclude the public and the media to discuss confidential matters in accordance with The Public Bodies (Admission to Meetings) Act 1960.**

It was **resolved unanimously** to exclude the public and the media to discuss confidential matters.

- c. To consider applications for co-option.**

Councillors discussed the applicant for co-option, and it was put to a vote.

- d. To resolve to reopen the meeting to the public and the media.**

It was **resolved unanimously** to reopen the meeting.

- e. To declare the result of the vote.**

Cllr L Day declared the result of the vote with the candidate co-opted on to the Council.

- f. To invite the successful candidate(s) to join the meeting after signing the declaration of acceptance of office.**

The successful candidate signed the Declaration of Acceptance of Office and joined the meeting. Cllr L Day welcomed the new Councillor - C Hewlett. The Clerk asked the new Councillor to complete the Disclosable Pecuniary Interests form and return it before the next meeting.

Due to limited time left available in the meeting, at the discretion of the Mayor - Cllr L Day, agenda item 13 - to consider feedback on proposals to extend the 30mph zone on Ashby Road and Halton Road, to include a gateway feature, for the proposed Gleesons housing development was moved up the agenda to item 6.

- 141. To consider feedback on proposals to extend the 30mph zone on Ashby Road and Halton Road, to include a gateway feature, for the proposed Gleesons housing development.**

In addition to the current proposals, Cllr A Day requested flashing 30mph speed signs, which would be eye-catching. Cllr Gibson supported the installation of the gateway feature, which has

been discussed previously and Cllr Kemp spoke in favour of both extending the speed limit and installing a gateway feature.

The Clerk reported that Halton Hologate Parish Council mentioned that the speed limits along Halton Road would become inconsistent and advocated extending the 30mph and then making the rest of the road 40mph through to Halton Hologate. The Clerk mentioned that Cllr Bowkett advised LCC were against the current proposals from Gleasons.

It was **resolved unanimously** to support both extending the speed limit and installing a gateway feature on Ashby Road and Halton Road.

Due to limited time left available in the meeting, at the discretion of the Mayor - Cllr L Day, agenda item 16 - to consider having a stall at the Monday Market relaunch on 3rd March was moved up the agenda to item 7.

142. To consider having a stall at the Monday Market relaunch on 3rd March

Cllrs A Day and P Gale offered to erect the gazebo and man the stall at the market relaunch. Cllr L Marsh offered to attend later in the day and advised Cllr E Marsh would also attend.

It was **resolved unanimously** to have a stall at the Monday Market relaunch. The Clerk to arrange with ELDC's Markets Manager. The stall will be covered under the Town Council's insurance policy. Cllr L Day thanked the volunteers.

Due to limited time left available in the meeting, at the discretion of the Mayor - Cllr L Day, agenda item 15 - to review the Advertising and Sponsorship Policy was moved to item 8.

143. To review the Advertising and Sponsorship Policy.

The Clerk advised ELDC's Markets Manager asked if traders could apply for this offer annually and questioned the flexibility of the offer. For example, if a trader paid for 6 weeks, and then attended a further 2 weeks, would the Town Council be willing to cover the costs of the additional 2 weeks, rather than the full 6 weeks. The Clerk advised the current sponsorship costs would be around £20.00 per stall as ELDC have lowered prices.

Cllr L Marsh advised the original premise was to get longevity out of traders, to commit to the Spilsby Market. It was **resolved unanimously** to continue with the policy.

Due to limited time left available in the meeting, at the discretion of the Mayor - Cllr L Day, agenda item 17 - to consider an application for sponsorship of a Monday Market stall was moved to item 9.

144. To consider an application for sponsorship of a Monday Market stall.

The Clerk circulated the application form with Councillors prior to the meeting and advised the costs would be around £20.00, with £500.00 available in the current year's budget allocation but this budget allocation has been lowered in the next financial year to £250.00. It was **resolved unanimously** to support the applicant.

Due to limited time left available in the meeting, at the discretion of the Mayor - Cllr L Day, agenda item 19 - to consider Policies was moved to item 10.

145. To consider Policies:

- a. **Business Continuity Policy**
- b. **Community Engagement Policy**
- c. **Lone Working Policy**
- d. **Managing Performance Policy**
- e. **Unacceptable Actions Policy**

All policies were circulated with Councillors prior to the meeting, in line the Policy Review Procedure. It was **resolved unanimously** to adopt all policies tabled for review.

146. To approve the accounts for January 2025.

With no matters arising, it was **resolved unanimously** to approve the accounts tabled for consideration. The Accounts Report included as an attachment to these minutes.

147. To receive a bank reconciliation for January 2025.

The Clerk provided a bank reconciliation to keep Councillors up to date with the Town Council's financial status, for information purposes only. The Bank Reconciliation Report included as an attachment to these minutes.

148. To receive brief reports from the Town Mayor, Town Council's working groups, representatives on outside bodies and the Town Clerk.

It was **resolved unanimously** to defer receiving reports to the March meeting. Written reports were received for The Mayor's Report, Clerk's Report, the Good Neighbours Scheme Report, Twinning Association and the Grammar School Foundation's Report which were all circulated with Councillors prior to the meeting and included as an attachment to these minutes.

Due to limited time left available in the meeting, at the discretion of the Mayor - Cllr L Day, agenda item 14 - to consider updating the bench on Post Office Lane was moved up the agenda.

149. To consider updating the bench on Post Office Lane

The Clerk advised a resident offered to buy a new bench and pay for installation costs, to replace the wooden bench on Post Office Lane, as long as the resident could install a plaque in memory of his late wife. The current bench is not listed on the Town Council's asset register. Both ELDC and LCC have advised the bench is not their responsibility. The Clerk confirmed there was £265.00 left in the budget for benches, if the Council wanted to make a contribution. It was **resolved unanimously** to contribute £265.00. The Clerk advised he would arrange the purchase and the installation of the new bench and would invoice the resident.

150. To consider quotes for a new notice board at the Cemetery.

Due to limited time left in the meeting, it was **resolved unanimously** to defer this item to the March meeting.

151. To consider quotes for a new Mayor of the Council honours board.

Due to limited time left in the meeting, it was **resolved unanimously** to defer this item to the March meeting.

152. To consider meeting dates for 2025-26

The Clerk circulated provisional meeting dates for 2025-26 prior to the meeting, it was **resolved unanimously** to approve the meeting dates.

153. To receive an update on plans for the 2025 Recognition Awards event.

Cllr L Marsh has provisionally booked Franklin Hall for Saturday 31st May for the event and will be posting letters asking for sponsorship of awards from local businesses. Cllr L Marsh has made enquiries for the awards and will be contacting J&A for a new banner advertising the event. Invites for the event will be sent to Victoria Atkins MP and the Chair of ELDC Cllr Edward Mossop.

154. To receive a report on the interest of business premises hosting Councillor Surgeries.

Due to limited time left in the meeting, it was **resolved unanimously** to defer this item to the March meeting.

With no further matters, Cllr L Day closed the meeting at 8:05pm.

DRAFT

Signed.....
Deputy Town Mayor - Cllr L Day

Signed.....
Town Clerk to the Council - J Sargent

26th March 2025