

## Church Fenton Parish Council

### Minutes of ORDINARY COUNCIL MEETING held on 21<sup>st</sup> March 2024

In attendance: Cllr Charlston, Cllr Higham, Cllr Andrew Mason (Chair), Cllr J Mason, Cllr Seguss and Robin Harris, Clerk to the Council.

In addition, 4 members of the public

Meeting opened at 19:00

#### 23/117 Non-attendance of Councillors

- a. **To receive and note apologies from councillors who are unable to attend the meeting**  
**Apologies received from Cllr Ferris and Cllr Whyte.**
- b. **To consider reasons for absence provided by councillors who cannot attend and resolve the council's acceptance of these if felt relevant.**  
**Resolution: Apologies and reasons accepted from Cllr Ferris and Cllr Whyte (Unanimous)**

#### 23/118 To note any Declarations of Interest and to consider any dispensation requests

**None.**

23/119 Public participation period  
No member of the public wished to speak.

#### 23/120 To approve minutes of the Ordinary Meeting of Church Fenton Parish Council held on 15<sup>th</sup> February 2024

**Resolution: Approved (Unanimous)**

#### 23/121 Planning

1. **To consider applications received and resolve on recommendations to be made to North Yorkshire Council Planning Authority**
  - a. ZG2024/0156/HPA 2 Oakwood Close Church Fenton. Demolition of detached garage and single storey side and rear extension, with front porch and internal alterations. Comments by 26<sup>th</sup> March.  
**Resolution: No comment (Unanimous)**
  - b. ZG2024/0162/HPA Bramble Croft, Northfield Lane, Church Fenton. Loft extension and conversion with single-storey extension and internal alterations. Comments by 1<sup>st</sup> April.  
**Resolution: No comment (Unanimous)**
  - c. ZG2024/0181/COU The Dovecote Oxmoor Lane Church Fenton. Change of use of part of the existing farmyard/paddock to form residential curtilage for the incidental enjoyment of the residential property and its curtilage (retrospective)  
**Resolution: No comment (Unanimous)**
2. To note applications approved and declined
  - a. ZG2023/0687/LBC The Old Vicarage, Main Street, Church Fenton. Listed building consent for infilling of existing porch, new porch, changes to the fenestration and internal alterations. **PERMITTED**
  - b. ZG2023/0686/HPA The Old Vicarage, Main Street, Church Fenton. Infill existing porch, new porch, changes to the fenestration and internal alterations. **PERMITTED**
3. **To consider any planning enforcement issues**

Planning Control on the LEA site:

  - Over the past nine months, an increasing number of concerns have been raised regarding potential breaches of planning control at LEA. This involved discussions and written communication.



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- A Multi-Agency Meeting was held in January 2024 by NYC to discuss the impact on residents (representatives present from Church Fenton, Ulleskelf, and Bolton Percy councils) and ways forward.
- Minutes of the aforementioned meeting have been requested but not yet received. (**Action:** Clerk to follow up with Cllr A Lee, who chaired the meeting.)
- The council received an email from NYC Enforcement outlining several planning irregularities at LEA, some appearing to be serious breaches of planning control.
- The email detailed activities undertaken by the operator without consent or in violation of existing planning constraints.
- While the email identified some of the issues it was not complete and lacked specifics regarding:
  - Proposed solutions for rectification
  - Timelines for addressing the violations and their impact on residents
  - Next Steps:

#### Resolutions:

- a) **Clerk to request minutes of January 2024 meeting from the Chair, Cllr A Lee (Unanimous)**
- b) **Clerk to request NYC Enforcement to extend the list of outstanding planning control issues (see below) and to request clear details on rectification plans and timelines. (Unanimous)**

#### Points for letter:

- **Bund Construction:** The approved plan included a low, tree-lined bund for visual screening of vehicle storage. However, the constructed bund is significantly higher and lacks trees. Additionally, the council has concerns regarding the legality of the material used in the bund, as no verification certificate has been provided by the operator despite NYC requesting it for over a year.
- **Activity Discrepancy:** The approved planning proposal was for motor vehicle storage. However, the site is currently being used to store shipping containers stacked four high, resulting in a much greater visual impact on the surrounding area. The council believes these activities are fundamentally different and require separate planning permissions.
- **Drainage and Flooding:** Unauthorised hardcore has been laid down in parts of the site. While potentially water-permeable, the council is concerned that this, combined with the large area covered by shipping containers, has reduced natural drainage and contributed to recent flooding in nearby roads. The approved plan for the bund included tree planting, which would have helped mitigate this issue. Given the site's location in Flood Zone 2, the Planning team should request a formal flood impact assessment due to the unauthorised activities.
- **Enforcement Inconsistencies:** The email from Ms. Rachel Robinson on March 19th, 2024, lacked specific actions or deadlines for addressing the LEA issues. This contrasts with a recent enforcement case for a minor planning matter in Church Fenton, which resulted (within a year) in an 11-page enforcement notification with detailed actions and deadlines. The council is concerned about the apparent disparity in enforcement rigor between small and large businesses.

#### Timeline:

- Initial concerns regarding planning breaches were reported to NYC by CFPC on November 14th, 2021.
- The number and severity of these breaches have grown since then, with no significant progress toward resolution.



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4. To consider and resolve on comments to be made to North Yorkshire Council regarding the revised Selby Area Local Plan (2024)

**Resolution: No comment (Unanimous)**

#### 23/122 Finance

1. To note the finance report
  - a. Bank reconciliation end February 2024
  - b. Payments
  - c. Budget monitor
  - d. Earmarked reserves

Noted. Clerk to check cash flow projection with a view to ensuring optimum interest generation on deposits in the current and savings accounts.

2. **To resolve to appoint Child & Co (Karl Trotter) as internal auditor for 2023/24. Cost approximately £60 depending on the exact requirements (to be confirmed).**

**Resolution: Approved with a budget of up to £100 (Unanimous)**

#### 23/123 Policies and procedures

1. To note the updated declaration of interests forms have been submitted to North Yorkshire Council as required.

#### 23/124 Environment

1. **To consider requesting a 20mph speed limit around Kirk Fenton School and to resolve on any next steps including a 95 Alive request for a speed monitor.**

Councillors Seguss and Andrew Lee (NYC) received letters from the Year 4 Billie Jean class of Kirk Fenton School requesting a 20-mph speed limit around the school. Councillor Lee committed to providing a prompt response.

**Resolution: To request a 95 Alive speed monitoring outside Kirk Fenton School (Unanimous)**

2. **To consider next steps in village wide concerns about parking and speeding.**

Several options have been considered over many years but without a widely acceptable outcome. These included more parking restrictions, provision of a larger parking area, encouraging more use of Ulleskelf Station and local on street parking areas.

**Resolution: To design a double page insert for Fenton in Focus in an 'FAQ' format to illustrate the options considered and their limitations. This will call for new ideas from residents. Input to content to be sent to Cllr Higham (Unanimous)**

3. To receive a report from the Clerk on land title boundaries for the land to the west of the Village Hall

**To consider the recommendations made and to resolve on next steps.**

**Resolutions:**

- a) **Employ a qualified person to identify which services to the Village Hall run alongside the western edge of the building (Unanimous)**
- b) **Write to Yorkshire Country Homes (owner of adjacent land and developer of the 50 homes on land south of Main Street) inviting a representative to meet with the Council to explore collaboration on:**
  - i. **An easement giving the right to access any services adjacent to the village Hall**
  - ii. **Support for the recently submitted S73 variation of conditions for planning approval (ZG2024/0187/S73)**



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- iii. **Potential challenges to the boundaries around land registered to Yorkshire Country Homes and intended for an emergency access road to the development which could result in that road becoming unfeasible. (Unanimous)**

4. To note that NYC have been asked to resume cutting of highway verges within the village and that Shed Grounds Maintenance will commence cutting all other areas of grass from 1<sup>st</sup> April.
5. To note that after reviewing the life of defibrillator pads the current stock (2 sets) is adequate for 3 devices. Purchasing more pads closer to their likely use will avoid unnecessary costs.
6. To note that the trees in the Sandwath play area have been maintained as per the minute 23/62(5).

#### 23/125 To receive representative reports

1. To receive an update from the Environment Working Group  
A tree planting activity on Broad Piece went very well – 18 residents attended and planted 200 trees. The next activity (Sunday 6<sup>th</sup> April 2024 2:00pm to 4:00pm) is a wild flower planting in an area on the verge of Sandwath Lane.  
A new duty from 1 January 2024 requires all councils to consider what action to take for biodiversity. Council must agree your policies and objectives as soon as possible after this. Ideally a delegate should attend a training event on this subject to provide guidance to the Council on this new duty. Delegates do not need to be councillors or employees.  
The Environment Group will be represented at Fenton Fest.
2. To receive an update from the Highways Working Group  
Already discussed under 23/124(2)
3. To receive an update from the Christmas Working Group  
The Council welcomes the grant of £1000 towards Christmas lights provided by Cllr A Lee (NYC)  
Planning for Christmas 2024 is well under way.  
There will be a presence at Fenton Fest.
4. To note the PCSO report  
Noted. PCSO Hannah Price will be holding a surgery in the Village Hall on 11<sup>th</sup> April 10:30 till 12 noon. Any resident will be able to speak to the PCSO on any policing concern.
5. Councillors:
  - a. Cllr Charlston  
Lots of dog poo is being noted. (Action: Clerk to contact Dog Warden to request a stencil in preparation for more footpath reminders)  
Dog waste bin on Sandwath Lane has been hit by a vehicle.  
Dog waste bin Northfield Lane bin has been replaced.
  - b. Cllr Ferris – not present
  - c. Cllr Higham  
VH Committee has elected new officers:  
Chair Teresa Whyte  
Secretary Sam Charlston  
Treasurer Ross Higham
  - d. Cllr A Mason - none
  - e. Cllr J Mason - none





# Church Fenton Parish Council

## Finance Report February 2024

- Forecast payments for the full year are below budget by £1944. Major factors were:
  - Lower insurance
  - Lower project costs
  - Higher maintenance costs
  - Not needing to spend budget of £1000 on web site
- Forecast payments includes replacement dog waste bin on Northfield Lane
- Initial costs associated with training for CiLCA for clerk have been included in the forecast (£775).
- Interest from deposit accounts was not budgeted so appears as a variance
- No unexpected payments or receipts
- Preparatory work for year-end accounts has commenced with a review of VAT, reserves and cost codes with Scribe. An internal auditor has been proposed (same as last year). Scribe support team carried out a thorough review of the VAT account because the accounts contain corrections for 2022/23. This review was to ensure that all the entries are coded correctly so that the balance carried forward into next year will be right.

## Payments February 2024

Date	Description	Supplier	Net	VAT	Total
29.02.2024	Salaries	Salaries	£809.12	£0.00	£809.12
12.02.2024	Q3 VAT	HMRC		£357.48	£357.48
22.02.2024	PWLB	PWLB	£242.15	£0.00	£242.15
12.02.2024	Subscription	GeoXphere	£50.00	£10.00	£60.00
16.02.2024	Village Hall	CF Village Hall	£40.00	£0.00	£40.00
21.02.2024	Door for Village Hall	CF Village Hall	£1,607.08	£321.42	£1,928.50
16.02.2024	Transport Consultant	Kirkwells Consultants	£1,500.00	£300.00	£1,800.00
27.02.2024	Verge cutting	Shed Grounds Maintenance Feb & Mar 24	£266.56	£53.32	£319.88
26.02.2024	Admin expenses	Clerk - Virus protection subscription and print ink	£172.48	£0.00	£172.48
05.03.2024	Playground repairs	Team Sport & Play	£6,737.00	£1,347.40	£8,084.40
01.03.2024	Tree maintenance	Azure Tree Services	£280.00	£0.00	£280.00

**Church Fenton Parish Council**  
**RECONCILIATION - Unity 29-02-2024**

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From Accounts .....	£30,919.50
Payments not cashed ..... Add .....	£3,254.27
Receipts not entered ..... Subtract .....	
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<b>Statement should be .....</b>	<b>£34,173.77</b>

**Church Fenton Parish Council**  
**Reserves Balance**  
**2023-2024**

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<u>Reserve</u>	<u>OpeningBalance</u>	<u>Transfers</u>	<u>Spend</u>	<u>Receipts</u>	<u>CurrentBalance</u>
<b>Earmarked</b>					
Shop Bond	20,000.00				20,000.00
Highways	3,238.56		1,041.81		2,196.75
CIL	2,649.52	-2,649.52		20,073.50	20,073.50
Sandwath Endowment S106	20,238.73	-6,082.92	280.00		13,875.81
Christmas Fund	1,071.94	52.65	464.00	1,118.65	1,779.24
SDC Legacy Funding	6,000.00	-6,000.00			0.00
NYCC Locality Grant	3,700.00	-3,700.00			0.00
<b>Total Earmarked</b>	<b>56,898.75</b>	<b>-18,379.79</b>	<b>1,785.81</b>	<b>21,192.15</b>	<b>57,925.30</b>
<b>TOTAL RESERVE</b>	<b>56,898.75</b>	<b>-18,379.79</b>	<b>1,785.81</b>	<b>21,192.15</b>	<b>57,925.30</b>
<b>GENERAL FUND</b>					17,069.57
<b>TOTAL FUNDS</b>					74,994.87



# Church Fenton Parish Council

10th March 2024 (2023-2024)

## Receipts and Payments Forecast

### Expenditure

Title	Budget	Actual	Forecast	Total	Variance	
Misc	300.00	275.00		275.00	25.00	9%
Loan Repayments	30,561.94	30,561.94		30,561.94	0.00	0%
Verge cutting	1,938.06	1,332.80	133.28	1,466.08	471.98	32%
Admin	549.96	632.81		632.81	-82.85	-13%
Maintenance	8,962.49	6,807.04	7,350.00	14,157.04	-5,194.55	-37%
Subscriptions	1,780.00	1,669.20	693.00	2,362.20	-582.20	-25%
Publicity	1,521.88	404.85		404.85	1,117.03	276%
Salaries	10,000.00	9,603.15	820.00	10,423.15	-423.15	-4%
Insurance	6,200.95	1,027.26		1,027.26	5,173.69	504%
Bank charges	72.00	54.00	18.00	72.00	0.00	0%
Training	375.00	269.00	775.00	1,044.00	-669.00	-64%
Audit	550.00	365.00		365.00	185.00	51%
Projects	33,405.00	31,030.00		31,030.00	2,375.00	8%
Electricity	2,083.33	1,745.20		1,745.20	338.13	19%
Grass cutting	3,601.30	3,398.71		3,398.71	202.59	6%
Christmas Lights	1,666.67	1,994.98		1,994.98	-328.31	-16%
Grants		664.30		664.30	-664.30	-100%
<b>SUB TOTAL</b>	<b>103,568.58</b>	<b>91,835.24</b>	<b>9,789.28</b>	<b>101,624.52</b>	<b>1,944.06</b>	<b>2%</b>

### Income

Title	Budget	Actual	Forecast	Total	Variance	
CFCS Rent	13,296.84	12,188.77	1,108.07	13,296.84	0.00	0%
Hub Rent	17,265.24	15,826.47	1,438.77	17,265.24	0.00	0%
Hub Admin	999.96	918.58	83.33	1,001.91	1.95	0%
Interest		1,157.74		1,157.74	1,157.74	
VAT	4,432.57	4,513.79	62.00	4,575.79	143.22	3%
Other Income		2,565.07		2,565.07	2,565.07	
Precept	24,690.00	24,690.00		24,690.00	0.00	0%
<b>SUB TOTAL</b>	<b>60,684.61</b>	<b>61,860.42</b>	<b>2,692.17</b>	<b>64,552.59</b>	<b>3,867.98</b>	<b>6%</b>

**NET RECEIPTS LESS PAYMENT: -42,883.97 -29,974.82 -7,097.11 -37,071.93 5,812.04 6%**

Note: Receipts of £20073.50 CIL and £1000.00 grant for Christmas lights were not budgetted.  
These are now recorded within earmarked reserves  
2024/25 budget will show a section for earmarked reserves