

ALLOTMENT REPORT

30/06/2022

We are pleased to announce the allotments meeting was a great success. Only one none but that was expected.

They were all very pleased and had many ideas of what they would like/not like.

The next stage is to issue the rules to everyone once they have been approved and get a tenancy agreement in place for each person.

Whilst this is going on they would like the ground subsoiled/ploughed?

Billy is going to approach uncle Henry's to see if they would be able to do that for us.

It can then be marked out and when measured up properly it turns out we can do ten long ones almost the same space.

They have made their choices as to which number they will be having and we have a chairman and a WhatsApp group set up.



If you need any more info Billy is covering for me on the allotments

This would be a good photo for Kirton first. Also can you put allotments on the agenda for July meeting and hopefully the rules can be sent out and ratified.

05/07/2022

Following a meeting with the allotment group, they have amended the plan for the set up of the plots, as detailed attached.

The measurements on the original plan were way out. It has been remeasured and worked out more fairly.

Action: Neil can you put this forward in the paperwork for full council approval please?

The allotment group are very keen and have several requests. They would like the area ploughed first off and then marking out as above.

Meantime, they want to move the woodchip to make the path and clear it out of the way ready for ploughing. I can hire a small digger to scrape out the pathway channel ready for them filling it in with woodchip. Quotes for the digger hire have been looked at and range from £150.00 and above, however, Clements plant have said they will do one for the price of the diesel for the day at around £60.00, which is massively cheaper than daily hire and delivery from anywhere else. We may be able to utilize the digger for the scrapping of the car park at the same time if time allows..

Action: to approve £60.00 for the hire of a small digger at full council.

ALLOTMENT REPORT

Billy Boyd has made contact with Uncle Henrys to see if they would be able to plough the remainder for them, or we may need a local farmer or a small tractor to do this for them. If we have no luck at Uncle Henrys, we may have to ask them to advertise for anyone local (perhaps Facebook).

The Rules and the Tenancy agreement will need authorising and signing before they can action any of this, so I hope they are back and read ok.

Action: Please can you include the Rules and the Tenancy agreement for sign off at full council.

We have looked for sheds and will look to get authorisation so that we can order them ready for setting up. Word Attachment included for choice from full council.

Action: Approval required for purchase from full council in Julys meeting, Shed Prices included, please place on the agenda for discussion and choice.

We will also need a small digger for the day to scrape the car park and put down the hardcore,

Action: Approval requested (£60-£100 will need authorising at Full Council).

I am also thinking a weed suppressant to be laid before the aggregate goes down and then Billy has a quote for £300 (approx) from Welton Aggregates for the amount we would need.

Action: Include on Julys agenda to pull down monies for aggregate to be purchased.

Another request they have is "would there be a problem with extending the aggregate out towards the gate and a small part of the entrance to get the cars to the road without trying to contend with mud and getting stuck in the wet in the entrance?" This would make complete sense, but I'm not sure if the grassed area from the road is highways. I dont think so as it is cut by the farmers.

Payments for authorisation, please feel free to put it all into one item for approval

£60.00 small digger hire (Clements plant is the cheapest)

£350.00 10x sheds (depending on full councils choice), these prices are getting higher each time we look, so we must look to order sooner rather than later.

£20.00 delivery (depending on choice)

£300.00 for Agreegate

£50.00 weed suppressant sheet

Total to be authorised from reserves - £3930.00

Can you put this forward to full council for authorisation, so whilst August we have no meeting, the allotment group can still progress. Thank you.

Lots have now been picked and allocated according to length of time on the waiting list. The tenants had a choice in that order and have picked as below:- They are of course allowed to

ALLOTMENT REPORT

switch if necessary nearer the time of completion, but they will inform us if they do so so that the ownership numbers can be changed before sign off.

As you will see, I have also included on this email, the future tenant nominated as our 'go between' and the Chairman of the Allotment Society for when it goes live. I would like to thank him for working out the new measured map and for the help he has given so far. Lastly, for information, the Allotment group have set up a whatsapp group so they can communicate and stay in touch with each other, myself and Billy are on the same group and we are just awaiting Pats mobile number so she can also be included in the chats. The group are very keen to get started and sorted whilst the days and weather are good, hopefully, we can help move this project forward as soon as possible. Thank you for your assistance Neil, I await to see these items on the agenda in July.

Regards
Joy Kofoed Cllr

05/07/2022

Tenancy agreement draft - This can be put forward as well for approval, I've amended our parts (rent etc) and resaved it for you. Just a town crest to go onto it before signatures.

08/07/2022

Neil, unless Billy or Pat find this to be unacceptable or want to make changes, please include the amended document for approval at Full council.

I have rectified the paragraphs submitted by the NAS as requested and added the headings they want and then rearranged into the headings they wanted. Some of the lines may, or could, come under two different headings? But I have just put them in once.

Please could you also amend the costings for approval - just one line which is the daily rate for the hire of the tractor, can you amend it to read

£70 plus VAT to be paid, the quote given was for cash and obviously we cannot do that, and will need to be reflected in the approvals. Thank you

Please insert town crest

Kirton in Lindsey Town Council
Allotment Tenancies-Terms and conditions

Kirton in Lindsey Town Council Allotment Tenancy – TERMS & CONDITIONS

Kirton In Lindsey Town Council has responsibility for:

1. The control of all allotments at the Allotments on the B1400, Old RAF Base Airfield
2. The determination of rents Tenancy Conditions 8 & 9
3. The determination of expenses Tenancy Condition 10
4. The Allotment Advisory Committee comprising representatives from the Town Council together with the Allotment Representative and the Town Clerk.

TENANCY CONDITIONS

Tenancy, deposit and rent

1. Applications for tenancy will not be considered if the applicant is under the age of 18 years old and/or they reside more than 1 mile outside of the boundary of Kirton Lindsey.
2. All applicants, for tenancy, must complete the official application form and agree to abide by the Tenancy Conditions and Allotment Rules
3. All applications to be verified by the Allotment Advisory Committee.

Termination of the tenancy

4. A deposit of £30 will be taken on acceptance of tenancy and fully refunded at the end of the tenancy provided the condition of the allotment is to the satisfaction of the Town Council in accordance with the Allotment Rules and all charges have been deducted. If the plot needs to be strimmed or a skip may be needed to remove any rubbish left behind, the Council reserves the right to withhold the deposit as payment for such work.

5. Tenancy may be terminated by the Town Council:

a) by 12 months or longer notice to quit (must be given outside of 6th April to 29th September as per the Allotments 1950 Act) or

b) it is following 40 days from the request for the rent that notice to quit if the rent remains unpaid.

c) or by written notice to the tenant for non-payment of rent or breach of any of the Tenancy Conditions or Allotment Rules; or bankruptcy of the tenant.

6. Any tenant who ceases to be a resident of the Parish shall be or shall give 12 months' notice to quit in writing. (This must be given outside of 6th April to 29th September in any one year)

7. Termination of tenancy will only be accepted in writing. At least two months' notice must be given

8. Rents for allotments to be collected annually after 01st April and shall be paid one year in advance. At least 14 days' notice, in writing, shall be given to all tenants of the amount due and the time and place of the rent collection. All rents must be paid at the time and place appointed. Any tenant who fails to comply will be requested to appear before the Allotment Advisory Committee

9. Notice of a rent increase, should it occur, will be given in writing to the tenants 12 months previous to the increase.

10. In addition to rent, monies may be asked for by the Town Council from any tenant in the event of Breakages or Deliberate vandalism.

11. The subletting of garden allotments, by any tenant, is strictly prohibited.

12. With previous agreement of the Town Council, tenants may share allotments with a resident of the Parish and a joint tenancy shall be agreed.

ALLOTMENT RULES

Cultivation and use of plot

1. Prior to the start of a tenancy the Allotment Representative will ensure that the allotment plot is free from rubbish and litter and any previous occupants have cleared away any belongings.

2. No additional topsoil or sub-soil is to be brought onto the site unless agreed in writing by the Allotment Advisory Committee.

3. Any materials used for the purpose of raised beds or weed suppressant must be removed by the tenant when the tenancy ceases.

4. The tenant shall keep and maintain the land clean and clear of weeds and cultivated to the Town council's satisfaction. The Allotment Advisory Committee shall have the power to inspect and access any shed or allotment area and have the power to require the tenant to carry out work to put the allotment in an acceptable condition.

5. Any tenant leaving an allotment should leave it in the same condition it was leased or will be liable for such a sum for restoring it to a satisfactory condition, as the Town Council shall determine.

6. Car Parking – all tenants wishing to take their cars on to the allotments should use the parking area so that the road is kept free of obstructions.

7. Caravans, trailers, or cars must not be used for storage purposes and must not be kept on site

8. Sheds, Greenhouses, Poly Tunnels – applications must be submitted to the Town Council for permission to erect. Any buildings erected shall not be used as or for a dwelling house, garage or stable. The dimensions, materials and siting shall be subject to approval by the Town council and Allotment Representative, and the building shall not be of an unsightly character. Sheds, greenhouses etc and their contents are held on the allotments at the tenant's own risk. At the end of the tenancy of the allotment all structures must be removed except by prior arrangement with the Advisory committee.

9. The keeping of laying hens and rabbits is permitted; however, there are certain restrictions, therefore prior application for permission should be made to the Town Council. Any livestock kept on site must have provision of food, water, shelter, air and light and be kept free from harm or cruelty. Owners must maintain a high standard of welfare. Any one tenant not observing these rules will be removed from site within 2 months and given notice to vacate and the animals rehomed.

10. All dogs must be kept on a lead and under control and not provide nuisance to other tenants. Any faeces must be properly removed and disposed of appropriately. Not doing so could result in a fine.

11. Children must be accompanied by an adult and supervised at all times within the confines of the tenant's allotment plot.

Water

12. Water, from the allotment supply, to be used for allotment purposes only. The use of hosepipes is permitted for the filling of a water butts only. All tenants must ensure that all taps are turned off after use.

12a. Retrospective water charges for vacated allotments will also be deducted from any deposit held.

13. The Tenant can use the allotment water tap provided by the Council in order to access the water supply on site, however, no hosepipes can be used to water their site. No hosepipes can be left unattended or left running for any reason. Water butts are encouraged and can be filled from the tap if there is lack of rainwater.

Conduct

14. The Council shall have the right to refuse admittance to the Allotment of any person other than the tenant or member of his/ her family, unless accompanied by the Tenant or a member of his/ her family.

15. Tenants must inform the Council immediately of any change of address.

16. Tenants must observe and perform any special conditions the Council considers necessary to maintain security and good order or to preserve the Allotment from deterioration

17. Tenants must be kind and courteous to other tenants and try and resolve any issues on site. Should this not be possible the Allotment Representative can be called upon to resolve, and if this is not possible, then the Town council may be advised to serve notice on those not adhering to rules and Tenancy agreements.

Structures and storage

18. Allotment rubbish must be disposed of within the confines of the tenant's plot or removed entirely. The burning of waste on the allotment is not permitted. Any plastic waste i.e., fertilizer bags or polystyrene must be removed from site.

19. Use of asbestos materials is not permitted on the allotments for any purpose.

20. Flammable liquids must not be stored on the allotments.

21. The tenant shall use the allotment for the sole purpose of producing garden produce and no illegal plants may be grown.

22. When using any sprays, pesticides or fertilisers, to take all reasonable care to ensure adjacent hedges trees and crops are not adversely affected, and to make good or replant as necessary should any damage occur.

23. So far as possible, to select and use chemicals, whether for spraying, seed dressing or for any other purpose whatsoever, that will cause the least harm to members of the public and to wildlife, other than vermin or pests, and comply at all times with current regulations. No Illegal substances are to be used at any time.

24. To abide by, and comply with, the following pest control measures.

25. To store all chicken feed in strong, properly sealed containers, and not to discard or allow loose feed to accumulate outside of the chicken sheds. Chickens must be penned and not allowed to roam free around the allotment. Every security measure should be taken to ensure that they are safe and secure (away from external harm) each night. Owners may keep hens as per the most recent government guidance and department. They must adhere to those rules, and checks may be made by the council to ensure this is done.

26. To only compost raw vegetation.

27. To remove any cooked foods from the site when leaving, and not to dispose of cooked food in the compost bin.

28. Not to lay poison or employ any other means to combat rat infestation.

29. Not to tamper or interfere in any way with the bait boxes installed on the site, and to notify the Town Council if anyone is seen doing the same.

30. To inform the Town Council immediately in the event that vermin (or evidence of the same) is sighted within the environs of the site.

31. To keep the Allotment clean, free from weeds and well manured and otherwise to maintain it in a good state of cultivation and fertility and condition and to keep any pathway or track included in or abutting on the allotment (or in the case of any pathway or track abutting on the allotment, and any other allotment garden or gardens, the half width of it), reasonably free from weeds.

32. Not to cut or prime any timber or other trees, or take, sell or carry away any mineral gravel, sand, earth or clay, without the prior written consent of the Council.

33. Not to use barbed wire for a fence adjoining any path set out by the Council for the occupiers of the allotment.

34. Not to plant any trees or hedges or any crops requiring more than 12 months to mature without the prior written consent of the Advisory Committee.

35. Access to the site will be between 06.00 am and 22.00 hours in the summertime and daylight hours in the winter.

36. Tenants are responsible for their own property, if property is stolen or vandalised, they are encouraged to report the incident to the Police or the Town Council straight away.

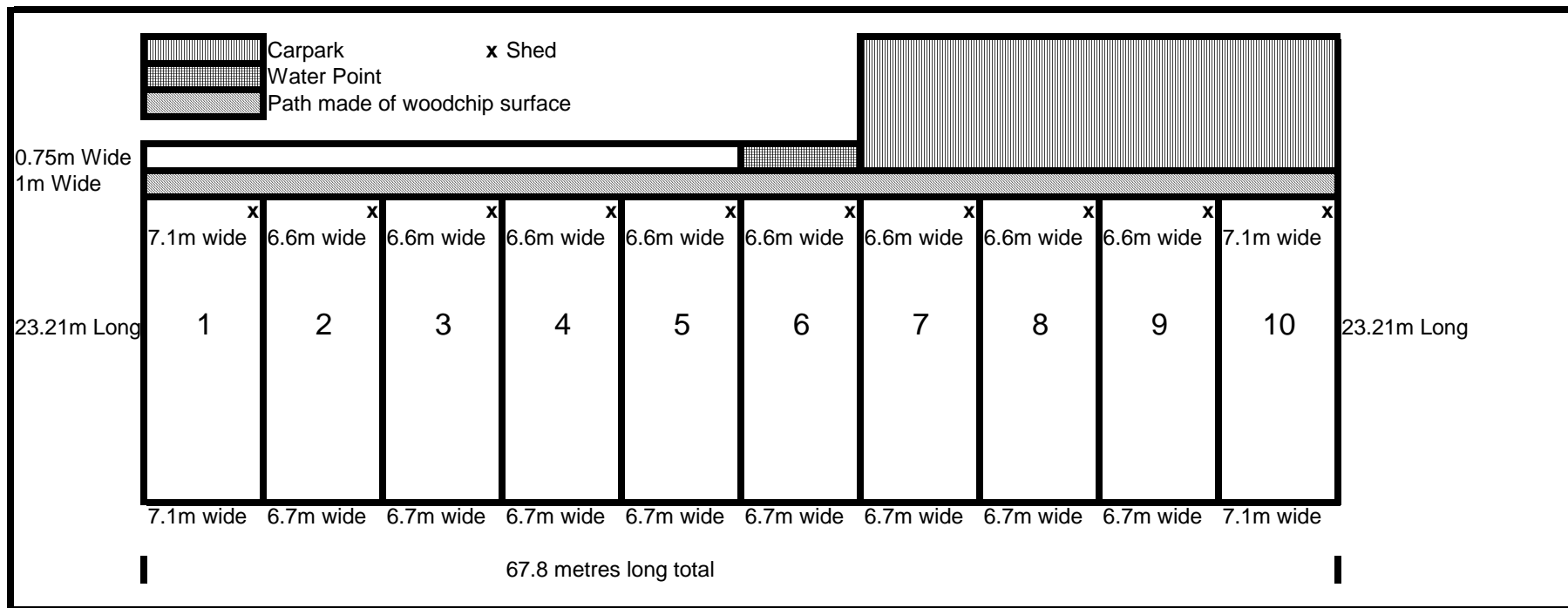
37. It is the responsibility of the tenant for the safety of the allotment plot and the council accepts no liability for any loss, damage or injury to tenants, family members or their belongings occurring on their allotment site, whether authorised or not to be present on the property. The tenant is fully responsible for any items taken onto or stored on the allotment.

38. No structures over 2 metres high must be erected, with the exception of one shed for storage which will have been preapproved.

39. Sheds will be provided and are to be located as per the site map where marked with a cross. Liability for sheds after installation will be with the tenant and all belongings within it. The Council have no responsibility for any belongings, personal or otherwise left on the site/shed overnight or during the day. Belongings and tools must be stored away overnight, each night, and be insured by the tenant. It will not be the responsibility of the council to insure any shed held on the tenants pitch or any belongings or tools. If vandalism/breakage occurs the tenant must pay for repairs or replacement from their own finances. Sheds must be maintained and kept to a good standard. The council reverts any liability for the shed to the said tenant and should the tenant leave of their own

accord with damages still in situ, the council has the right to ask for reimbursement for any damages or withhold the deposit of £30.00. A suitable foundation should be provided before the installation of such shed and no other building/structure should be attached or joined with it rendering it unusable for the next tenant. Any alterations/additions to the shed should be reverted back to its original state once the tenant vacates.

DRAFT





Kirton in Lindsey Town Council

Allotment Tenancy Agreement

THIS AGREEMENT is made the.....day of.....

BETWEEN

(1)

of

("the Council") and

(2)

of

("the Tenant")

NOW IT IS AGREED as follows

1. Interpretation

- 1.1. Words referring to one gender will be read as referring to any other gender and words referring to the singular will be read as referring to the plural and vice versa.
- 1.2. Where the Tenant is more than one person the obligations and liabilities will be joint and several obligations and liabilities of those persons.
- 1.3. The clause headings do not form part of this Agreement and will not be taken into account in its interpretation.

2. Allotment

- 2.1. The Council agrees to let and the Tenant agrees to take all that piece of land situated at RAF Kirton In Lindsey Base ("the Allotment Site") numbered on the Council's allotment plan and containing approximately square metres ("the Allotment Garden").

3. Tenancy and Rent

- 3.1. The Allotment Garden shall be held on a yearly tenancy from 01 April each year at annual rent of £ 30.00 which is payable to the Council by the Tenant on the 01 of April each year ("the Rent Day").
- 3.2. 6 months notice of any rent increase will be given by the Council to the Tenant in any rolling year to take effect the following year.
- 3.3. Water supply shall be included in the rental charge.
- 3.4. Where additional amenities are provided on the Allotment Site these will be taken into account when setting the following year's rent.

4. Rates and Taxes

- 4.1. The Council will pay all rates and taxes

5. Cultivation and Use

- 5.1. The Tenant shall use the plot as an allotment garden only as defined by the Allotments Act 1922 (that is to say wholly or mainly for the production of vegetable, fruit and flower crops for consumption or enjoyment by the Tenant and his family) and for no other purpose and keep it free of hazards, e.g. broken glass or scrap metal etc., and reasonably free from weeds and noxious plants and in a good state of cultivation and fertility and in good condition.
- 5.2. The Tenant may not carry on any trade or business from the Allotment Site (A small amount of surplus produce may be sold as ancillary to the provision of crops for the family.)
- 5.3. The Tenant shall have at least $\frac{1}{4}$ of the Allotment Garden under cultivation of crops after 3 months and at least $\frac{3}{4}$ of the Allotment Garden under cultivation of crops after 12 months and thereafter.
- 5.4. The maximum amount of the Allotment Garden allowed to be hard landscaped e.g. patio, internal paths etc is 5%, no concrete or permanent surface may be installed.

6. Prohibition on Under letting

- 6.1. The Tenant shall not underlet, assign or part with possession of the Allotment Garden or any part thereof. (This shall not prohibit another person, authorised by the Tenant, from cultivation of the plot for short periods of time when the Tenant is incapacitated by illness or is on holiday, the site representative to be informed of the other person's name.)

7. Conduct

- 7.1. The Tenant must at all times during the tenancy observe and comply fully with all enactments, statutory instruments, local, parochial or other byelaws, orders or regulations affecting the Allotment Site.

- 7.2. The Tenant must comply with the conditions of use attached as Schedule 1.
- 7.3. The Tenant must not cause, permit or suffer any nuisance or annoyance to any other plot holder or neighbouring resident of the Allotment Site and must conduct himself appropriately at all times.
- 7.4. The Allotment Garden may not be used for any illegal or immoral purposes and the Tenant must observe all relevant legislation or codes of practice relating to activities they carry out on the Allotment Garden.
- 7.5. The Tenant shall not enter onto any other plot at any time without the express permission of the relevant plot holder.
- 7.6. Any person who accompanies the Tenant to cultivate or harvest may not at any time enter onto another plot without the express permission of the relevant plot holder. The Tenant is responsible for the actions of children and others entering the Allotment Site with his permission.
- 7.7. The Tenant must not remove produce from any other plot without the express permission of the relevant plot holder.

8. Lease Terms

- 8.1. The Tenant must observe and perform all conditions and covenants that apply to the Allotment Site contained in any lease under which the Council hold the Allotment Site.

9. Termination of Tenancy

- 9.1. The tenancy of the Allotment Garden shall terminate
- 9.1.1. automatically on the Rent Day next after the death of the Tenant, or
 - 9.1.2. by either the Council or the Tenant giving to the other at least six months notice in writing expiring on or before 01 April or on or after 29 September in any year, or
 - 9.1.3. by re-entry by the Council after 3 months previous notice in writing to the Tenant on account of the Allotment Garden being required:
 - 9.1.3.1. for building, mining, or any other industrial purpose or for roads or sewers necessary in connection with any of those purposes, or
 - 9.1.3.2. for any purpose (not being the use of the Allotment Garden for agriculture) for which it was acquired by the Council, or has been appropriated under any statutory provision, or
 - 9.1.4. by re-entry if the rent is in arrears for not less than 40 days, or
 - 9.1.5. by re-entry if the Tenant is not duly observing the conditions of this tenancy, or

9.1.6. by re-entry if the Tenant becomes bankrupt or compounds with his creditors, or

9.1.7. by the Council giving the Tenant at least one months notice in writing if, not less than 3 months after the commencement of this Agreement, it appears to the Council that the Tenant is resident more than five miles out of the borough, district or parish.

10. In the event of the termination of the tenancy the Tenant shall return to the Council any property (keys, sheds, etc.) made available to him during the Tenancy and shall leave the plot in a clean and tidy condition. If in the opinion of the Council the plot has not been left in a satisfactory condition, any work carried out by the Council to return the plot to a satisfactory condition shall be charged to the Tenant (section 4 Allotments Act 1950).

11. Change of Address

11.1. The Tenant must immediately inform the Council of any change of address.

12. Notices

12.1. Any notice given under this agreement must be in writing and to ensure safe receipt should be delivered by hand or sent by registered post or recorded delivery. A notice may be sent by fax or email if a confirmatory copy is delivered by hand or sent by registered post or recorded delivery on the same day.

12.2. Any notice served on the Tenant should be delivered at or sent to his last known home address. Any address served on the Council should be sent to the address given in this agreement or any address specified in a notice given by the Council to the Tenant.

12.3. A notice sent by registered post or recorded delivery is to be treated as having been served on the third working day after posting whether it is received or not.

12.4. A notice sent by fax or email is to be treated as served on the day on which it is sent or the next working day where the fax or email is sent after 1600 hours or on a non working day, whether it is received or not, unless the confirmatory copy is returned to the sender undelivered.

Executed by the Council by

In the presence of

Signed by the Tenant

In the presence of

SCHEDULE 1

Conditions of Use

1. Trees

- 1.1. The Tenant shall not without the written consent of the Council cut or prune any trees, apart from carrying out the recognised pruning practices of fruit trees.
- 1.2. The Tenant shall not plant any trees other than dwarf fruiting trees and or fruiting bushes without the prior consent of the Council.

2. Hedges and Paths

- 2.1. The Tenant shall keep every hedge that forms part of the boundary of his Allotment Garden properly cut and trimmed, all pathways between plots trimmed and well maintained up to the nearest half width by each adjoining tenant, keep all ditches properly cleansed and maintained and keep in repair any other fences and any other gates or sheds on his Allotment Garden.
- 2.2. The Tenant shall not use any barbed or razor wire (or similar) for a fence adjoining any path on the Allotment Site.
- 2.3. Public paths and haulage ways (roads) must be kept clear at all times.
- 2.4. All paths must be kept a minimum of 45 centimetres wide.

3. Security

- 3.1. The Tenant shall be issued with a code to access the Allotment Site either by car or on foot. No replicas are to be made. No codes shall be passed to anyone other than the person authorised by the Tenant to work on his Allotment Garden under paragraph 5 of the Agreement.
- 3.2. The code is to be used by the Tenant only or by an authorised person under paragraph 5 of the Agreement.
- 3.3. The main access gate shall be closed and locked at all times. (For the protection of lone tenants and prevention of unauthorised visitors, the emergency services will be provided with the code). Please ensure that the gate is locked at all times after you enter and after you leave the Allotment Site.

4. Inspection

- 4.1. An officer of the Council if so directed may enter allotment gardens for inspection of the state of cultivation and general condition of the plot, sheds, greenhouses, polytunnels and any livestock and full access must be given by the Tenant to the officer at a mutually agreed, mutually convenient time.

5. Water/Hoses /Fires

- 5.1. The Tenant shall practice sensible water conservation, utilise covered water butts on sheds and other buildings and consider mulching as a water conservation practice.
- 5.2. The Tenant shall have consideration at all times for other tenants when extracting water from water points. No hoses are to be used at any time.
- 5.3. No Fires are allowed for the burning of materials from the Allotment Garden.
- 5.4 No fires are permitted on the Allotment Site.

6. Dogs

- 6.1. The Tenant shall not bring or cause to be brought onto the Allotment Site a dog unless it is held at all times on a leash, and remains on the Tenant's Allotment Garden only. Any faeces to be removed and disposed of off site by the Tenant.

7. Livestock

- 7.1. Except with the prior written consent of the Council the Tenant shall not keep any animals or livestock on the Allotment Garden save rabbits and hens (no Cockerels) to the extent permitted by section 12 Allotments Act 1950. (Such animals are not to be kept for trade or business purposes and accordingly to be limited in number as the Council may provide in writing.)
- 7.2. Livestock must be kept so that they are not prejudicial to health or a nuisance.

8. Buildings and Structures

- 8.1. The Tenant shall not without the written consent of the Council erect any building or pond on the Allotment Garden, provided that consent shall not be refused under this clause for the erection of any building reasonably necessary for the purpose of keeping rabbits or hens or be unreasonably withheld for the erection of a garden shed, greenhouse or polytunnel the maximum size and positioning of which shall be determined by the Council. The Tenant may also require permission from the relevant planning authority.
- 8.2. Only glass substitutes such as polycarbonate, perspex or other alternatives may be used in any permitted structures.
- 8.3. The Tenant shall keep all sheds, greenhouses, polytunnels and other structures in good repair to the satisfaction of the Council.
- 8.4. Oil, fuel, lubricants or other inflammable liquids shall not be stored in any shed except in an approved container with a maximum capacity of 5 litres for use with garden equipment only.

- 8.5. The Council will not be held responsible for loss by accident, fire, theft or damage from Allotment Garden.

9. General

- 9.1. The Tenant shall not deposit or allow other persons to deposit on the Allotment Garden any rubbish, refuse or any decaying matter (except manure and compost in such quantities as may reasonably be required for use in cultivation) or place any matter in the hedges, ditches or dykes in or surrounding the Allotment Site.
- 9.2. The Tenant must cover any manure on the Allotment Garden which has not been dug in.
- 9.3. All non compostable waste shall be removed from the Allotment Site by the Tenant.
- 9.4. The Tenant shall not utilise carpets or underlay on the Allotment Garden.

10. Chemicals, Pests, Diseases and Vermin

- 10.1. Only commercially available products from garden or horticultural suppliers shall be used for the control of pests, diseases or vegetation.
- 10.2. When using any sprays or fertilisers the Tenant must
- 10.2.1. take all reasonable care to ensure that adjoining hedges, trees and crops are not adversely affected and must make good or replant as necessary should any damage occur, and
 - 10.2.2. so far as possible select and use chemicals, whether for spraying, seed dressing or for any other purpose whatsoever, that will cause the least harm to members of the public, game birds and other wildlife, other than vermin or pests, and
 - 10.2.3. comply at all times with current regulations on the use of such sprays and fertiliser.
- 10.3. The use and storage of chemicals must be in compliance with the all relevant legislation.
- 10.4. Any incidence of vermin (rats) on the Allotment Site must be reported to the Council.

11. Notices

- 11.1. The Tenant will endeavour to maintain the plot number provided by the Council in good order and ensure it is visible at all times.

11.2. The Tenant shall not erect any notice or advertisement on the Allotment Site without prior consent of the Council.

12. Car Parking

12.1. Only the Tenant or persons acting for them shall be permitted to bring cars onto the site and they must be parked in the designated areas for parking shown on the allotment plan and not obstruct the haulage ways at any time.



ColdShine 6x4ft Garden Shed Lockable Metal Sheds Outdoor Storage Bike Shed Outside Tool House with Sliding Doors and Base Frame for Backyard Patio Lawn

Brand: ColdShine
5 stars 5 ratings

£224.99

Size Name: 6 x 4FT

6 x 4FT £224.99	7 x 4FT £242.99	8 x 4FT £265.99	8 x 6FT £349.99	8 x 8FT £369.99
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Brand: ColdShine
Material: Alloy Steel, Plastic, Metal
Top material type: Alloy Steel
Door style: Sliding Doors

About this item

- Outdoor Storage solution: this 6x4ft metal garden shed is perfect for storing your garden or backyard tools, mower, bicycles, power tools, outdoor tents, and other items. Also, this outdoor shed can be used as a pet house, garbage collection room, tool house, etc. The dark grey storage house is a fantastic garden storage solution.
- Security and Durability: the garden storage shed is made of thick electro-galvanized steel and surface lacquer treatment, which is UV-resistant and will not be deformed by the sun. The interior of the shed roof and bottom frame is reinforced by steel bars that enhance wind resistance to ensure using stability.

£224.99

FREE delivery July 1 - 4. Details

Select delivery location

In stock.

Quantity: 1

Add to Basket

Buy now

Secure transaction

Dispatches from: ColdShine

Sold by: ColdShine

Return Policy: Returnable within 30 days of receipt

Add to List

Have one to sell?

Sell on Amazon




[ColdShine 6x4ft Garden Shed Lockable Metal Sheds Outdoor Storage Bike Shed Outside Tool House with Sliding Doors and Base Frame for Backyard Patio Lawn : Amazon.co.uk: Garden & Outdoors](#)

Not our recommendation, although cheaper, it will be prone to rust and will be extremely hot in the heat inside. It will also require painting and has no floor attached, so will need separate purchases of flooring.

[WALTONS EST. 1878 Wooden Garden Shed 4x6 Outdoor Storage Building, Overlap, Apex Roof \(4 x 6 / 4Ft x 6Ft\) : Amazon.co.uk: Garden & Outdoors](#)

Outsunny 8 x 6 ft Garden Metal Storage Shed w/ Double Door, Window and Air Vents, Outdoor Tool Storage for Backyard... £479.99

Back to results



Roll over image to zoom in

WALTONS EST. 1878 Wooden Garden Shed 4x6 Outdoor Storage Building, Overlap, Apex Roof (4 x 6 / 4Ft x 6Ft)
Visit the WALTONS EST. 1878 Store
5 stars 10 ratings

£369.99

Brand: WALTONS EST. 1878
Colour: Natural
Material: Pine
Item dimensions: 121.9 x 183.5 x 184.7 centimetres
Item weight: 111 Kilograms

About this item

- Premium quality materials - FSC Certified Timber
- 10 Year Anti-Rot Guarantee - High quality, strong and durable ship lap tongue and groove garden shed provides the perfect space to store garden items and accessories
- Overlap cladding, Solid Sheet Roof & Floor
- Designed and Manufactured in the UK
- Supplied with roof felt, styrene windows and factory dip treated for protection during transit

Additional details

Small Business
This product is from a small and medium business brand based in the UK. Support small. Learn more

Customer ratings by feature

£369.99

You will be contacted by carrier to arrange a delivery date.

£9.99 delivery July 15 - 23. Details

Select delivery location

Usually dispatched within 1 to 3 weeks.

Quantity: 1

Add to Basket

Buy now

Secure transaction

Dispatches from: Walton-Garden-B...

Sold by: Walton-Garden-B...

Details

Return Policy: Returnable within 30 days of receipt

Add to List

Have one to sell?

Sell on Amazon

Not our recommendation, It will rot quickly, need a lot of maintenance and painting, also, not vandalproof, and proves to be the most expensive.

amazon.co.uk

Hello

Select your address

Garden & Outdoors

All

Best Sellers

Customer Service

Gift Ideas

New Releases

Music

Prime Video

Today's Deals

Audible

Prime

Books

PC & Video Games

Vouchers

Fashion

Gift Cards & Top Up

amazon pay

How to pay t

Garden & Outdoors

Best Sellers

Deals & Offers

Garden Furniture

Gardening

Plants, Seeds & Bulbs

Décor & Lighting

Birds & Wildlife

Sheds & Storage

Barbecues

Watering Equipment


Garden Tools

Home & Garden









Wedding List

Garden Bar Gazebo Wooden Heavy Duty Pressure Treated Shelter With Black Roof Shingles, Log Bar and Two Side Panels... £2,744.99

Garden Storage & Housing > Sheds



Roll over image to zoom in

Duramax EverMore 6 x 4 Plastic Garden Storage Shed, Adobe & Grey, Fire Retardant & All-Weather Outdoor Storage Solution, Includes Plastic Floor, Strong Structure & Maintenance-Free Vinyl Shed

Visit the Duramax Store

★★★★☆

378 ratings

£289⁹⁹

New (3) from £289.99

Service options: **Standard Delivery**

Standard Delivery

Include Assembly +£75.00

Brand

Duramax

Material

Plastic

Item dimensions L x W x H

102.7 x 175 x 191.3 centimetres

Top material type

Alloy Steel, Plastic

Assembly required

Yes

About this item

- All weather durable, long lasting and maintenance free plastic garden shed
- Strong steel galvanised interior structure support

£289⁹⁹

Select delivery location

In stock

Quantity: 1

Add to Basket

Buy now

Secure transaction

Dispatches from Amazon

Sold by Amazon

Return policy: [Returnable within 60 days of receipt](#)

☐ Add gift options

Add to List

New (3) from £289.99

Other Sellers on Amazon

£349.99

& FREE Delivery

Sold by: Spreetail

Add to Basket

Have one to sell?

Sell on Amazon

***Recommended, fireproof, plastic, no maintance, floor included. £289.00 -Argos.

Kirton in Lindsey Town Council
Policy 07: Councillor/Officer Protocol

1.0 Reason for policy

- 1.1 Mutual trust and respect between Councillors and Officers is essential to ensure good governance and the effective running of a Council. To help ensure that relationships do not go awry, it is advisable to have a written protocol, which can cover the respective roles and responsibilities of the Councillors and Officers; the relationships between Councillors and Officers; how concerns should be raised; and who is responsible for making decisions.
- 1.2 The same fundamental principles apply regardless of the nature and size of a Council.
- 1.3 This protocol is intended to assist Councillors and Officers, in approaching some of the sensitive circumstances which arise in a challenging working environment.
- 1.4 The reputation and integrity of the Council is significantly influenced by the effectiveness of Councillors, Officers, and others working together to support each other's roles.
- 1.5 The aim is effective and professional working relationships characterised by mutual trust, respect and courtesy. Close personal familiarity should be avoided.

2.0 Respective roles

- 2.1 The term "Officer" is defined as any person who is in the employment of the Town Council but excluding independent contractors and casual workers and volunteers.
- 2.2 The respective roles of Councillors and Officers can be summarised as follows:

Councillors and Officers are servants of the public and they are indispensable to one another, but their responsibilities are distinct. Councillors are responsible to the electorate and serve only so long as their term of office lasts. Officers are responsible to the Council. Their job is to give advice to Councillors and to the Council, and to carry out the Council's work under the direction and control of the Council and relevant committees.

3.0 Councillors

- 3.1 Councillors have four main areas of responsibility:
 - To determine Council policy and provide community leadership;
 - To monitor and review Council performance in delivering services;
 - To represent the Council externally; and
 - To act as advocates for their constituents on matters relevant to their role as Town Councillor and without prejudicing their duties to the Town Council.
- 3.2 All Councillors have the same rights and obligations in their relationship with Officers, regardless of their status or political party, and should be treated equally.
- 3.3 Councillors should not involve themselves in the day to day running of the Council. This is the Officer's responsibility, and Officers will be acting on instructions from the Council or its Committees, within an agreed job description.

- 3.4 Committee Chairs and Vice-Chairs have additional responsibilities. These responsibilities mean that their relationships with Officers may be different and more complex than those of other Councillors. However, they must still respect the impartiality of Officers and must not ask them to undertake work of a party political nature, or to do anything which would prejudice their impartiality.

4.0 Officers

- 4.1 The role of Officers is to give advice and information to Councillors and to implement the policies determined by the Council.
- 4.2 In giving such advice to Councillors, and in preparing and presenting reports, it is the responsibility of the Officer to express their own professional views and recommendations. An Officer may report the views of individual Councillors on an issue, but the recommendation should be the Officer's own. If a Councillor wishes to express a contrary view they should not pressurise the Officer to make a recommendation contrary to the officer's professional view, nor victimise an Officer for discharging their responsibilities.

5.0 Respective expectations

- 5.1 All Councillors can expect:

- a commitment from Officers to the Council as a whole, and not to any individual Councillor, group of Councillor's or political group;
- a working partnership;
- Officers to understand and support respective roles, workloads and pressures;
- a timely response from Officers to enquiries and complaints;
- Officer's professional advice, not influenced by political views or personal preferences;
- regular, up to date, information on matters that can reasonably be considered appropriate and relevant to their needs, having regard to any individual responsibilities or positions that they hold;
- Officers to be aware of and sensitive to the public and political environment locally;
- respect, courtesy, integrity and appropriate confidentiality from Officers;
- access to training and development opportunities to help them carry out their role effectively;
- not to have personal issues raised with them by Officers outside the Council's agreed procedures;
- that Officers will not use their contact with Councillors to advance their personal interests or to influence decisions improperly;
- that Officers will at all times comply with the relevant Code of Conduct.

- 5.2 Officers can expect from Councillors:

- a commitment from the Council as a whole (to the Community)
- a working partnership;
- an understanding of, and support for, respective roles, workloads and pressures;
- a timely response from Councillors to enquiries/correspondence in need of response;
- leadership and direction;
- respect, courtesy, integrity and appropriate confidentiality;
- not to be bullied or to be put under undue pressure;
- that Councillors will not use their position or relationship with officers to advance their personal interests or those of others or to influence decisions improperly;
- that Councillors will at all times comply with the Council's adopted Code of Conduct;
- access to training and development opportunities to help them carry out their role effectively;
- not to have personal issues raised with them by Councillors outside Council's agreed procedures;
- regular updates on actions designated by the Council to them.

5.3 Some General Principles:

- Close personal relationships between Councillors and Officers can confuse their separate roles and get in the way of the proper conduct of Council business, not least by creating a perception in others that a particular Councillor or Officer is getting preferential treatment.
- Special relationships with particular individuals or party political groups should be avoided as it can create suspicion that an Officer favours that Councillor or political group above others.

6.0 Political Groups

- 6.1 The operation of political groups is becoming more of a feature within local Councils. Councillors are elected to serve their community and should ensure that is the guiding principle by which decisions are made. Party politics within a parish or town Council can pose particular difficulties for Officers in terms of accountability. The Council remains the employer and Officers, via the management structure, are answerable only to the Council as a whole.
- 6.2 Party political groups have no power to require an Officer of the Council to attend group meetings or to prepare written reports for them, and Officers should refuse to do so.
- 6.3 Officers are responsible to the Council as a whole and should not take action under instructions from any individual Councillor, even if they have been styled as 'Leader' of the Council (i.e. 'Chair' or 'Mayor').
- 6.4 If your Council has adopted party political groupings, Officers should ensure that any reports or advice offered to a political group are statements of relevant facts, with an appraisal of options and do not deal with the political implications of the matter or options or make any recommendations. It is not the Officers role to make recommendations to a political group.
- 6.5 If a report is prepared for one political group, Officers should advise all other political groups that the report has been prepared, or that advice was given.
- 6.6 Any Officer needing advice or guidance on matters relating to party groups or how to operate within a political environment, can seek advice from bodies providing professional support such as NALC, SLCC or ERNLLCA.

7.0 Problem areas

- 7.1 From time to time the relationship between Councillors and Officers may break down or become strained. Whilst it is always preferable to resolve matters informally, through conciliation by an appropriate third party, it is important that the Council adopts a formal grievance protocol or procedure.
- 7.2 The law requires all employers to have disciplinary and grievance procedures. Adopting a grievance procedure enables individual employees to raise concerns, problems or complaints about their employment in an open and fair way if they cannot be resolved informally. ERNLLCA has issued a workable policy and procedure which can be accessed from the website. Further advice is available from the ERNLLCA office. The Chair of the Council cannot, formally, resolve such matters themselves. The creation of a committee of no less than, and no more than, three members with devolved authority to resolve such matter is the appropriate mechanism (i.e Personnel & Disciplinary Committee).
- 7.3 If a Councillor is dissatisfied with the conduct, behaviour or performance of an Officer, the matter should be raised in the first instance with the Clerk (if it applies to another member of staff) or the Chair of the Personnel Committee (if it applies to the Clerk). If the matter cannot be resolved informally, it may be necessary to invoke the Council's disciplinary procedure. ERNLLCA has issued a workable policy and procedure which can be accessed from the website. Further advice is available from the ERNLLCA office.

8.0 Town Council Correspondence

- 8.1 The point of contact for the Town Council is the Proper Officer (Town Clerk), who will deal with all correspondence addressed to the Council or Councillors.
- 8.2 All correspondence received by Councillors should be passed to the Proper Officer and no one Councillor will act upon correspondence without prior agreement of the Council.
- 8.3 In line with the Data Protection Act 2018, should it be necessary to share correspondence with Councillors, permission will be sought from the sender to share any personally identifiable data and if this is not granted correspondence will be suitably redacted.
- 8.4 All correspondence should be sent by the Proper Officer using official Town Council means including letter headed paper, email account or telephone line, and the addressee should be made aware if this is being forwarded to another person (e.g. copy to XX).
- 8.5 Councillors should refrain from sharing correspondence with other Councillors or outside bodies. Every attempt will be made to issue correspondence with a meeting Agenda. This may be waived in exceptional circumstances at the discretion of the Proper Officer.
- 8.6 All Councillors may request to view correspondence to enable them to carry out their duties with full knowledge and in the interests of transparency. The Proper Officer will provide in a timely manner in line with priorities and workload. Information which is of a personal or sensitive nature may be withheld.

9.0 Councillor Correspondence to external parties

- 9.1 This must be made clear that it is written in their official capacity and has been authorised by the Town Council.
- 9.2 A copy of all outgoing correspondence should be sent to the Proper Officer, and it be noted on the correspondence, e.g. "copy to the Town Clerk" so that the recipient is aware that the Town Clerk has been advised.

10.0 Communications with Officers of the Town Council

- 10.1 Councillors must not give instructions to any Officer, unless authorised to do so.
- 10.2 No individual Councillor, regardless of whether or not they are the Chair of the Council, or the Chair of a committee, may give instructions to Officers.
- 10.3 Telephone calls should be appropriate to the work of the Town Council.

11.0 E-mails

- 11.1 Councillors should understand the workload and working hours of Officers of the Town Council, in responses to all correspondence and be mindful of the deadlines and priorities of Officers. Where an urgent response is requested, reasons should be stated.
- 11.2 Information to Councillors should be directed via the Proper Officer for circulation.
- 11.3 E-mails from Councillors to external parties should be copied to the Proper Officer.
- 11.4 Councillors should acknowledge their e-mails when requested to do so.

- 11.5 Decisions should be taken in public, including any related debates. Delegated decision-making may only be handled via email under prior agreement of the Council.
- 11.6 Councillors should refrain from sending views on topics round to other Councillors before discussion on topics at public meetings to ensure the transparency of the Councils decision making process.
- 11.7 Information or queries to Officers of the Council should only be addressed to the Officer and not copied to any third parties.
- 11.8 Councillors should refrain from passing comment by email as it creates unnecessary email traffic. Where a response is appropriate, send comments back just to the author of an email rather than replying to or adding in other recipients.
- 11.9 When arranging urgent or unscheduled meetings, replies to the Proper Officer on availability should be directed to the Proper Officer alone. Councillors should refrain from copying in all other Councillors. Wherever possible, future arrangements should be made at meetings of the Council, and three clear days' notice will be given to Councillors of meetings, except in matters of urgency.

12.0 Meetings with Officers

- 12.1 Wherever possible an appointment should be made.
- 12.2 Meetings should be relevant to the work of that particular Officer and the matter is to be legitimate Council business.

Signed..... Town Council Mayor

Name.....

Date.....

Signed..... Town Council Clerk

Name.....

Date.....



Kirton-in-Lindsey Town Council

Policy 30: BIO-DIVERSITY POLICY

Last Reviewed: 23/06/2021 [FC2106/09]

Next Review: 22/06/2022

Biodiversity measures should be incorporated into developments including, for example (but not exclusively), installing artificial nest sites to provide nesting and roosting opportunities for birds, bats and some invertebrates, and planting living (green) roofs and walls to provide valuable habitats in areas that are often lacking in biodiversity. This should be guided by what is locally appropriate and should include a desire for Biodiversity Net Gain - this being the idea that new developments should actually enhance biodiversity, which the Government has committed to making mandatory. All developments (big or small) should include the installation of solar panels to generate electricity & to produce hot water but, if not, to be aligned so as to maximise generation for when they are installed. In addition, all developments should aim to be carbon neutral.

Key messages:

A biologically diverse natural environment has an important role in economic prosperity, health and wellbeing of Kirton-in-Lindsey residents, workers and visitors.

Councils have a statutory duty to have regard to the purpose of conserving biodiversity, particularly where there are protected species and habitats.

Biodiversity may be a material consideration whether or not the site or any features (e.g. habitats, species) benefit from any statutory protection.

Proposals must demonstrate:

- how biodiversity considerations have been incorporated into the development;
- how the five-point Mitigation Hierarchy (see below) has been addressed; and,
- what positive measures for enhancing biodiversity are planned.

Biodiversity is integral to the planning process. Where a protected species is present or where biodiversity can be enhanced, the Council will expect biodiversity to be fully incorporated into the design and construction stages of a proposal as well as post completion where appropriate. In principle, all development activity should have minimal impacts on biodiversity and enhance it wherever possible.

Development can harm biodiversity either directly by destroying or fragmenting habitat, or indirectly by altering local conditions for species. Conversely, sensitively designed developments can increase connectivity between urban habitat patches, and contribute to landscape scale conservation and enhancement of biodiversity.

Applicants are also expected to consider opportunities to improve biodiversity for proposal sites. It is important to conserve and improve land outside designated areas to provide space for nature to respond to environmental challenges. These spaces support biodiversity networks, by strengthening habitat corridors (green and blue corridors) connecting or creating stepping stones and providing buffering qualities.

Five-point Mitigation Hierarchy

1. Information - Pre-planning & design stage

- i. With the submission of their proposals, applicants will need to provide appropriate information about any habitats and species that will be affected by their development or any within close proximity to it;
- ii. Assess what impact the development will have on the species and/or habitats and any opportunities for enhancement that have been identified.

2. Avoidance - Pre-planning and design stage & planning application stage

- i. Demonstrate how the development, as its primary objective and through good design, will avoid adverse effects to wildlife and habitats. Include in submitted plans where alternative site selection, layouts and design options have been chosen to avoid adverse impacts;
- ii. Submit ecological reports (EcIA or ECOP) including any surveys and assessments that have been undertaken by a suitably qualified ecologist.

3. Mitigation - Planning application stage & construction planning stage

- i. If a proposal is unable to avoid adverse impacts, applicants will need to demonstrate how the biodiversity impact will be adequately mitigated;
- ii. Mitigation measures should minimise the negative impacts on wildlife from a proposal throughout its lifetime from its implementation to construction, completion and post-completion and may include precautionary approaches to demolition/construction, additional surveys, alternative provision of habitat on site, translocation of species etc.;
- iii. Additional mitigation measures may be required by the Council

iv. All mitigations measures will be secured through planning conditions or legal agreement

4. Compensation Construction - planning stage

- i. The Council expects biodiversity asset protection to be achieved through avoidance and mitigation wherever possible;
- ii. Compensation will only be accepted in exceptional circumstances – as a last resort after all avoidance and mitigation measures have been fully considered;
- iii. Compensatory measures should only be considered to address residual impacts that cannot be avoided or mitigated;
- iv. Wherever possible compensatory measures must be achieved on site and should be timed so that biodiversity losses do not occur until compensatory measures are in place.

5. Enhancements - Construction & Post-completion stage

- i. Enhancements are additional to any measures necessary to deal with potential impacts on a given site;
- ii. All proposals should demonstrate opportunities to enhance or create new benefits for wildlife. This should be explored alongside the hierarchy of measures employed to resolve potential adverse effects.



Policy 09: Grievance Policy

Reviewed and Adopted July 2021 (v.20211) [FC2107/09]

Next review: July 2022

1.0 Purpose and scope

- 1.1 The Council should have in place a number of procedures to develop good working relationships between employees and the Council. Central to this relationship are regular supervisory meetings to discuss and resolve work related issues. Other mechanisms, such as the annual appraisal, exist to help ensure that problems are raised openly and resolved to mutual satisfaction. The purpose of this document is to provide a mechanism to enable employees to seek a resolution to an issue of concern or grievance which cannot otherwise be resolved.
- 1.2 Wherever possible grievances should be resolved by discussion with the member of staff concerned. The resolution of grievances at this stage may recognise that the best recourse could be to make use of more effective management, conciliation, mediation or counselling skills. Additionally the Employment Act 2008 introduced a Code of Practice designed by the Advisory, Conciliation, and Arbitration Service (ACaS) to help resolve disputes at as early a stage as possible. The Department for Business, Enterprise and Regulatory Reform (BERR) and the Chartered Institute of Personnel and Development (CIPD) jointly published guidance with ACaS on appropriate standards to achieve early resolution to problems. Central to this guidance is the long-accepted practice within the 1st Tier of local government that, despite any desired intention to resolve any issues informally, the Council recognises that, from time to time, difficulties may arise in working relationships between employees that may be difficult to resolve without recourse to a third party. Mediation and/or conciliation should always be considered as a mechanism to help resolve disputes. Additionally training for the employer, i.e. the council, in employment matters should also be a fundamental part of any preventative measures that the council wishes to take.
- 1.3 The ACaS Code of Practice takes no account of the status of the parish council as the employer and the fact that no single councillor may act as the employer. It is critical therefore that, whilst the council will wish to engage with the principles of the Code, in terms of early resolution of conflict, a sound and accountable structure must be in place to satisfy the legislative governance standards expected of parish and town councils. The appointment of a committee of three members to handle grievance issues is key to the success of this policy as is the principle that an external third party may have to be appointed as investigator. The attached procedure (Appendix 1) sets out the Hearing process and timescales, it is expected that at in all stages of the process the person or committee investigating the grievance will want to meet all parties to the grievance and to discuss with them the issues involved as quickly as possible.
- 1.4 The procedure is open to all employees and on matters relating to all issues, except appeals against disciplinary action and redundancy.
- 1.5 The ACaS Code of Practice defines grievances as “concerns, problems or complaints that employees raise with their employers”.
- 1.6 Guidance on the format of a hearing is given in a separate model document.

2.0 Pre formal stages

- 2.1 Every effort should be made to resolve the grievance through discussion, explanation, conciliation or mediation.

3.0 First formal stage – the Clerk

- 3.1 Where the grievance is held by a member of staff, the first stage is for the matter to be raised in writing to the Clerk. If the matter requires some further investigation the Clerk must advise the employee and give an undertaking to complete investigations within seven days.
- 3.2 Where the grievance is about or from the Clerk, the procedure should commence at the second formal stage
- 3.3 The Clerk should consider the grievance and set out in writing the reasons for any decision.
- 3.4 If the employee is unhappy about the outcome or, if the matter is not resolved within a reasonable time or if there are further investigations to be carried out, the employee has the right to move to the Appeal stage.

4.0 Second formal stage - The Grievance Committee

- 4.1 Where the matter cannot be resolved by the Clerk or the grievance is about or from the Clerk, (and cannot be resolved as in 3.0 above) the matter should be dealt with by an appointed committee. The second formal stage is a complaint to the committee in writing setting out the reasons for the complaint. The committee must set out in writing the reasons for any decision. If the matter requires some further investigation the appointed committee must advise the employee and give an undertaking to complete investigations within seven days.
- 4.2 The mechanism for the hearing is available on request.

5.0 Third formal stage – Appeal to the Council

- 5.1 The Council will appoint an Appeal Panel which may hear an appeal if:
- the length of time that the appointed committee has taken to arrive at a decision is unreasonable
 - there has been a failure to consider new evidence or evidence of witnesses
 - there has been a fundamental flaw in the procedure
 - the decision cannot be regarded as fair and reasonable in the light of the evidence available
 - there was not a proper investigation of the facts
- 5.2 The Council will be provided with all the papers concerning the complaint and will notify the employee of whether the appeal will be heard, the likely timescale for considering the appeal and will make a decision about the complaint within a reasonable timescale. The outcome of an appeal to the Council shall be final.

6.0 Putting the case

- 6.1 An employee should provide as much information as possible at the initial stage of a grievance, and set out clearly the details of the events, times, other persons involved and the reasons for the complaint. A failure to provide full information at the outset is likely to lead to the need for further investigations and a less speedy resolution to a grievance which is not in anyone's best interests.

7.0 Right to be accompanied

- 7.1 Employees shall have the right to be accompanied at any Hearing by a colleague or union representative of their choice. The council will consider other appropriate persons if the employee is the sole employee; where it would be inappropriate for another employee to act in the capacity or where the employee is not a member of a trade union. In such circumstances the council will take advice from ERNLLCA.
- 7.2 The person who accompanies the member of staff may address the hearing and put, and sum up, the employee's case; respond on behalf of the employee and confer with the employee at any time during the hearing. The companion does not have the right to answer questions on the employee's behalf; address the hearing if the employee does not wish it or prevent the council from explaining their case.

8.0 Advice and guidance

- 8.1 Employees seeking advice and guidance on the scope and use of the Grievance Procedure should contact the Clerk.

9.0 Miscellaneous

- 9.1 This procedure should not be used by employees whose grievance is related to an issue that falls within the remit one of the regulatory bodies (e.g. Audit Commission, Standards Board for England).
- 9.2 This procedure will be reviewed annually to ensure that it continues to meet organisational objectives, reflects statutory requirements, best practice and our quality standards.
- 9.3 At all meetings a record will be made and a copy sent to the employee.

Signed..... Town Council Mayor

Name.....

Date.....

Signed..... Town Council Clerk

Name.....

Date.....



Kirton in Lindsey Town Council

Policy 26: Code of Practice for Handling Complaints

Adopted July 2021 (v.20211) [FC2107/09]

Next Review: July 2022

This recommended Code of Practice is based on guidance issued by the National Association of Local Councils in November 2008.

Preface

The Local Government Ombudsman (LGO) has no jurisdiction over Parish and Town Councils in England.

Is a complaints procedure appropriate?

It will not be appropriate to deal with all complaints from members of the public under a complaints procedure. Councils should consider engaging other procedures/bodies in respect of the following types of complaint:

Type of conduct	Refer to
Financial irregularity	It is a local elector's statutory right to object to the Council's audit of accounts pursuant to s.16 Audit Commission Act 1998. On other matters, councils may need to consult their auditor / Audit Commission.
Criminal activity	The Police
Member conduct	In England a complaint relating to a member's failure to comply with the Code of Conduct must be submitted to the standards committee of the relevant principal authority.
Employee conduct	Internal disciplinary procedure

Complaints Procedure

The first task is to determine exactly what the complaint is. Sometimes the word 'complaint' is used by members of the public but sometimes it is not. The Local Government Ombudsman offers the following definition of a complaint:

"A complaint is an expression of dissatisfaction by one or more members of the public about the council's action or lack of action or about the standard of a service, whether the action was taken or the service provided by the council itself or a person or body acting on behalf of the council."

A good complaints system is:

- well publicised and easy to use;
- helpful and receptive;
- not adversarial;
- fair and objective;
- based on clear procedures and defined responsibilities;
- quick, thorough, rigorous and consistent;
- decisive and capable of putting things right where necessary;

- sensitive to the special needs and circumstances of the complainant;
- adequately resourced;
- fully supported by councillors and officers; and
- regularly analysed to spot patterns of complaint and lessons for service improvement.

Confidentiality

The Local Government Ombudsman advises that the identity of a complainant should only be made known to those who need to consider a complaint. It would be most appropriate to deal with complaints within the remit of the Personnel and Disciplinary Committee, however the Town Council should take care to maintain confidentiality where circumstances demand (e.g. where matters concern financial or sensitive information or where third parties are concerned).

Time targets

It is good practice to set deadlines for complaint handling which should not be open-ended. Clearly, some flexibility is required to deal with lengthier and more complex complaints and this could be reflected clearly in a complaints procedure.

Remedies

The purpose of a complaints procedure is to put things right if things go wrong. Section 92 of the Local Government Act 2000 gives councils the power to make payment 'in cases of maladministration.' (Section 92 applies to local councils and the use of the word 'maladministration' is not linked to the use of the word by the ombudsman in this context). The full text of section 92 is as follows:

'92.— (1) Where a relevant authority consider—

- a) that action taken by or on behalf of the authority in the exercise of their functions amounts to, or may amount to, maladministration, and*
- b) that a person has been, or may have been, adversely affected by that action,*

the authority may, if they think appropriate, make a payment to, or provide some other benefit for, that person.'

It is to be noted that parish councils have the power (i) to make a payment or (ii) to provide some other benefit where action amounts to or may amount to maladministration. 'Maladministration' is a broad concept. It has been described as including 'bias, neglect, inattention, delay, incompetence, ineptitude, perversity, turpitude and so on'.

The Complaints Procedure

Amongst the complaints which members of the public make about Parish and Town Councils are those about administration of procedures. The quantity of these complaints is noticeably increasing. It is in the particular interest of the council concerned to settle a complaint because, even if it is unjustified, it will, in the absence of any settlement be raised again. This is bad for the council since it wastes time and affects its good reputation. It is also of general concern to all councils that complaints against any of them should be settled as soon as possible.

Experience suggests that in many cases a complaint will not be pursued if the complainant sees that it has been properly handled. As councils are not subject to the jurisdiction of the

Local Ombudsman there is no independent body to which the complainant can turn for independent formal assessment. Therefore every duly-made complaint **should be dealt with according to an agreed Code** however trivial it may seem at first sight.

For the benefit of good local administration it is suggested that local councils should adopt a standard and formal procedure for considering complaints either made by complainants direct or referred back to the council from other bodies to whom they have been made. The Code set out below is recommended as a way of ensuring that complainants can feel satisfied that at the least their grievance has been properly and fully considered.

Councils are urged to do their utmost to settle complaints and satisfy complainants in the interests of the good reputation of the council. If a complaint is not settled by the council it cannot refer the complaint to any other body for settlement but a complainant may well try to enlist the services of other bodies and provoke considerable expenditure of the time and resources of the council and others in responding to further pressures.

Councils are advised to adopt the Code before any complaints have been notified.

CODE OF PRACTICE

Before the Meeting

1. If a complaint about procedures or administration is notified orally to a Councillor or the Clerk and they cannot satisfy the complainant fully, the complainant shall be asked to put the complaint in writing to the Clerk and be assured that it will be dealt with promptly after receipt.
2. If a complainant prefers not to put the complaint to the Clerk he or she shall be advised to put it to the Chairman of the Council.
3. The Clerk, or Chairman, as appropriate shall acknowledge receipt of the complaint and advise the complainant when the matter will be considered by the Council or by the Personnel and Disciplinary Committee, whichever is deemed most appropriate for the complaint. The complainant should also be advised whether the complaint will be treated as confidential or whether, for example, notice of it will be given in the usual way (if, for example, the complaint is to be heard by the Council or Committee).
- 4(a) On receipt of a written complaint the Clerk or Chairman, as appropriate, shall (except where the complaint is about the Clerk), try to settle the complaint directly with the complainant but shall not do so in respect of a complaint about the behaviour of the Clerk or a Councillor. Complaints about the Clerk will be dealt with under the Council's employment policies and procedures. Where a member of the public wishes to complain about an individual Councillor, they shall be referred to the local Standards Committee at North Lincolnshire Council.
- (b) Where the Chairman receives a written complaint about their own actions, they shall refer the complainant to the local Standards Committee at North Lincolnshire Council. Where the Clerk receives complaint about their behaviour they shall refer it to the Chairman or Personnel and Disciplinary Committee.
5. The Clerk or Chairman shall report to the next meeting of the Council any written complaint disposed of by direct action with the complainant.
6. The Clerk or Chairman shall bring any written complaint which has not been settled to the next meeting of the Council and the Clerk shall notify the complainant of the date on which the complaint will be considered, and the complainant shall be offered an opportunity to explain the complaint orally.
7. Seven clear working days prior to the meeting, the complainant shall provide the Council with copies of any documentation or other evidence relied on. The Council shall provide the complainant with copies of any documentation upon which they wish to rely at the meeting and shall do so promptly, allowing the claimant the opportunity to read the material in good time for the meeting.

At the Meeting

8. The Council shall consider whether the circumstances of any complaint warrant the matter being discussed in the absence of the public and press but any decision on a complaint shall be announced at the council meeting in public.
9. The Chairman should introduce everyone and explain the procedure.

10. The complainant (or representative) should outline the grounds for complaint and, thereafter, questions may be asked by (i) the Clerk or other nominated officer and then (ii), members.
11. The Clerk or other nominated officer will have an opportunity to explain the Council's position and questions may be asked by (i) the complainant and (ii), members.
12. The Clerk or other nominated officer and then the complainant should be offered the opportunity to summarise their position.
13. The Clerk or other nominated officer and the complainant should be asked to leave the room while members decide whether or not the grounds for the complaint have been made. If a point of clarification is necessary, *both* parties shall be invited back.
14. The Clerk or other nominated officer and the complainant should be given the opportunity to wait for the decision but if the decision is unlikely to be finalised on that day they should be advised when the decision is likely to be made and when it is likely to be communicated to them. The Council shall defer dealing with any written complaint **only** if it is of the opinion that issues of law or practice arise on which advice is necessary from the Association. This complaint shall be dealt with at the next meeting after the advice has been received.

After the Meeting

15. The decision should be confirmed in writing within seven working days together with details of any action to be taken.

SITE AND ANCILLARY ITEMS				
ITEM	✓	OBSERVATIONS	ACTION NECESSARY	ACTION COMPLETED
IS THE ROADSIDE BARRIER SECURE		1 pole loose (2 nd pole from War Memorial). One pole missing finial (3 rd pole from Teen Shelter).		
IS THE SIGNAGE INTACT AND READABLE		Sign on rear gate loose	Requires screws tightening	
ARE THE DOG GRID AND CYCLE RACK SECURE	✓			
ARE THE BINS SECURE AND HAVE BEEN EMPTIED	✓			
IS THE FENCING SECURE AND INTACT	✓			
DO THE GATES OPERATE CORRECTLY AND WITH NO ENTRAPMENTS	✓			
ARE SEATS, PICNIC TABLE AND SHELTER SECURE AND UNDAMAGED		Picnic bench outside railings has graffiti. Some offensive. Picnic bench inside railings has graffiti (swastika etc)		
IS THE SITE FREE OF LITTER, GLASS OR ANY DANGEROUS OBJECT		Small amount of litter		
ARE THERE NO TRIP HAZARDS, PARTICULARLY AT EDGE OF SAFER SURFACING	✓			
ARE INTERNAL PATHWAYS IN GOOD ORDER	✓			
IS PLANTING SAFE AND UNDAMAGED	✓			
IS THERE NO OFFENSIVE GRAFFITI ON SITE		See above.		

SPICA X 2				
ITEM	✓	OBSERVATIONS	ACTION NECESSARY	ACTION COMPLETED
IS IT UNDAMAGED INCLUDING THE PLATFORM		Large holes in both platforms. Both poles have large amount of rust around hand hold.		
DOES IT REVOLVE SMOOTHLY AND NOISELESSLY		One noisy.		
ARE SAFETY SURFACES UNDAMAGED	✓			

SUPERNOVA				
ITEM	✓	OBSERVATIONS	ACTION NECESSARY	ACTION COMPLETED
IS IT UNDAMAGED		Holes in surface. Some graffiti.		
DOES IT REVOLVE SMOOTHLY AND WITHOUT UNDUE NOISE		Water can be heard when rotated.		
IS IT CLEAR OF RUBBISH UNDERNEATH	✓			
ARE SAFETY SURFACES UNDAMAGED	✓			

MUSIC ACTIVITY PANELS				
ITEM	✓	OBSERVATIONS	ACTION NECESSARY	ACTION COMPLETED
ARE THE SUPPORTS PRESENT AND SECURE WITH NO OBVIOUS SIGNS OF DECAY		Strimmer damage. Piece of wood has broken off top of post of Chimes.		
ARE ALL COMPONENTS PRESENT AND WORKING		Two tubes missing. One beater missing. Paint chips on Bongo drums.		
IS THE GROUND ERODED AROUND THE PANELS		Yes.		

PLAY PANELS - PAIR				
ITEM	✓	OBSERVATIONS	ACTION NECESSARY	ACTION COMPLETED
ARE THE SUPPORTS PRESENT AND SECURE WITH NO OBVIOUS SIGNS OF DECAY		Strimmer damage. Wood is chipping away.		
ARE ALL COMPONENTS PRESENT AND WORKING	✓			
IS THE GROUND ERODED AROUND THE PANELS		No.		

PLAY BOAT				
ITEM	✓	OBSERVATIONS	ACTION NECESSARY	ACTION COMPLETED
ARE ALL SUPPORTS PRESENT AND SECURE		DECOMISSIONED & SIGNS ATTACHED PROHIBITING USE.		
IS ALL PANEL WORK UNDAMAGED				
ARE THE ROPES AND CHAINS IN GOOD CONDITION				
ARE ALL TIMBERS IN GOOD CONDITION WITH NO OBVIOUS SIGNS OF DECAY				
ARE SAFETY SURFACES LEVELS TOPPED UP				

STEP LINK				
ITEM	✓	OBSERVATIONS	ACTION NECESSARY	ACTION COMPLETED
ARE ALL SUPPORTS PRESENT AND SECURE WITH NO OBVIOUS SIGNS OF DECAY		Strimmer damage.		
ARE ALL THE PARTS IN PLACE AND SECURELY FIXED	✓			
ARE SAFETY SURFACES UNDAMAGED	✓			

ROCKER SEESAW				
ITEM	✓	OBSERVATIONS	ACTION NECESSARY	ACTION COMPLETED
DOES THE ITEM MOVE FREELY AND NOISELESSLY	✓			
ARE THE GRIPS FIRM AND SECURE		Both seats loose & crossbeam timber has movement.	Requires securing.	
ARE THE PANELS DELAMINATING		No.		
IS THE SPRING UNDAMAGED	✓			
ARE SAFETY SURFACES UNDAMAGED		Both tyres now worn. One has large split. Divots in ground.	Tyres require replacing. Ground requires making good.	

SLIDE EMBANKMENT				
ITEM	✓	OBSERVATIONS	ACTION NECESSARY	ACTION COMPLETED
ARE ALL SUPPORTS PRESENT AND SECURE		One post has pronounced rot. Some bolt caps missing.		
ARE ANY STEPS SECURE AND UNDAMAGED	✓			
IS THERE ANY DELAMINATION TO THE PANELS		No.		
IS THE CHUTE UNDAMAGED AND CLEAR OF FOREIGN OBJECTS		Divots in surface.		
ARE SAFETY SURFACES UNDAMAGED		Divot at base of slide more pronounced.	Make up soil.	

SLIDE TOWER				
ITEM	✓	OBSERVATIONS	ACTION NECESSARY	ACTION COMPLETED
ARE ALL SUPPORTS PRESENT AND SECURE	✓			
IS ALL TIMBER WORK UNDAMAGED WITH NO DECAY		Wood is starting to rot.		
ARE ROPES SECURE AND UNDAMAGED	✓			
IS THE CHUTE UNDAMAGED AND CLEAR OF FOREIGN OBJECTS	✓			
ARE SAFETY SURFACES UNDAMAGED	✓			

ROCKER CHICKS X 2				
ITEM	✓	OBSERVATIONS	ACTION NECESSARY	ACTION COMPLETED
DOES THE ITEM MOVE FREELY AND NOISELESSLY	✓			
ARE THE GRIPS FIRM AND SECURE	✓			
IS THE SPRING UNDAMAGED		Rust present.		
ARE THE PANELS DELAMINATING		Large patches of paint missing and rust.		
ARE SAFETY SURFACES UNDAMAGED		Divots in ground.	Soil requires building up.	

SWING JUNIOR				
ITEM	✓	OBSERVATIONS	ACTION NECESSARY	ACTION COMPLETED
ARE ALL THE TIMBER SUPPORTS PRESENT AND SECURE WITH NO OBVIOUS SIGNS OF DECAY		All supports now deteriorating. Timber is coming away. Front left support is in poor condition, however still stable.		
DOES IT WORK PROPERLY WITHOUT UNDUE NOISE	✓			
ARE THE CHAINS IN GOOD CONDITION WITH LESS THAN 40% WEAR	✓			
ARE THE SWING SEATS UNBROKEN AND SECURE	✓			
ARE SAFETY SURFACES UNDAMAGED	✓			

SWING TODDLER				
ITEM	✓	OBSERVATIONS	ACTION NECESSARY	ACTION COMPLETED
ARE ALL THE TIMBER SUPPORTS PRESENT AND SECURE WITH NO OBVIOUS SIGNS OF DECAY		DECOMISSIONED & SWINGS REMOVED.		
DOES IT WORK PROPERLY WITHOUT UNDUE NOISE				
ARE THE CHAINS IN GOOD CONDITION WITH LESS THAN 40% WEAR				
ARE THE SWING SEATS UNBROKEN AND SECURE				
ARE SAFETY SURFACES UNDAMAGED				

MULTI-PLAY UNIT CLIMBER				
ITEM	✓	OBSERVATIONS	ACTION NECESSARY	ACTION COMPLETED
ARE ALL SUPPORTS PRESENT AND SECURE	✓			
IS ALL FRAME WORK UNDAMAGED	✓			
ARE ALL PARTS SECURELY FIXED		Small holes in seat. Grafitti on back of seat.		
ARE THERE SIGNS OF FRESH HOLES IN METAL WHERE SOMETHING MAY HAVE BEEN REMOVED		No.		
ARE ALL CLIMBING HOLDS SECURE AND UNDAMAGED	✓			
ARE THE ROPES IN GOOD CONDITION WITH NO FRAYING		2 x rope protectors split. One rope starting to fray.		
ARE SAFETY SURFACES IN GOOD CONDITION	✓			

MULTI-PLAY JUNIOR				
ITEM	✓	OBSERVATIONS	ACTION NECESSARY	ACTION COMPLETED
ARE ALL SUPPORTS PRESENT AND SECURE	✓			
IS ALL FRAME WORK UNDAMAGED		Blue poles have paint worn away. Some graffiti.		
ARE ALL GUARD RAILS PRESENT	✓			
ARE ALL PARTS SECURELY FIXED	✓			
ARE THERE SIGNS OF FRESH HOLES IN METAL OR TIMBER WHERE SOMETHING MAY HAVE BEEN REMOVED		No		
ARE ALL ROPES SECURE AND UNDAMAGED	✓			
ARE SAFETY SURFACES UNDAMAGED	✓			

GENERAL COMMENTS:

List of items to be rectified:

- **Rocker seesaw: Seats and crossbeam loose and require securing.**
- **Step pads: 3 x platforms loose and require securing.**

COMPLETED BY: CLLR HAZEL FOX

Town Clerk report

2207/13

b. MP Special Steel update newsletter – available for distribution

c. CPRE Countrywise Newsletter July 2022 – available for distribution

d. Humberside Fire Authority – Fire Reform White Paper Consultation

To note receipt (14th July) and circulation by email of the request for participation in this consultation, due to the deadline (26th July) for responses.

e. Community Champions NLC – closing date Sept 30th, many categories

This year marks the 10th anniversary of the North Lincolnshire Community Champion Awards, and the event is set to be bigger and better than ever.

Hundreds of unsung heroes have received awards over the years for personal achievement, being an inspiration to others, working in the community or volunteering for a good cause.

Do you know an individual or group that deserves a North Lincolnshire Community Champion Award? Make sure they get the recognition they deserve!

The awards ceremony will take place on Thursday 24 November at The Baths Hall in Scunthorpe.

There are 15 awards up for grabs:

Volunteer category sponsored by Jotun Paints (Europe) Ltd

Young Volunteer of the Year

Adult Volunteer of the Year

Environmental Volunteer of the Year

Achievement category sponsored by Pepperells Solicitors

Outstanding Achievement Young

Outstanding Achievement Adult

Creative Achiever of the Year

Sport and Wellbeing Achiever of the Year

Community category sponsored by Kapil Care

Community Champion of the Year

Anti-Bullying Champion

Outstanding Contribution to a Stronger and Safer Community

Outstanding Contribution to a Learning Community

Inspiration category sponsored by Paul Fox Estate Agents

Young Carer of the Year

Adult Carer of the Year

Personal Courage

Lifetime Achievement

Nominate your 2022 Community Champions online at the North Lincolnshire Council website.

If you are not able to nominate online, call 01724 298452 during office hours or email bathshall@northlincs.gov.uk for a form.

Nominations opened on 16 June. The closing date for nominations is 30 September 2022.

More details about the Community Champion Awards can be found on the North Lincolnshire Council website.

f. Lincolnshire Minerals and Waste Local Plan

Lincolnshire County Council is responsible for the Minerals and Waste Local Plan for the county which outlines the principles for the future provision of minerals and the management of waste. It provides the criteria under which we consider minerals and waste development applications, and where required, allocates land for these uses. Following a detailed review of the plan, we are now in the early stages of updating the LMWLP. This involves carrying out a consultation on the 'Issues and Options' for updating the plan.

We have produced an Issues and Options consultation document which sets out the main issues affecting how we plan for minerals and waste in Lincolnshire together with potential options for improving the plan. To help the consultation process, it includes a range of questions where we are seeking your views on the most appropriate way forward. In parallel with this Issues and Options consultation, we are carrying out a 'call for sites' exercise to give landowners, the industry and other interested parties an opportunity to nominate potential sites for allocation in the updated LMWLP.

*Please **see the attached letter** for the details of the consultation and how you can get involved.*

g. NALC – Short Term Holiday Lets Policy Consultation

Can you please complete the policy consultation briefing on short term holiday lets to inform National Association of Local Councils (NALC) views for their response to the Department of Culture, Media & Sport consultation.

*Can you please complete as soon as possible as NALC will be responding in September on councils behalf, so make sure your council has its voice heard. **(See attached)***

h. Trees with TPOs – letter from resident & subsequent NLC response

05/07/2022: Addressed to Ward Cllrs & Kirton in Lindsey Town Council:

Dear Councillors,

I am writing to you for support and direction. I have been advised to contact you by a local tree surgeon and a solicitor whom I've discussed this issue with, who suggested discussing it higher within the council to seek a solution.

Overhanging our garden, [redacted] Windmill Way, Kirton Lindsey, DN21 4FE and at least 7 other gardens of neighbouring properties, which are now very imposing, are a row of 3 sycamore trees under the protection of TPO's. Two of these trees are in the garden of [redacted] Station Road, Kirton Lindsey and belong to the property owner, [redacted]. It is my understanding that these trees became protected via a request from [redacted] once he understood that the land on which Windmill Plantation now stands was sold for development, and these trees were protected upon his request as a barrier between his bungalow and the new housing estate.

These trees have now become overbearing and a nuisance, in part due to the lack of maintenance over the years, simply due to the lack of understanding of what the tree owners responsibilities are. In 2018, I had to engage the council, via numerous telephone calls and emails, to support the removal of ivy which was surrounding two of the trees, as the owner was not forthcoming in their management, only once the council had got involved, via an email reply to me did the owner then agreed to having the ivy removed, which we collectively paid for despite them being in his stewardship and required significant work due to years of neglect and dereliction of duty, which he is still neglecting.

Prior to this, however, in 2014, a previous neighbour of mine sought permission to do some works to one of the trees, which was permitted. The application can be found here [PA/2014/0620 | North Lincolnshire Planning Portal \(northlincs.gov.uk\)](#). Permission was granted but due to a number of issues at the time, the works did not happen and the permission lapsed.

I recently sought permission again to do some works to two trees overhanging my garden, the original one included in the 2014 application and one next to it, the application can be found here [PA/2021/2170 | North Lincolnshire Planning Portal \(northlincs.gov.uk\)](#), I used the original 2014 application as a template, but was asked this time to add dimensions and percentages of what work is being requested. I asked the planning officer or someone from their department, to visit the trees to discuss what would be considered acceptable, bearing in mind the original application of 2014 had no specific details included, but was advised that a site visit is not normal practice. I sought some advice from a couple of tree surgeons and submitted the application based on their advice, using the original application as well as some other examples of recent passed permitted applications in North Lincolnshire but unfortunately the application was rejected, with the reason that the trees are not dead or in a dangerous condition, although nobody from the council have inspected the trees, and I provided photographic evidence of dead branches within the canopy and the tree, which should be removed by the owner, but is yet another example of the lack of management from him. I followed up the rejection with some emails and phone calls to discuss what would be considered appropriate but was advised to seek tree surgeon advice, which I had already prior to the submission and to resubmit another application. I once again asked if a site visit would be suitable, appropriate or helpful and was advised this is not done.

I recently consulted the Tree Preservation Order: A Guide to Law and Good Practice, which can be found here [tposguide.pdf \(publishing.service.gov.uk\)](#), although published in 2006, it does state under section 6.44 - Considering Applications 6.44. If the LPA did not visit the site before the application was made they should do so at this stage. The site visit should be carried out by an officer with appropriate arboricultural knowledge and experience. Furthermore, guidance, last updated in March 2014, which applies to trees with TPO's and trees in conservation, which can be found here [Tree Preservation Orders and trees in conservation areas - GOV.UK \(www.gov.uk\)](#) areas also states site visits should be made and references this twice during the flowchart 3, which can be found here [TPO flowchart 3.pdf \(publishing.service.gov.uk\)](#)

I am now at a loss as to where to go next. The tree owner is not looking after the basic maintenance of the trees as per his responsibility and the evidence I have provided demonstrates this, the council are not showing any interest in the ongoing management or maintenance of the trees, or encouraging or even enforcing the tree owner to take their responsibility seriously and as one of the homeowners affected by these trees, I am powerless to discuss proactively with anyone as to how to progress any application to regain control of these trees to make them less overbearing, less of a nuisance and improve the light into our properties as well as enable me once again to look into having solar panels placed on my roof to help with my energy consumption and impact that I am having on the environment, which currently is not an option simply due to the trees.

I hope you are able to shed some light as to what the next steps are.

08/07/2022: Address to Ward Cllrs, Kirton in Lindsey Town Council & Resident:

Dear Cllr Foster

thank you for contacting me on this matter. Although there may be a tree preservation order (TPO) on these trees the owner of the trees remains responsible for them and if they were to cause damage, then this would be a private matter between the tree owner and third parties.

As the trees here are privately owned, we as a council are not able to assist directly with what is a private matter between the tree owner and adjacent landowners. We have no legal ability to make the tree owner undertake any works on the trees.

Regarding the TPO itself and applying for works we have no ability to make the tree owner submit an application to prune or indeed remove these trees, and even if an application were to be made by the tree owner (or others) and permission given we have no ability to make the tree owner undertake the works.

As a council we would only become involved when an application is submitted to work on protected trees, and this would be assessed in line with good arboricultural practice and a decision made. We would not become involved in the landowner giving permissions to enter their land to undertake any works, nor who would be responsible for organising and paying for such works - which would be a private matter between tree owner and any other third parties.

On the recent TPO application to prune trees, where the decision was made to refuse the application, there was an ability for the applicant to appeal this decision within 28 days and go to Planning Inspectorate where an independent decision could have been made. I have not had any information from the planning inspectorate to say that this had occurred so presume the applicant chose not to do this at that time and this time period when an appeal could have been made will have now lapsed.

I hope this information is helpful and explains the TPO process and limitations of what the Council is able to do in relation to these privately owned trees that also happen to be protected by a TPO.

regards

Andrea Brocklebank, Trees and Landscape Officer, Neighbourhood Services, North Lincolnshire Council.

08/07/2022: Addressed to Tree & Landscape Officer, Ward Cllrs & Kirton in Lindsey Town Council:

Good afternoon all,

Thank you for getting back to me.

I understand your response but where is the challenge to the tree owner to ensure they are maintaining the trees according to their responsibility. As demonstrated, the trees are not being maintained and despite making the relevant individuals aware, there is no action to encourage them to change their actions or lack of.

With regards to the recent application, an earlier permitted application was used as a template, and although the recent one, submitted by me added dimensions and percentages, this was only following a request from the council, which was not requested for the earlier submission.

I have sought expert advice, which I used during my recent application but there is obviously a difference of opinion, which is why I need to understand what would be accepted so that a new application can be submitted. Only with recent internet searching have I seen that there are guides published by Government as to site visits, which have not been undertaken, but would easily solve the issue as to what the council would deem acceptable.

I of course intend to submit another application but I fear without support or guidance from those that will ultimately make the decision on what is acceptable, the new application will again fail, despite an earlier submission being granted.

As for the trees being privately owned, you can access them via any number of gardens which would provide consent to access them and you could see the issues that we are having, even a video conference would be able to show the issues.

So thank you for your reply, but as you can see, this does not solve the issue of the trees not being maintained, the council not ensuring that trees under protection are being maintained, or supporting any application to address the ongoing issues that we as surrounding residents are suffering.

I once again look forward to your reply.

10/07/2022: Good morning,

Thank you for getting back to me.

Unless the town council are able to get North Lincolnshire's tree advisor to visit the trees to engage in a discussion about what would be acceptable interventions then there is no point me taking time at the meeting to discuss my issues, especially when the town council comments on any planning applications. In respect of the application I recently made, you supported any necessary pruning, which I'm trying to establish what would this be and I'm grateful to you for your support but objected to excessive pruning or taking down, which I was not applying for and therefore an irrelevant comment.

I have escalated matters within the council and will soon be contacting the local MP and if needed the planning inspectorate, so at this stage, I thank you for the offer but will respectfully decline attending.

i. Fusion for Business offer

Many thanks for your time when I called a little earlier today, it was a good informative chat. I want to update yourself with the work myself and my team are doing within Fusion for Business (FFB). We now offer long awaited funding opportunities for projects that you or Organisations/Businesses may have and may not be aware of in and around your Parish/Town Council. I totally understand that this information will in many cases be passed to a Board of Trustees, Management Committee(s), Business Owners and/or other relevant points of contact within your PC. As very briefly discussed, I work with similar organisations to your own ie. Charitable Organisations, Parish/Church/Town Council(s), Community Associations/Centres & Village Halls, and associated Businesses.

My experience in this sector(s) goes back over 15 years. I am very conscious that the Energy Market as a whole is very volatile at the present time with no real light at the end of the tunnel. This outlay will form a major part of your monthly/annual expenditure, it can or possibly will be at the forefront of your thought process now and moving forward. We at Fusion for Business are very keen and able to overcome any issues you may have had in the past, you have today and will have moving forward.

As you can see below, we are supported, and part funded by BEIS (Department for Business, Energy & Industrial Strategy). I am very keen to advise you or your colleagues of the funding that may be available to you now and moving forward. It may be that you are looking for funding for or towards projects that you have ie Solar Panel/CHP (other sources of heat generation) /EV Charging Points, property maintenance or even much larger scale projects that we have completed Solar/Wind Farms, Sub Stations, Biomass projects etc. The opportunities are vast!!

We can also assist with additional income streams etc or a business/organisation can simply make use of a Desktop Assessment of Energy Cost Savings potential at NO cost to themselves. I have attached 3 brochures above which may be of interest, this also includes a brochure about Energy Contracts previously taken out and an organisation/business wasn't or isn't made aware of the fees/commissions included in their contract, these can now be legally reclaimed. It may not affect yourself directly, but you may know an organisation or business within your PC/TC that will benefit from our/my expertise and of course funding.

If you have any questions or queries, please don't hesitate to get in touch via this email address or my direct line number below. I look forward to hearing from you or your colleague(s) in due course.

I thought you also may be interested in the brochure. As you possibly gather, we are very passionate about creating opportunities within Communities and with their projects. As you will obviously know

more about your community than me it will offer an additional income stream for all concerned including your own PC. (see attached)

j. Kirton First matters – Best Kept Frontage article/Scarecrows Survey (for Sept) and Black Spots article (Jul)

Proposed article text:

Best Kept Frontage in Kirton Lindsey Town Centre 2022

Kirton in Lindsey Town Council are launching a Best Kept Frontage competition so that town centre owners of both commercial and residential premises can have recognition for the fronts of their properties being of pleasing appearance. No entry form is necessary, and the pleasing nature of the appearance of a property does not depend on the property having a garden.

The area concerned is the High Street down to Queen Street, Sylvester Street, George Street, and the Market Place. The Town Council wishes to encourage visitors to our town to recognise our lovely old town centre. Some property owners may wish to spruce up their frontages for this competition. Others already have house and shop fronts which are of very good appearance.

There will be rosettes, decorative scrolls, and commemorative mugs for the winners. We are looking for Best Commercial Frontage, Best Residential Frontage and three Highly Commendeds (either commercial or residential).

Judging will take place in the week commencing 26 September 2022 and the winners announced prior to the Christmas Festival in November. The joint winners of Best Kept commercial and Best Kept residential frontage will be invited to switch on the 2022 Christmas lights.

So, let's see how nice our town centre can look!

k. Queens Head – letter from residents

Email contact 18 July: I am writing to you as there are a number of Kirton in Lindsey residents who have voiced some concerns regarding the running of the Queens Head pub in recent months.

I have attached a copy of the email that has been sent to the brewery representatives this morning for you to read. This email outlines the concerns of local people particularly around drug taking and selling that has been witnessed.

We would very much like your support on the issues outlined in the email.

We feel that we have a lovely town and community and it is currently being stained by events that are happening there.

If you require any further information, please feel free to contact us.

We look forward to your response.

Email text: Dear Sirs,

I am writing to you on behalf of many members of the Kirton in Lindsey community, regarding great concerns we have with the way The Queens Head public house is being managed.

Firstly and we feel most importantly The Queens has gained a reputation as being a location for drug dealing. It has been reported by several patrons (unfortunately now ex patrons) that drug deals have been seen openly taking place in the bar, toilets and outside shelter.

There have been several new people that have been frequenting the pub in recent times. Normally this would be welcomed by all, unfortunately on this occasion, these new patrons seem to be coming into the pub from out of the area solely for the purpose of taking and selling drugs. I believe that the local police have been contacted and this is a situation that they will be monitoring going forwards.

Teenagers are using the outside shelter for smoking and drug taking. We will be contacting the local Academy to make them aware of this and to reach out to local parents, however we believe that this is the responsibility of the manager to monitor the areas of the grounds.

The manager herself has been witnessed often drinking and seeming under the influence of drugs while serving behind the bar, as well as her nights off. Whilst drinking during her time off is her right and perfectly legal, being under the influence of cocaine and cannabis while still on the premises absolutely gives the impression that she is not only not trying to stop the drug dealing/taking in the pub, she is actually encouraging it.

The upkeep of the pub inside and out is also becoming an issue. The outside is not being cleaned after people have been drinking outside. Glasses have regularly been left on outside tables for days at a time. The Queens Head is a focal point when entering Kirton in Lindsey from the North or East and is on the corner of a busy main road. We have a town council, KLAGGs and groups of incredible volunteers who keep our town clean and tidy, maintaining the green, the wooded area, the war memorial and other areas. The Queens Head has always been a part of this with hanging baskets and a well maintained garden/parking area. This is no longer the case and is becoming quite embarrassing to see.

Several patrons have complained that the inside of the pub is no longer clean and the lounge area is no longer useable due to pots and plates being piled up in there along with children's toys.

There have been several reports by patrons that they have been served alcohol by the managers daughter who is 14 years old. There are underage children in the bar area far later than the 9pm curfew that had always been in place, also teenagers who have been served without the proper ID checks being made.

Many patrons have stopped using the pub due to the attitude of the current manager towards customers who are not present and the manager conducting personal arguments with her partner in front of them in the bar.

The situations that have been witnessed by members of our community and your patrons have been spoken about in confidence with us and we have agreed at this time not to use names of anyone involved due to 2 incidents where patrons have been verbally abused by the Director of Operations for DEM Leisure using the facebook messenger platform. It was very upsetting for those involved and highly unprofessional.

As previously stated, we will be contacting Huntcliff Academy for their support and also the town council. We would very much like your support in this matter. The Queens Head is very important to

the members of our community but unfortunately while it is being used for drugs and the other reasons outlined in this email a large number of patrons will be staying away until the situation improves.

We hope that you will take this situation as seriously as we are and we look forwards to receiving your feedback on what can be done to improve this.

If you require any further information, please do not hesitate to contact us.

Kind regards, Concerned Kirtonians

I. Donation of assets – 30 chairs from RAF

Information received of offer of donation of 30 plastic chairs from RAF

m. Airfields of Britain Memorial – Sunday 7th August

Confirmation of continued planning to achieve unveiling on 7th August

n. Reminder - Annual Leave (July/August)

Assistant Clerk: 30th July – 11th August

Town Clerk: 15th August – 30th August