

# BUILDINGS & LAND WORKING GROUP

FRIDAY 14<sup>TH</sup> SEPTEMBER 2018 10.30 AM – NOTES/MINUTES

Present : Cllrs D Murray, D Watts, Mrs M Piper, D Dunbar

Hedley's Solicitor – [REDACTED]

1. Apologies for absence

Apologies were received from Cllr Ms A Snell

2. Declarations of interest

None

3. Wannock Umbrella body update – solicitor update – [REDACTED] will be attending at 11am. (there was some delay and the meeting dealt with other matters prior to the solicitors arrival.

[REDACTED] will be updating us on what needs to be done next, what information he will need. The working group has full delegated authority and therefore can process this quite fast depending on what [REDACTED] reveals. There has been a delay as it was not clear what we needed to do and therefore [REDACTED] has been asked to come and update us, and for us to complete whatever is necessary to get the CIC completed.

The buildings and land working group have delegated authority for any matters relating to the umbrella body for the War Memorial Recreation Ground.

The solicitor came with all the papers prepared and ready to sign once the resolution had taken effect. The Community Interest Company would be limited by guarantee.

**At the meeting it was resolved to call the new Community Interest Company "Polegate War Memorial Recreation Ground CIC " as advised by the solicitors and to appoint Cllr D Murray and Cllr Mrs M Piper as directors of the newly formed Community Interest Company called Polegate War Memorial Recreation Ground CIC VOTE All in favour Cllrs D Murray, D Watts, Mrs M Piper, D Dunbar**

The director's forms and paperwork were completed and signed by the two councillors. The service address would be 49 High Street, Polegate East Sussex BN26 6AL.

It was considered important that the covenant be upheld. This would be included in the articles of association.

**It was resolved that the Town Clerk (Mrs J Ognjanovic) be appointed as Secretary. Paperwork was duly signed. VOTE All in favour Cllrs D Murray, D Watts, Mrs M Piper, D Dunbar**

The company would start with the two councilors and then gradually be made up with the users. The ratio to allow council to have overall control at the beginning. It was expected that the users of the field would have their chairpersons as directors. Initially it was expected that the football, cricket, stool ball and potentially tennis club would be directors. There would be no shares, the

company would be limited by guarantee. Effectively the body would be very similar to a charity but with income generating powers.

The memorandum of association was being drafted and the articles of association.

The solicitor advised that it would be around 2-3 weeks and the company would be set up. The chairperson asked if the council would be given copies, this was confirmed.

The solicitor advised that the next stage was the draft lease to the company. The length of the lease was agreed at 25 years as this would allow all users to apply for grants, which had been the purpose of the umbrella body formation.

Rent reviews were discussed as every 5<sup>th</sup> year with small rent at the beginning as the sports umbrella gets settled and increasing as they start to generate income. Potentially around £1200 pa.

The groups discussed with the solicitor that the CIC would be taking on all the responsibilities of the field and would need to appropriate public liability. Grounds maintenance contracts etc would need to be handed over gradually. This would include the play areas. Council would be able to make a grant to the body to enable it to run as it started to set up its income generation. Council would need to consider whether to make the grant each year.

Accounts would need to be kept separately and would be similar to a charity, but not a charity.

The first year it was expected that a loan would be needed to help pay the rent, and the CIC would need to pay the electricity, water and other maintenance as well. It may be easier to waive the rent for the first couple of years.

It was discussed whether there would be a break clause, and how this might affect any grant funding claims. And under what conditions the lease may be rescinded.

Council should at first always be in the majority in the constitution with a ratio of 5 Cllrs to 3 user group directors. It was discussed whether the chairman should have a casting vote.

It was important that the CIC may end up having a festival or similar for two days a year (as an example) and the council would need to maintain some element of control to ensure there were no conflicts.

The gift of the land was discussed and the restrictions placed on the use of the field/area. The CIC would repeat these restrictions within the title and they would not be lost.

The solicitor advised NOT to give the chairman a casting vote, but an ordinary vote.

Simplified accounts would be required.

Current contracts would transfer over to the CIC and subcontracted via PTC if required. The council may need to start splitting the grounds maintenance contract to reflect this.

All notices, signage etc would be part of the CIC responsibility. The town council should be able to use the notice boards. The maintenance person may have to have premises, facilities elsewhere long term. (Brightling Road was discussed). Or for example pay a £10 pa rent for use of the garage/store. (Peppercorn rent). This was likely to be needed in 4-5 years time.

The group asked when the insurance etc needed to be put in place and the solicitor advised when the lease is in place.

*D Watts left at 12.15pm*

4. Brightling Road
  - a. Picnic benches near PADMEC/entrance area

The concrete picnic benches came in at just under £3000 each compared to £500 + materials (for the recycled plastic one). The clerk has been asked to get some quotes/prices on building brick versions. A report will go back to the next meeting following the receipt of the information.

No action required at present.

- b. Hoarding/wall
      - i. Update re resident

The resident has had someone look at the tree and is also getting someone in to look at the wall (structural engineer?) he is updating us. He did in one email say that it could be to do with cars, but our solicitor has dismissed this. It is likely to be the hot weather and drying out of the soil, many buildings are also experiencing some cracking. (We are on clay).

No action required at present.

- ii. Vandalism

Police have been in touch regarding the numerous reports we have been making and have added it to operation blitz.- This has now been confirmed.

No action required at present.

- iii. Purchase of hoardings

Quotes for hoardings were in the £1000's and our new maintenance person managed to source some great second hand ones. They have been vandalised a few times and still ok.

No action required at present.

- c. Trees including ongoing tree audit and resident request

The surveys are still being carried out [REDACTED]  
[REDACTED] The reports were stated to be very clear and more data will be obtained regarding some tree surgeons quotes and advise on more works.

No action required at present.

- i. Removal/survey of tree and potential removal of Oak  
There are two trees that may have issues, one has been burnt and damaged by vandalism and may need removing, the other may be diseased. These are being included in our annual report of Spurway at no additional cost. I will report back once we have the report from the survey.

ii. Work required on main field (update) and resident request

There are a few trees which are not urgent, but will need work over the coming months. I have had a resident make a request to cut back trees, and the tree concerned does fall within our list needing attention. However, it is likely that the works we need may not extend to his request. He is aware and I have been keeping him informed on progress. Unfortunately, due to time constraints (both myself and the new maintenance person), I have not been able to organise the quotes as other more urgent matters have had to take priority.

No action required at present.

d. Vandalism/tampering

- i. Goal posts – the Stone Cross Royals goals were taken and smashed up around the field. Police aware. Club aware.
- ii. Goal nets – the nets were slashed and will need replacing.
- iii. Removal of nuts and bolts – this is ongoing and the police are aware. You need specialist equipment for some, so could be adults or older skate park users.
- iv. Perspex removal – burnt and damaged, example of the thickness, deliberate vandalism. We are sourcing the appropriate Perspex but it is specialist and the quotes have not been received as of yet.
- v. Bin damage – vandals had attempted to rip out the bin, then tried to rip off the door.
- vi. Signage – ripped off and thrown in skate park – replaced, police aware.
- vii. Skate park gate ripped off (twice)– police aware
- viii. Bike shelter – bolts removed. (may be better to remove this longer term.)

**It was recommended to full council that the bike shelter be removed, but the racks to remain in place for now.**

- ix. Youth/adult shelter – bolts removed, Perspex burnt, seats ripped out, glass smashed. (now removed and made safe)

Please note that the maintenance person and litter picker would not be able to sustain this level of vandalism long term. It may be required to call in additional help, and potentially to employ a second maintenance person. At present our maintenance person is doing additional hours to try to cope with the workload. Some normal maintenance items have not been carried out due to the sheer volume of additional unexpected work. – personnel are aware.

No action required at present.

e. Annual Park checks

The parks are checked daily (Monday to Friday) by competently trained staff if available. Records are kept for at least weekly visual checks. The maintenance person usually carries out full checks each month. All staff who are able to carry out park checks are trained for visual and operational checks. Depending on circumstances additional park checks are carried out by external contractors (staff holidays etc). these are quite expensive, but with the level of vandalism being experienced

these have been useful. The council also carries out an annual check of the parks by rpii contractor. These are also useful as they identify the less urgent issues generally. An alternative contractor who is cheaper has also been sought to potentially carry out monthly or quarterly checks on the park. This was agreed by personnel who felt that it would assist the maintenance person to continue with regular work. They have recently replied that they can take on the additional work.

It should be noted that neighbouring parish and borough councils do not check their parks as frequently as Polegate Town Council or with the same level of qualification as PTC staff and despite many public comments being made to the contrary, the Town Council is compliant with the appropriate requirements. A recent social media post showing a seat being broken gave a false sense of danger to the public, the working group was advised that the seat has a wire running through it for the safety of users even if the plastic failed. The seat had also been checked a few days beforehand by both an rpii inspector and a park safety trainer, both highly qualified. It was also checked by qualified staff, and was given a life of a few months. The order had already been placed for replacement parts for a number of items. (Some issue with the supplier and wrong goods being sent delayed matters).

It is worth noting that our insurers are satisfied that we keep appropriate records of our checks.

No action required at present.

#### f. PADMEC and safety issues

Once again, a different social media post (rather than reporting to the office), brought our attention to an issue with the cars crossing the field. It should be noted that in the agreement with PADMEC they need field access as the steam trains are too heavy to be carried across. The clerk contacted PADMEC to advise them to investigate and they did so, instructed their members and made a public apology, as one of their users was going too fast across the field. They were advised to wear HV vests and to use hazard lights when going across the field and to pay particular care when entering the field in case of children or dogs on the field. This is the case for contractors also who go across the field and staff in vehicles. The clerk monitored this and the club were adhering to the rules.

No action required at present.

#### g. Basketball court

There have been some stubborn weeds on the court which have been invasive and lift the tarmac when removed. They have to be treated not only in accordance with COSHH but also have to be nontoxic. It is likely that the surface will need renewing in due course and the clerk will be obtaining some quotes for this, as it was installed some years ago. Maintenance is being carried out (time permitting), but a resurface may be required long term. The clerk will update in due course.

No action required at present, please note this may need funding at a later stage.

#### h. Request for additional bins

The clerk informally has received a request that more bins are installed in the skate park. Bins are around £500 to install. At present this is the only bin that is manually emptied by the litter picker. It is also worth noting that on the occasion that it was overflowing this was clear the day before, and

had occurred overnight. Along with litter and vandalism in the skate park. It may be useful to install another bin, although it would also be subject to vandalism as already being experienced.

**The clerk was asked to look at whether a person could be employed for Saturday and Sunday monitoring of the skate park and discuss at personnel.**

**The litter picker was asked to keep a report on the level of litter in the bins and around the park on Mondays and report back in the new year (around Jan 2019)**

i. Skate park contract

The contract is going very well, the skate park is having repairs, all are currently within budget. The contractor is also sent a copy of the safety report from the rpii annual inspection, which they act on accordingly. It should be noted that skate parks are higher risk due to their nature.

No action required at present.

j. Park signage update and drones

Following the drone policy/resolution and the new park expected next year, all signs have been considered for replacement. I have attached a few examples of wording that may be useful for the new signs. I am expecting one of our sign manufacturers to create an example once the wording has been agreed. This is within the delegated remit of the clerk. It would be prudent to get these completed as soon as possible, although the Oakleaf one may wait to be installed depending on the outcome/decision below.

**The group agreed to add the no drones logo and additional wording about users and no unauthorised persons under the age of 12 unless accompanying a child. The postcode/location for ambulances would be looked at. And the reporting of vandalism, damage, or incidents and the council address and telephone number would remain. A sample would be brought back to the working group for consideration.**

**It was agreed that the parks would have slightly different wording than the land.**

The working group discussed new by-laws and standardizing across council land. The clerk was asked to look into this.

- No drones
- Play safe
- No vehicles

- Say no to strangers
- Please use a bin
- No alcohol
- No smoking?
- No adults unless accompanying a child

Oakleaf could also have no dogs, but Brightling would at present allow dogs. The parks would remove the no golf?

Examples would be produced by the signage manufacturer and brought back to the group.

5. Oakleaf Play area
  - a. ESCC lease

ESCC has now drafted the new lease which is expected to be agreed ready for the handover on April 9<sup>th</sup> 2019.

No action required at present.

- b. ESCC deadline

ESCC has indicated that they will still be taking over the park on 8<sup>th</sup> April 2019 and removing all of the old equipment. They have indicated that the new park install could be delayed as long as Jan 2020 (maximum) although of course it is expected to be completed a lot earlier. They have agreed that their contractor once appointed will liaise with our park contractor in order to ensure that the install goes according to plan. The play park paperwork has had to be revised, but is expected to be passed to the school over the next few weeks, which has been pre arranged. Once the final group of contractors is finalised with project plans, these will be notified to all Cllrs to view. Then the final two will be passed to the school to consult the children at the school.

**No action required at present – all Cllrs will be invited to look at the plans before they go to the school.**

- c. Park accident and outcome

There has been an alleged incident at the park where a child was hurt. A record and file has been created and the insurers have the appropriate information. The injury was stated to be minor and not requiring a hospital visit or a Drs visit. An investigation has been carried out and no issue was found with the part of the equipment on which the injury allegedly occurred, and in accordance with the manufacturers advice. The park was checked shortly before the alleged incident in the usual annual inspection and the item of equipment was ok. The park was also looked at by a qualified park trainer a few days before the incident. He has since confirmed that the equipment was in accordance with the design. The park was closed once the alleged incident was notified to the office. The equipment was then checked on different occasions by three different qualified staff. No issues with the part of the equipment was found where the injury allegedly occurred. The

equipment is designed to move as part of the play function and this has been confirmed by the manufacturers. Another independent check was made by a different rpii inspector and the part of that equipment (slats) confirmed to be sound and in accordance with its design. The inspector stated that if any injury occurred then it was likely to be "user error". It should be noted that the park has remained closed as parts which were expected to be 2-3 weeks have a large lead in time, see item f.

d. Annual park check

The park was sound with a few minor repairs to make. The maintenance person had been working on these when issues on replacement parts have arisen. (see f)

No action required at present.

e. Replacement parts cost versus and timescales/lead in times decision required.

The equipment in Oakleaf is ageing and made of wood. Last year a risk assessment was carried out regarding ESCC taking back the land and the new play area that had been planned. Following the consultation at the school and comments from PTC, ESCC decided not to take back the whole park and to allow half of the park to remain after work had been carried out on the school. The hand back is due 9<sup>th</sup> April 2019. Due to this, the park had to be maintained a little longer than expected and some of the parts have been monitored for some time. With the extreme heat and then rain, some of the parts have been deemed to need repair. Usually the parts take around 2-3 weeks. However, when one of the manufacturers were approached for quotes, the lead in time was stated as 8-10 weeks! The other contractor has stated that they would need to send one of their engineers to measure the parts to be sure on the sizing. This is done as a quote and would be £105 just to come and look. The park is due open until April 9<sup>th</sup> 2019. Which is approximately 6 months left. If the equipment has a lead in time of 8-10 weeks the installation of the rest of the new parts could be as late as November 2018. This leaves 4 months only. The parts are within budget and normally would be replaced. However, this would mean spending £2000 + on a park that would be open for 4 months only and then all of the equipment will be scrapped and removed. (None of the equipment is salvageable).

**The clerk is seeking confirmation as to whether council wish to proceed and replace the equipment and for it to be in use for the remainder months, or to leave the park closed.**

**It was agreed to recommend to full council that it would not be economically prudent to carry out the maintenance work given the costs (over £2000) and lead in times now given by the manufacturers. It would be recommended to full council that the park remain closed until ESCC take over the park on 9<sup>th</sup> April 2019 and a leaflet flyer be produced and distributed in book bags if the school was in agreement to inform as many parents as possible and website posts (and potentially social media posts if still being used).**

**Discussion of the wording was agreed, the clerk would draft this and circulate to all councilors if the recommendation was accepted by full council.**

6. Polegate War Memorial Recreation ground
  - a. Wannock Play area

Park checks all ok - minor issues.

No action required at present

- b. Current maintenance repairs and comments on condition

The park has been quite intensive for maintenance at present. A number of incidents of vandalism has meant that there has been a lot of repairs. Some of the normal maintenance items are on hold although some parts have been installed already.

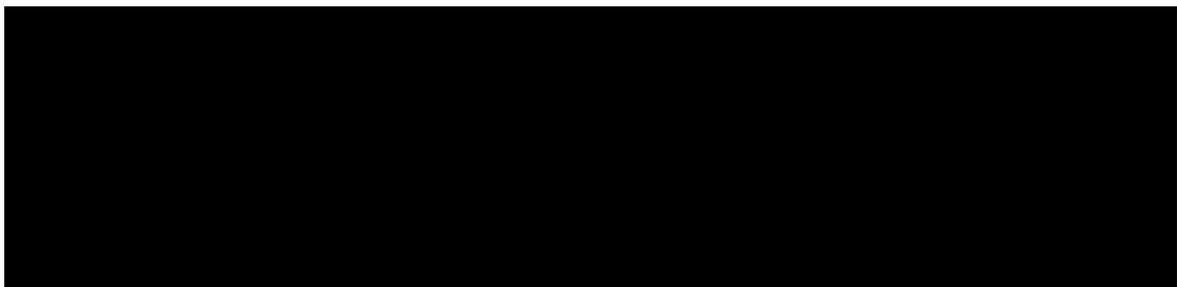
The repainting of the goal posts down the field has been started, but has had to be put on hold due to the level of vandalism.

No action required at present

- c. Wet pour

Due to the hot weather some wet pour has lifted, this required a site visit by the manufacturer and the cost is quite high. A date has still not been given for the work to be carried out despite a number of chase emails and calls. Once the date has been set the work will be carried out. None is unsafe and has been marked up.

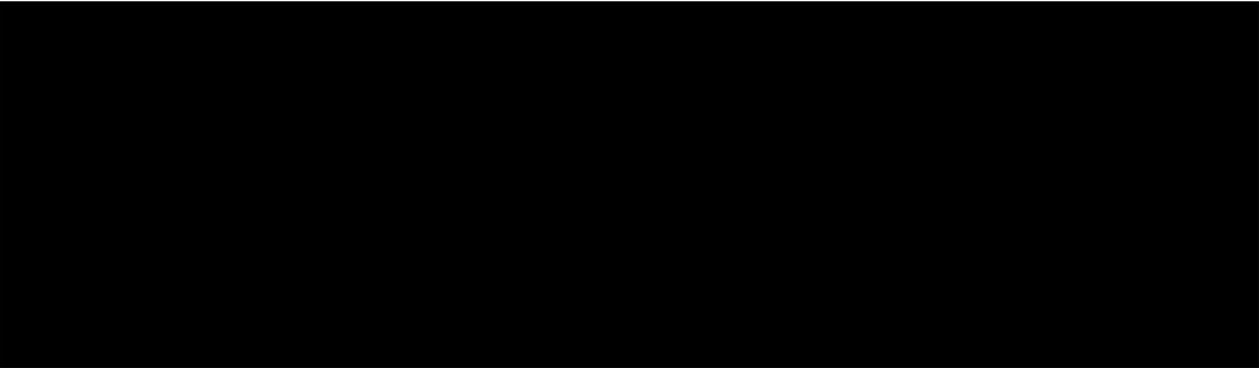
No action required at present



Request to move from cricket club:

This is possible and I have attached an image to show the red line which is 10m. I am not sure if it would have the desired effect however. The goal posts are deteriorating and are maintained each year. The contractors have confirmed that they could move them, (for a charge) however, I am guessing that due to their age and condition it may be better to remove the old ones and install new ones. New goal posts are around £600 - £1000 per pair approx.

## Action required: comments and potential recommendation



The moving of the goal posts were discussed and the maintenance that was currently being carried out on the posts. Fencing was dismissed as it was thought it would be ineffective and expensive. The clerk was asked to get quotes for new goal posts, which could be relocated further down the field (10m) and for the removal of the old ones.

### e. Vandalism

There has been a large amount of vandalism:

- Cricket ropes and stakes stolen
- Ropes tied to a tree to form ladder, rope and swing
- Football notice board smashed up
- CCTV camera smashed but not broken
- Seats ripped out and moved
- Memorial seat (new) defaced
- Springer seesaw springs snapped
- Nuts and bolts on equipment removed, tampered with
- Cargo net slashed
- Baby swing seat bent open
- Signs ripped off
- Bins moved
- Swing seat cut
- Seats in park pulled up
- Fencing broken
- Gate pulled out/loosened
- Tree "stabbed"
- Fencing pulled away
- Barrier loosened in ground
- Bins pulled away/damaged

We do have a list of larger vandalism reported but it is currently being updated with costs and the latest crime ref numbers. Of note the nuts and bolts are specialist and would need a specific tool to remove.

No action required at present.

- f. Fencing (high)
  - i. Resident request

A resident recently contacted a cllr to ask that the high fence be extended to the side. Prices are being obtained, but once the tree is removed, more may be requested. The current fencing is being de-rusted and resprayed. Welding was carried out some time ago and doesn't appear to be required at this time. The fencing at the bottom has been ripped/cut and has now been removed.

- g. Tree
  - i. Removal plans (update)

Quotes were received and one contractor has been appointed. A date is being set for the removal. Fencing is being arranged for after the removal and letters will be sent to nearby householders once the date for removal is known. The maintenance person will be on site for the removal.

- ii. Replacement plans (update)

The tree warden has been discussing with the clerk to replace with trees once the old one has been removed. Update once the old tree has gone.

- iii. Fencing around proposed stump removal area (due to collapse/sinking)

As above, the tree area will be protected afterward as it will uneven ground.

- h. Police action re vandalism and CCTV update re High Street camera request

The police have added all of the vandalism areas to blitz. They are also sending a police liaison officer to the school to discuss the damage. The police have been looking at the CCTV footage for some of the damage. The old camera in the high street may also be compatible with the CCTV system and the police are helping us with this.

The clerk was asked to install a solar PIR light under her delegated authority for maintenance.

No action required at this time.

- 7. Stonewater update (confidential)



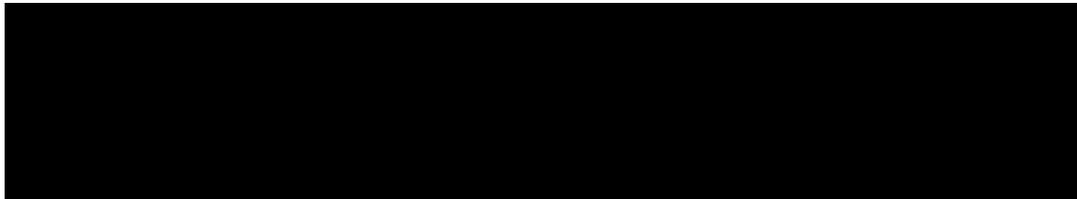
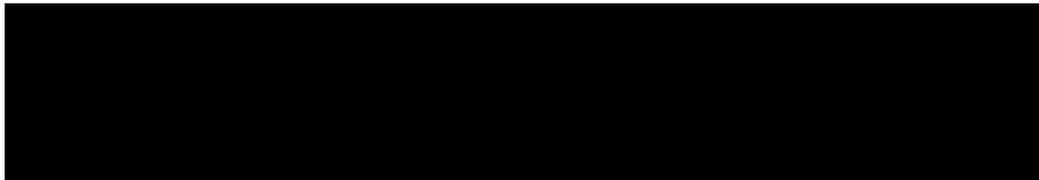
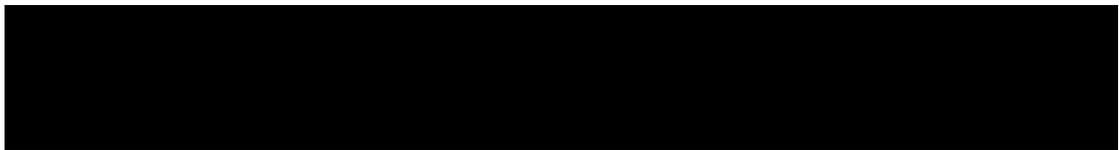
No action required at this time.

- 8. Toilet update (confidential)
  - a. Parking



- b. Xmas tree – the team Polegate is aware the tree may not be there for the xmas event. It will be dependent on the contractor selected whether the tree is replaced and where. A smaller tree may be required.
- c. Process and progress

Wealden have confirmed that it is permitted development. **The clerk recommends obtaining a certificate of lawful development due to the location.** This can be obtained once the contractor has been selected and the full size and specification is known.

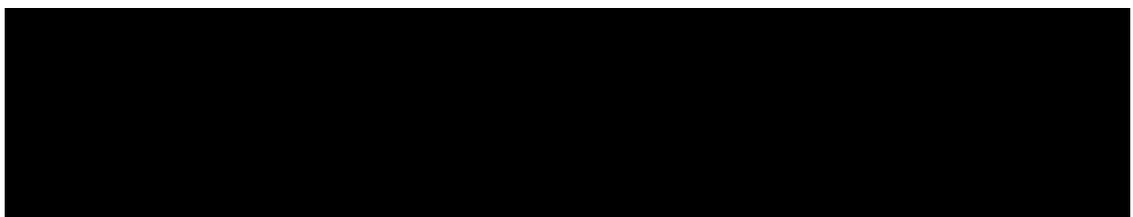


The clerk was asked to obtain details of planter bollards to protect the windows/buildings and report back to the group at a later meeting.

Action – certificate of lawful development or permitted development only.

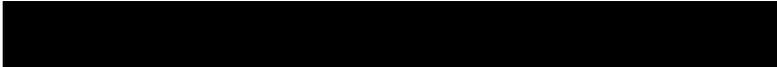
**It was recommended to full council that a certificate of lawful development be obtained for the installation of the toilet once the specifications were known.**

- 9. Library update (confidential)





10. Hub 49 / 51 update (confidential)



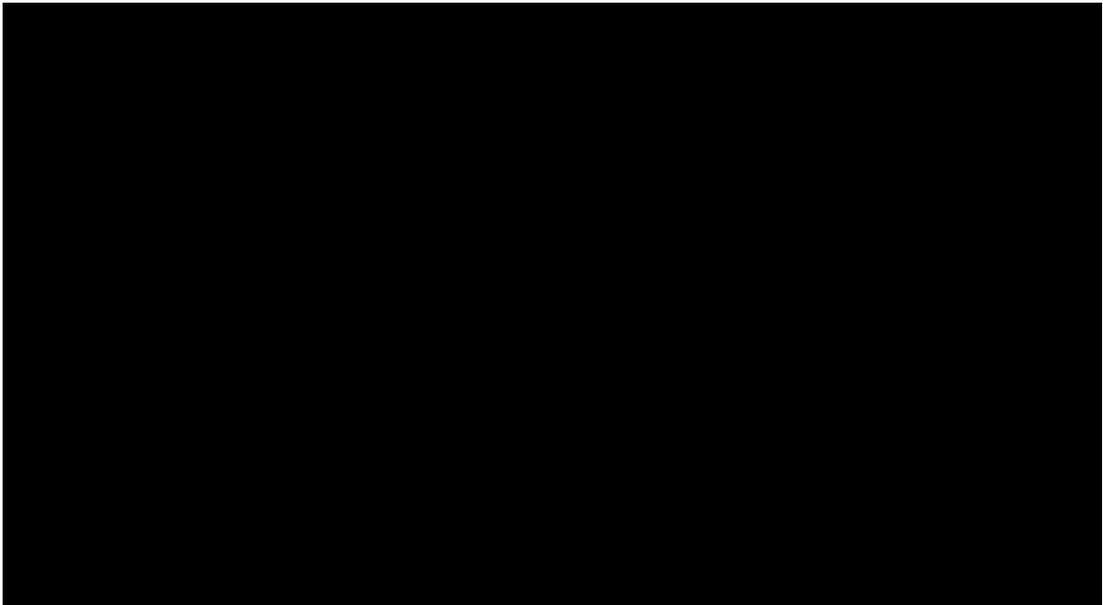
No action required at present.

11. Damp works update

Have discussed with the new maintenance person and will be formulating project plan to fit around the toilet works which has taken priority. The maintenance person may be able to carry out the air brick works and then advise on lintels etc. Window and other damp works - Have planned meeting to discuss the feasibility study etc.

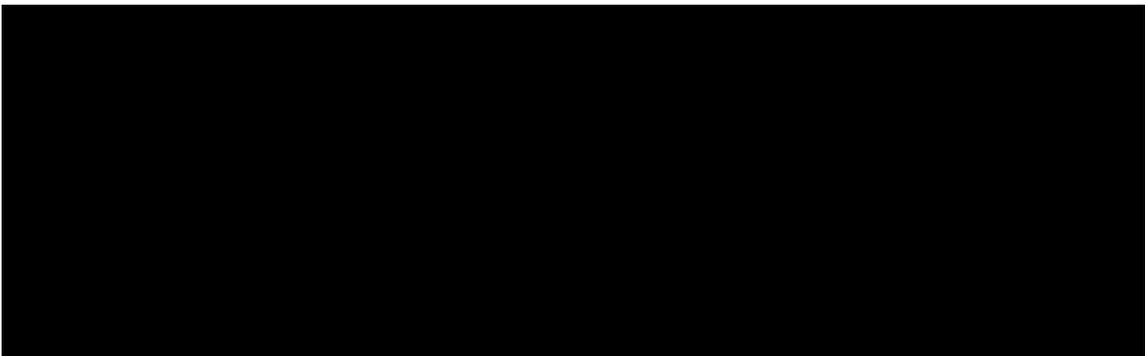
No action required at present.

12. Street lighting update re complaint meeting (confidential)



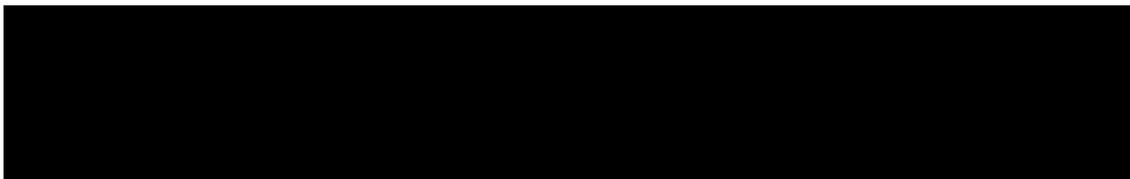
No action required at present.

13. Licences update from complaint meeting (confidential)



No action required at present.

14. CCTV at 49/51 (confidential)



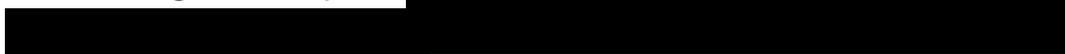
No action required at present.

15. Benches – The clerk has noticed that some of the metal benches in the streets, which have been maintained, are getting beyond maintenance/repair. The maintenance person is aware. there are some which will NOT required licences as they are on private land and I think these should be completed first. Each bench is around £450 plus materials. (this is cheaper than a metal ones and it was resolved some time ago to go for the recycled wood look to reduce maintenance costs over time). I estimate at the moment (as we are working through all of the assets, that at least 8 will be required soon. The 4 on private land will not need the additional license. The four (or more) on highways land will. I need to check the boundary as the other 4 may just be on private land, but could also be in highways. If these are on highways land they will costs an additional £57.20 each for the license and possibly an excavation license @ £380 per bench.

**Action – recommendation to delegate to the clerk to arrange replacement benches as required from general reserves including license fees if required.**

**It was recommended that the prices for the benches at the Centre and the other metal bench replacements with recycled material be obtained and to see if they could be installed on private land instead of Highways land to avoid the new licence fees. These would come from general reserves.**

16. Grass cutting contract update



Issues resolved.