

Church Fenton Parish Council
Minutes of the Meeting

Minutes of the Ordinary Meeting of Church Fenton Parish Council held on Thursday 28 May 2020 as a Virtual remote meeting. (due to Covid19 govt lockdown)

In attendance: Cllr Sarah Chester (Chair), Cllr Ross Higham (Vice-Chair), Cllr Craig Blakey, Cllr Samantha Charlston, Cllr Paul Herbert, Cllr Andrew Mason, Cllr Michelle Seguss and Georgina Ashton (Clerk). In addition 7 members of the public. District Cllr Richard Musgrave.

Meeting started at 7.33pm

Addendum: Pecuniary vs non-pecuniary interests, declarations and dispensations.

Cllr Chester read a statement. The Clerk commented in the last council meeting (16th April 2020) with regard to correct procedure on the recording of pecuniary and non-pecuniary interests as well as declarations and dispensations. The statement reminded Councillors to refer to the Council's Code of Conduct as well as the Standing Orders. It is the Councillor's responsibility to declare an interest. Failure to do so is a criminal offence. The Localism Act (2011) does state it is a criminal offence of a member's failure to register and disclose certain interests and his/her participation in discussions and voting at meetings no matters where he/she holds such interests. (Sec 26-34, Schedule 4 to the 2011 Act).

1. To note Apologies and Approve Reasons for Absence
none
2. To note any Declarations of Interest and to approve any Dispensation requests
Cllr Chester declared a non-pecuniary interest in 6a (2020/0451/DOC).
Cllr Blakey declared a DPI in 9a and 6a (2020/0497/LPA)
3. Public Participation Period

A resident asked a question regarding the speed limit on Busk Lane between the Fenton Flyer pub and the entrance to the LEA base. The speed limit is currently 40mph and the resident has reported this on the NY Police website who have conducted a survey and suggested that the Parish is an area where they would look at placing a speed camera to monitor the speed. This has been a 30mph in the past. Chair asked the Cllrs and all were in support of a request to ask the Clerk to write to NYCC and to start the process. Also, Clerk to contact Ulleskelf PC to explain that a resident has contacted the PC. Current 40mph zone on Busk Lane as a proposal to 30mph is from Brackenhill Lane junction with Busk Lane and to the point of Ulla Green at the edge of the LEA towards Ulleskelf.

A resident asked a question with regard to planning re 2020/0451/DOC. Use of the S73 notice, the resident argues that this is not the correct use of a S73. Fundamentally, the applicant has varied the discharge of Condition 11. If this is correct use of the S73, there is a substantial change to the original application as it relates to 33 horses now and initially the full planning consent was for 21 horses. The applicant is trying to rely on the previous plan that was put forward. The whole condition, would relate to the 33 horses. The current manure bund is not on a concrete base, and is in a NVZ (should have a non-permeable base or regularly relocated), not detailed enough e.g. size, catch of run off, bund should be on rotation on the land every 12 months, 10m from a watercourse. There is no detail or dimensions to the manure bund (originally by 10m x 10m and 1.5m high). The Environment Agency has advised the applicant that they are in breach of the NVZ guidelines/regulations.

A resident asked a question about the use of the Skate Park and the Main Street playground. At the beginning of the lockdown, immediate neighbours were asked to keep the playpark gate locked. There are now people walking their dogs in the park, youths are now using the park on a regular basis with as many as 12 young adults at any one time. Lots of children sunbathing on the park yesterday. Clerk to write some new signs stating that the playpark is still closed. Cllr Blakey to fix the fence to the left of the gated entrance.

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4. Reports

District Councillor Musgrave acknowledged the concerns of the speed limit. Suggested that the Clerk speak to Darren Griffiths, will be instrumental in support and guidance on speed calming measures. No specific updates to provide, the current situation is challenging for all district and county councils with significant losses expected. Work is carrying on as normal and the Local Plan is still on track. The Council is struggling with planning and enforcement issues due to the lack of on-site visits.

5. To approve Minutes of the Ordinary Meeting of Church Fenton Parish Council held on 16 April 2020
Resolution: Minutes of the Ordinary Meeting of Church Fenton Parish Council on 16 April 2020, proposed by Cllr Higham and seconded by Cllr Blakey.

6. Planning

a. Applications **to be considered**

Planning Reference	Description	Deadline for Comments
2020/0451/DOC	Hall Lane Stables	29 May 2020
2020/0431/DOC	Barn conversions at Partridge Hill	21 May 2020 <i>(date passed)</i>
2020/0395/FUL	19 Fieldside Court, dwelling	21 May 2020 <i>(date passed)</i>
2020/0324/COU	Proposed Change of use of land at buildings at Leeds East Airport to create a Network Rail central hub	9 June 2020
2020/0497/LPA	Network Rail Compound off Sandwath Lane	11 June 2020

2020/0451/DOC – Hall Lane Stables

The Clerk has received 2 collated comments electronically. Main concerns regarding environmental issues raised by Cllr Herbert. Concerns raised by Cllr Mason regarding the position of the Chair using her role to further her personal concerns regarding this application. Clerk suggested that the Vice Chair take over and Chair the rest of the agenda item. Cllr Chester responded to the comments raised by Cllr Mason. Cllr Herbert in favour, Cllr Seguss, Cllr Charlston, (Cllr Blakey and Cllr Higham abstained), Cllr Mason voted against. Cllr Chester couldn't vote. Simple majority applies. Previous collated comments to be forwarded to the local planning authority including reference to the DOC02 breach, S73 non-compliance with conditions, EA recommendations, Condition 8 and SDC Core Strategy SP18.

Resolved that the Clerk send the previous collated comments to SDC

2020/0497/LPA – Network Rail Compound off Sandwath Lane.

Cllr Mason stated there is no planned section or elevation, no siting of the cabin, layout /location plan, of the proposed temporary structure. Cllr Higham queried if this is retrospective planning. Cllr Charlston to liaise with NR staff regarding these queries over the layout and location plan of the site. Cllr Mason required clarity on the situation regarding re-instating the compound to its original state as a green avenue to the countryside. Requires an undertaking to ensure that the entrance will be re-instated to the original state. Observations: *The Council would like some reassurance that this is a temporary change of use and that the land will be re-instated to its original state once the works have been completed.*

Resolved that the observation be forwarded to SDC

2020/0324/COU – Proposed Change of Use of land at buildings at LEA to create a Network Rail central hub.

Cllr Charlston raised concerns over the entrance for these works. The application states that this will be via the old playing fields and around the western edge of LEA. However, Network Rail have explained that they plan to use the main entrance which is in contravention of the planning application. Cllr Higham wanted to minute a note of thanks to Cllr Charlston and Cllr Seguss for recent discussions with NR.

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Discussion was raised around the fact that the applicant advises movement of lorries will be through the northern most entrance of Leeds East Airport (north of Cawood Crescent). However, contradictory information has been provided to the PC from Network Rail. Advice provided is that due to H&S issues, they will not be using this entrance and are currently using the main entrance gate. Effect on Highways - In addition, with approval for 126 houses adjacent to the site entrance. This stretch of road is currently 40mph, the visibility splay does not allow for lorries to approach from Ulleskelf without having to cross into the oncoming carriageway in order to manoeuvre into the entrance. The proposed new entrance to the new housing development will have to be crossed by the traffic movements into LEA. The Parish Council would ask that the planning authority seek an updated traffic management plan to reflect the change of entrance and consider the combined effect of both the change of use and the development of 126 houses within a small section of the highway, before a decision is made on this application. The Parish Council would also ask that the speed restriction on this road be considered as the size of residential amenity at LEA increases.

Resolved that observations be forwarded to SDC

b. Applications **approved and declined - none**

c. Planning Decision Notices

2020/1295/CPE-1	1 Fern Cottages, Nanny Lane, Lawful Development Certificate	Original planning app 2015/1220/FUL
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d. To consider any Planning Enforcement Issues – none

7. Policy

a. none to be discussed

8. Staffing

a. Clerk

To Consider the proposal of temporary addition of hours.

Cllr Seguss proposed a bank of additional 30 hours for the Clerk to use over the next 5 months.

Discussion over the funding of these additional hours.

Resolution to provide the Clerk with an additional 30 hours for use over the next 5 months.

9. Environment

a. Transpennine Upgrade

Consideration of Remote meeting with Network Rail. Next Steps.

Cllr Charlston and Cllr Seguss attended a recent meeting with Network Rail representatives. Discussion around parishioner concerns, involved a site visit. Comments forwarded to Network Rail representative from the residents' concerns, being acknowledged and will be responded to. Current situation is that the new report isn't complete and therefore start date not before mid-June. Report circulated previously from Cllr Charlston.

b. Playground Inspections & Maintenance

To consider the quotations for contracting playground inspections for 2020/21 (commences August 2020)

Resolution: Agreed that the HAG Playgrounds Ltd be contracted for the coming year.

c. Additional Graveyard Space

To consider the Clerk's Report on research for additional graveyard space for St Marys Church.

Discussion raised from the report. Cllr Mason talked around the outcomes and conclusion.

Resolution: Council in favour of the land acquisition in principle and Clerk to investigate the possible funding streams for this project.

d. Parish Council Insurance and associated recharge premiums

Report circulated by the Clerk. Discussion over insurance premium

Resolution: Council in favour of a 3 year commitment to Came & Co brokers.

Resolution: Council in favour of using the recharge of premiums formula as suggested by the Broker.

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e. HS2 Engagement

To consider re-engagement with HS2 personnel to provide update of the project for Church Fenton.

Discussion around the Call for Evidence paper and re-engagement with HS2. Cllr Chester suggested that Mike Ashton could provide an informal information sharing session in the first instance. This could help provide a refresh of the situation and better inform Councillors to provide challenging questions to HS2 Ltd.

Resolution: Council to initiate discussions with HS2 Ltd to provide an up to date picture of the current situation.

10. Finance

a. RFO Finance Report

To approve the Bank Reconciliation to 1 May 2020 and to note budget monitor.

Cambridge and Counties interest received from last financial year (2019/2020) totals £646.66.

1. An up to date receipts and payments analysis has been undertaken, this shows a balance as follows:

Additional Ring fenced funds not banked in Parish Council accounts

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Additional Ring fenced funds not banked in Parish Council accounts

S106/CIL Funds held at SDC with planning reference	Date issued	Date to be used by	Amount
S106 – 2008/1017/FUL		Nov 2021	£3,853.01
S106 – 2015/0760/OUT		Jan 2022	£23,817.60

Bank Balances as at 15 May 2020

Cambridge & Counties	£37,413.65
Redwood	£10,135.00
NatWest	£30,571.22
	£78,119.87

Ringfenced funds

CIL – 2016/1382/FUL (Aug 2022)	£5,407.50
Shop Bond	£20,000.00
S106 Sandwath Endowment Balance	£24,874.17
Grant: NHPlan Balance	£32.75
Net Rental Income - CFCH & CFCSLtd	£11,167.68
Total Ringfenced Funds	£61,482.10
General Fund - <i>not ringfenced</i>	£16,637.77
	£78,119.87

Now that the transition from old Clerk to new is fully complete. All accounts are in the new Clerks name as a key contact and all bank information is sent to the new Clerk. Bank balances are now wholly accurate. Just to confirm on the 2 savings accounts that interest is paid annually in November on the Redwood account and cumulative monthly on the C&C account. Hence the increase on the C&C account since last month at the year end. The main increase in funds is due to the 1st half of the Precept being paid by SDC on 30 April 2020.

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b. Payments & Income

To consider and approve the invoices for the payment schedule from 15 April 2020 to 15 May 2020

Date	Voucher code#	Description	Income	Expenditure (unpresented cheques highlighted)
01 April 2020	002	BT: J Sherlock final refund	£26.80	
01 April 2020	001	AC: Lease Payment: CF Community Shop Ltd	£1,108.07	
02 April 2020	003/4/5	AC: Lease Payment: CFCH	£1,796.08	
30 April 2020	006	SDC: Precept	£12,250.00	
01 May 2020	007	AC: Lease Payment: CF Community Shop Ltd	£1,108.07	
12 May 2020	008	TadCEF Grant: covers Creative Shed invoice	£48.00	
12 May 2020	009	TadCEF Grant: covers Viking Direct & Creative Shed invoice	£144.53	
02 April 2020	134/135	Cheque: 001737 - Shed Grounds Maintenance		£435.68
08 April 2020	133	Cheque: 001736 - Creative Shed Agency Ltd - A5 leaflets		£84.00
08 April 2020	138	Cheque: 001740 - D Gluck		£277.20
08 April 2020	147	Cheque: 001749 - D Gluck consultancy NHP		£317.60
08 April 2020	146	Cheque: 001748 - G Ashton salary		£607.24
16 April 2020	142	Cheque: 001744 - YLCA Subscription		£422.00
21 April 2020	143	Cheque: 001745 - Fenton in Focus		£50.00
23 April 2020	144	Cheque: 001746 - HAGS-SMP Ltd		£627.00
01 May 2020	014	DD: PWLB		£662.61
19 Mar 2020	141	Cheque: 001743 - BT Payphones - purchase of phone box		£1.00
19 Mar 2020	140	Cheque: 001742 - CF Village Hall room hire (NHP meeting)		£12.00
19 Mar 2020	139	Cheque: 001741 - CF Village Hall room hire		£90.00
31 Mar 2020	145	Cheque: 001747 - S Fisher salary		£105.58
31 Mar 2020	148	Cheque: 001750 - Shed Grounds Main' Apr invoice 17337		£156.80
30 April 2020	003/4	Cheque no: 001753 - Fenton Landscape Services		£486.00
30 April 2020	002	Cheque no: 001752 - Creative Shed Agency		£48.00
30 April 2020	005	Cheque no: 001754 - Creative Shed Agency		£48.00
30 April 2020	007	Cheque no: 001755 - S Fisher salary		£105.98
30 April 2020	008	Cheque no: 001756 - G Ashton		£389.20
05 May 2020	001	Cheque no: 001757 - Viking Direct		£96.53
05 May 2020	006	Cheque: 001758 - Shed Grounds Main' Apr invoice 17558		£156.80
05 May 2020	009	Cheque no: 001760 - HMRC PAYE		£268.60
11 May 2020	011	Cheque no: 001762 - SADRUG subscription		£10.00
11 May 2020	010	Cheque no: 001761 - Information Commissioner		£40.00
11 May 2020	012	Cheque no: 001763 - NYCC Energy (streetlight) annual inv		£980.90
14 May 2020	013	Cheque no: 001764 - NYCC Streetlighting annual main'nce		£756.80

Clerk has provided income and expenditure from the start of the financial year due to not having accurate bank statements at the April meeting. As you will see, of 23 cheques written, only 7 have been cashed. 17 cheques are unpresented. The Clerk would argue this is due to the impact of Covid19. However, in addition to this, Viking Direct have sent a 2nd reminder for their invoice due to not accepting cheques during the present circumstances.

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If nothing else, this highlights the fact that as a Council you do not access online banking and therefore have no standing orders or direct debits for regular payments (of which 14 out of 17, one could argue are regular payments). If all annual payments and monthly regular payments were done either by online banking (bank transfer, direct debit or standing order) then this would drastically reduce the time commitment on the Clerk to process cheques as well as providing an accurate state of accounts at the touch of a button. The Clerk recommends that the Council consider online banking.

Resolution: Cllr Seguss to pay the Viking Direct bill and be re-imbursed by the Council.

Resolution: Cllr Charlston to investigate online banking.

c. *To approve the Internal Auditor for 2019/2020 Annual Governance and Accountability Return.*

In the absence of an appointed Internal Auditor (which should have been secured in the summer of 2019), the Clerk has used delegation of powers in this instance and appointed Carl Parker, Parker Hartley & Co in York. Carl is a partner accountant there and lives in Barkston Ash and already does the accounts for Barkston Ash PC. He is happy to do the accounts and said that he would charge the PC a reasonable rate. The accounts were dropped off with him on Wednesday 20 May and he implied a quick turnaround. The accounts may or may not be back in advance of the meeting, therefore would need to be signed off in the June meeting.

Resolution: Council to retrospectively approve the appointment of the Internal Auditor with a ceiling of £200 for invoicing.

d. Approval of AGAR Return 2019/2020

To approve Section 1 – Annual Governance Statement for 2019/2020 for Church Fenton Parish Council on page 4 of the Annual Governance & Accountability Return 2019/2020.

To approve Section 2 – Accounting Statements for 2019/2020 for Church Fenton Parish Council on page 5 of the Annual Governance & Accountability Return 2019/2020.

Resolution: Council resolved to approve Sec 1 and Sec 2 of the AGAR Return for 2019/2020.

The Asset Register has been looked at and is currently being updated by the Clerk. Points to note, include:

- (1) Old School Playing field – not registered with the Land Registry. Clerk is chasing with 2 separate local solicitor firms.
- (2) Sandwath Play Area – incorrectly recorded. Cost was £1 paid by the PC to Taylor Wimpey, the developer in 2012. (as per S106 dated 2006).
- (3) Land on Biggin Lane – acquired in 1972 under the Common Registrations Act 1965, needs checking at NYCC
- (4) Land at Broad Piece - acquired in 1972 under the Common Registrations Act 1965, needs checking at NYCC
- (5) Triangular piece which post box sits on (outside Community Shop) – needs chasing with Freeths, costs include £1,000+ and ST1 (Statement of Truth).
- (6) Seats – 8 of – need location and breakdown of cost per bench
- (7) Boundary signs – 5 of – need to chase up location and check purchase costs

The Asset Register needs to be input into Scribe Accounts to provide an accurate reflection of the current Assets of the Council. Equally it is important to reflect the risks involved in each of these assets and the level of cover. To this end, the Clerk has created an Insurance Register and is in the process of writing a Risk Management Policy. Recommended that the Finance Report be noted by the Councillors.

Resolution: Clerk to research competitive professional fees for the adverse possessory title of the triangular piece of land which the post box sits on outside the Community Shop. In addition, Clerk to approach previous shop owners to ask their permissions to sign the Statement of Truth (ST1) to explain that to their knowledge there has been no claims on the land in the last 40+ years.

Resolution: Council approved the Finance Report

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11. To receive Representatives Reports
Cllr Charlston – noted the paving is broken on Station Mews, bench on Main Street in disrepair, lack of bench on Busk Lane, developers advertising flag at The Laurels to be removed. Concerns over dog excrement being left around the village. Clerk to contact NYCC regarding broken paving/footpath at Station Mews. Cllr Mason to investigate bench replacement costs on Main Street (Nick Mossman, Steve Naylor mentioned for quotations). Cllr Charlston to contact developer at The Laurels to request that the flag be removed now all houses are sold. Cllr Herbert – attended a Risk Assessment Training session. Clerk has provided a template for the RA policy. Cllr Herbert to forward training session templates to the Clerk.
Cllr Higham – has spoken to Mr Exley re the bench at Busk Lane and it is in their programme of works for the next 2 weeks.
Cllr Chester – strip lights which light up the covered area at the top of the entrance to the Railway station. Concerns over the heat generated and find a more eco-friendly alternative. Entrance way has been restored. The TOC will have done it. Cllr Charlston to chase up.
12. To note Correspondence received (not specifically dealt with on this agenda)
a. email received from a PC in Kent asking for advice and guidance on setting up a Community Benefits Society for the purchase of a public house within their community. Cllr Higham and Cllr Chester happy to meet with the Parish Council remotely. Clerk to pass on contact details.
b. email received from a resident regarding Busk Lane speed limit and overgrown hedgerow on Busk Lane towards LEA. Clerk to write back to resident explaining that speed limit concerns are being raised with NYCC and Cllr Blakey to investigate the overgrown hedgerow.
13. To note Agenda Items for Next Meeting
Village Entrance boundary sign. Play Space Provision. Defibrillator purchase for redundant phone box. Budget variances & budget headings. Strategy Parish Plan. Maintenance of Bench and H&S Policy re street furniture. Covid19 Action Group. Highways. HS2. Risk Assessment Register.
14. To confirm Date and time of next meeting – Thursday 18 June 2020 at 7:30pm remotely.

Meeting closed at 10.21pm