

Church Fenton Parish Council

Minutes of the meeting – ORDINARY PARISH COUNCIL MEETING

Minutes of the Ordinary Council Meeting of Church Fenton Parish Council held on Thursday 21 October 2021 at Church Fenton Village Hall

In attendance: Cllr Sam Charlston (Chair), Cllr Stewart Ferris, Cllr Jo Mason, Cllr Michelle Seguss, Georgina Ashton, Clerk to the Council.

In addition 23 members of the public.

Meeting started at 7.30pm

21/71. To note Apologies and Approve Reasons for Absence

Apologies received in advance of the meeting from Cllr J Cooper, Cllr A Mason and Cllr R Higham.

Resolution: to approve reasons for absence from Cllr Cooper, Cllr A Mason and Cllr R Higham.

21/72. To note any Declarations of Interest and to approve any Dispensation requests

It is a requirement in law, Localism Act (2011, s31) that Council members declare any Disclosable Pecuniary Interest.

a. To note dispensation requests

21/73. Public Participation Period (no longer than 30 minutes)

Members of the public are politely reminded to speak for no more than 5 minutes.

Resident 1 – NHP has been formally adopted on 23rd September 2021. There are some amendments which are factually incorrect. Agreement by councillors to go ahead with changes and amends.

Resident 2 – ask the PC if they have looked into the car parking spaces available at the Fenton Flyer.

Concerns raised by the resident on the new application for the campsite - that in the application they have 20 parking spaces, actually have 14. Concerns raised over lack of foliage, trees, hedges. App says not in a FZ, however, the site is in FZ2. No mention of the opening/operating hours. No dimensions on the campsite, size of pitches, no mention of size/ dimensions of the glamping pod. Impact on local residents and the residential amenity. Request for the PC to represent the parishioners at the planning committee and speak on behalf of the parish.

21/74. Reports from other authorities

District Councillor(s), County Councillor, Police

Apologies received from District Cllr Musgrave in advance of the meeting.

District Cllr Musgrave has requested that the campsite application be considered by Planning Committee rather than an individual case officer.

21/75. To approve Minutes of the Ordinary Meeting of Church Fenton Parish Council held on 16 September 2021.

Resolution: It was resolved that the minutes of the meeting which took place on 16 September 2021 were a true and accurate record.

21/76. Planning

a. Applications to be considered since the last meeting and acknowledged if date passed

Date Received	Consultee deadline	Planning reference	Address	Details
28 Sept	02 Nov	2021/1136/COU	LEA	COU to cladding and R&D facility
29 Sept	01 Nov	2021/1217/DOC	The Orchards, Church Street	DOCs to 03,07,10.
16 Oct	5 Nov	2021/1127/FUL	The Fenton Flyer	Retrospective application for 5 pitch camping/caravan site with 1no Glamping pod.

To consider 2020/0225/FULM – additional FRM report dated 8/10/2021.

2021/1136/COU

- Concerns raised over the number of vehicular movements in and out of LEA. Proper traffic management plan needs to be considered to have a cumulative/holistic overview of all traffic movements in and out of LEA for all businesses currently operating from there. This has been raised by NYCC Highways on a previous application and has not been addressed.

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- The application states that traffic will enter LEA via the A162. Question over flood zone – councillors believe that the whole area is in FZ2. Concerns over the noise and the type of testing that will take place, eg fire, chemicals. Lack of information and detail in the application.
- 7 day a week operation, longer than normal working hours – 7am-10pm 7 days a week. Is this acceptable based on the type of business?

2021/1217/DOC – no comment

2021/0212/LWCU – case closed. Network Rail and Enforcement have both contacted the PC and confirmed that the work to pipe the drain is acceptable and that there has been no landgrab by the developers.

2021/1127/FUL

- Planning application is an inadequate application and incorrect (no measurements, scale or dimensions). So many aspects which are not right. Retrospective application, blatant attempt to mislead, not operating within planning legislation. Lack of information in the application. Application says that the PC were consulted prior to submission. The PC were informed that an application was pending but not consulted.
- Car parking is an issue. The previous business application in 2020 required 20 car parking spaces. There are currently only 14 spaces due to the entrance across the car park to the campsite and development of the car park.
- Inappropriate activity in a residential amenity area. Residential impact is considerable.
- Previous application, Flyers Kitchen – number of spaces in relation to parking spaces now is not correct.
- Request a conditions meeting with SDC if minded to approve the application as there is insufficient information in the application.
- The Parish Council would like to speak at Planning Committee.
- Discussion over whether the PC is “minded to refuse” the application.

Resolution: to agree that parish council observations are submitted to SDC and to include a request for a conditions meeting.

Resolution: to hold a future agenda item to discuss the format/template of how planning observations are submitted by the Parish Council.

2020/0225/FULM – Full risk assessment for ground water should have been submitted. This has been done recently 8th October 2021 and added to the planning portal.

b. Planning Decision Notices – none **approved or declined during this period**

c. To consider any Planning Enforcement Issues

2021/0212/LWCU – Land adjacent to Railway Station Car park, Station Road, see above.

d. To note any update regarding the Campsite at The Fenton Flyer – see above, application now live.

Next agenda item moved up the agenda at the discretion of the Chairman.

21/79 (d) To consider the next steps with regard to the Village Hall boundary.

Important that the title deed and title plan are correct in perpetuity for the parish council as an asset which they owned. Need to protect the boundary of the asset. A resident presented some information and associated maps to challenge the Council and to suggest there is sufficient doubt to warrant legal advice.

Resolution: to engage a legal team to complete a form Adverse Possessory 1 (S40) to challenge the boundary not necessarily the ownership of the adjacent land (to a maximum of £500 in the first instance).

21/77. Policy

a) To consider a voting record for all resolutions taken at full council meetings.

Under LGA 1972, Sch12, paras 13 and 29; If any member so requires, the manner in which each member voted on any particular question must be recorded in the minutes.

Agreed to defer to the next meeting when more councillors present.

b) To note Unitary update received from County Cllr Les 5 October 2021.

Formal implementation team from January 2022 of senior officers and senior district council leaders. Area constituency committees will be formed for planning, licensing etc. Potentially have parish council elections in May 2022, in line with elections of County Councillors in the new shadow council. Yet to be confirmed.

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- c) To receive and consider the Monitoring Report for the Locality Budget grant.
Returned to NYCC, Locality Budget team by the Clerk. Monitoring report to demonstrate spend towards VAS signage of the locality grant provided through County Councillor Lee for £2,000.

- d) To consider the date of January 2022 full council meeting.

Resolution: to agree to move the parish council meeting for January 2022 to Tuesday 4th January 2022. To note the venue of the next meeting on Thursday 26th November 2021 has been moved to the Methodist Hall due to PFCC elections.

21/78. Staffing

- a) To receive verbal update from the Staffing Committee.

The Staffing Committee Chairman received a formal grievance from an employee on 12th August 2021. A Grievance Panel was formed and this panel met on 21st September. The decision made by the panel was that the grievance is upheld. A series of recommendations have been provided and shared with those parties involved and these recommendations will be reviewed in September 2022. The Monitoring Officer has been provided with a copy of the 27 July 2021 minutes and notified of the outcome of the Grievance Panel.

21/79. Environment

- a) To note Highways Committee update – recommended to approve by NYCC full committee (24 September) double yellow lines on Oakwood Close and top of Common Lane/Station Road. Cllr Seguss liaising with Gary Lumb, Highways to provide updated quotation for AJ1 spend.

- b) To note correspondence received and consider the proposed developments at the Rose Lane Crossing – none received

- c) Public Rights of Way - *To consider the correspondence received with regard to FP No17.*

To note any updates on public footpaths within the Parish.

NYCC Sealed Order received 21 October 2021, any person aggrieved by the Order has a 6 week period in which to respond. Notices to be displayed on the notice board in the village and NYCC have put a notice in the Selby Times 21/10/21.

- d) To consider the next steps with regard to the Village Hall boundary. – *moved up the agenda.*

- e) To consider the purchase of two defibrillators and associated accessories.

Resolution: to purchase two ipadSP1 defibrillators and boxes from BHF. Speak to Sunar Bangla with regard to nominal fee of electric trickle to the new defibrillator at the station entrance.

- f) To consider the use of the newly acquired phone boxes on Main Street and Station Road.

Defer to next meeting to look at the use of the Station Road phone box.

- g) To consider the purchase of a new notice board for the parish

Report previously circulated by the Clerk.

Resolution: seek permission from VH trustees to reposition a new noticeboard. Clerk to seek quotations based on a new large timber framed noticeboard with engraved arch (Church Fenton Parish Council) to be positioned at the front of the village hall.

- h) To consider the boundary fencing and gate at the Main Street Playground and Sandwath Play area
Quotation received from a local joiner, suggestion of a 9ft and 3ft gate timber gate. Quote includes fitting, and repair of fencing (£440). Consider fastening of the gate to make more child friendly.

Resolution: to approve the purchase of timber fencing repairs at the entrance to the playground and 2 new gates.

- i) To note proposals for the celebration of the Queens Jubilee

Defer to next meeting.

- j) To receive and consider concerns over street lighting obstructions on Nanny Lane

Concerns raised to the PC from NYCC where a resident had reported streetlight obscured through foliage. Column 12 (Hall Lane/Nanny Lane) and Column 11 on Nanny Lane. Clerk to check ownership of both lampposts.

Resolution: Clerk to write landowners. Clerk to write to NYCC streetlighting with regard to lamppost 26-32. Chairman to contact NYCC dept directly.

- k) To receive and consider complaints received regarding Laurel Farm Drive, adoption of road and obstruction of private driveways.

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Resolution: Clerk to write to NYCC Area 7 to establish the current position of the road being adopted.

- l) To note update the boundary line at the railway station and liaison with the TOC Covered earlier in the agenda (planning).
- m) To consider planning consent at LEA for Aviation purposes
Cllr J Mason suggested that the PC write back to SDC with regard to concerns over no limits to the extent of flying from and to LEA site. Purpose of communication - to seek a better and more considered response. Suggestion from Cllr Seguss that the PC keep a log of the number/type of complaints received with regard to aviation complaints. Also a suggestion that the Clerk has a standard response to steer their complaints, eg write to PC, CAA, LEA, Enforcement. This will help to build a picture of the volume of complaints received over a period of time.

Resolution: to write back to SDC with comments from PC. Clerk to write a standard response for complaints received from residents so that residents are consistently correctly signposted to relevant bodies.

- n) To note update from the Christmas Committee
Christmas tree ordered from Fields Garden Centre. Carols round the tree agreed for Christmas Eve. Idea of eco-friendly wooden decorations for all children in the village. TENs license may be required if providing donations towards alcohol. Tuesday 2nd November date for next meeting.

Resolution: Clerk to write a TENs license to SDC for the event on Christmas Eve.

- o) To consider the Clerk's report with regard to upgrading the Christmas sockets on streetlight lanterns in the Parish. Report previously circulated to council with regard to streetlighting repairs needed for Christmas sockets fixings. All 8 streetlights with Christmas sockets attached need remedial work and repair.

Resolution: to instruct NYCC streetlights asap to conduct the remedial work on the streetlights with the preferred option at a cost of £2,500.80 inc VAT.

Resolution: 4 new additional Christmas sockets to be fitted in the parish, (delegated powers to be passed to Christmas Committee to decide on the location of the 4 new sockets or combination split of 2 sockets and 2 lights or 4 sockets etc).

- p) To note correspondence received from Crombie Wilkinson Solicitors with regard to land to the east of Oakwood Close, Old School Playing field.
The Parish Council have recently received an updated title deed and title plan from the solicitors with regard to the old school playing field. There is reference to a nominal annual charge fee to the chancel for the Parish Church of Church Fenton and the council were asked to consider if they wished to seek indemnity insurance to cover this historic charge.

Resolution: Clerk to request a quotation for indemnity insurance with regard to the Old School Playing field

- q) To agree date of facilitated discussion with YLCA.

Resolution: Agree Monday 6th December 2021 at 6.30pm for 1 hour. Chairman to confirm with YLCA principal officer and content of discussion.

21/80. Finance

- a. RFO Finance Report -To approve the Bank Reconciliation to 15 Oct 2021 and to note budget monitor.

Additional Ring fenced funds not banked in PC accounts

S106/CIL Funds held at SDC with planning reference	Date issued	Date to be used by	Amount
S106 – 2008/1017/FUL		Nov-21	£3,853.01
S106 – 2015/0760/OUT		Jan-22	£23,817.60
Funds released for Main St Play area & benches		Apr- June 21	27,550
	Remaining	Total	<u>£120.61</u>

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Bank Balances at 08 September 2021

Bank Account	09 Sept 2021
Unity Trust Online	£40,826.06
Cambridge & Counties	£37,896.20
Redwood	£10,266.70

Totals	£88,988.96
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Ringfenced funds at 19 October 2021

CIL	£0
Shop Bond	£20,000.00
S106 Sandwath Endowment Balance	£21,874.73
Grant: NHPlan Balance	-£143.05
AJ1 Road Safety Fund Grant	£4,195.76
Total Ringfenced Funds	£45,927.44
General Fund - <i>not ringfenced</i>	£43,061.52
Total funds equals total bank ac's	£88,988.96

b. Payments - *To consider and approve the invoices for the payment schedule from 13 Sept to 15 Oct 21.*
 Current Bank Balance as at 19 October 2021 is £40,826.06

Date	Cost code	Vcode	Description	Income	Expenditure	Totals
13/09/2021	LoanRep	#54	DD: PWLB White Horse		£95.81	
20/09/2021	LoanRep	#53	DD: PWLB SHOP		£146.34	
21/09/2021	Gcutting	INC11	NYCC: Grass Cutting Grant	£175.26		
27/09/2021	Admin	INV32	BT: Members Community Fund Grant (SDC)	£1,000.00		
30/09/2021	Precept	INC33	BT: SDC Precept installment 2	£11,943.70		
30/09/2021	Admin	#74	BT: Unity Trust Online banking fees (June to Sept)		£18.00	
01/10/2021	LoanRep	INC34	AC: Lease Payment: CF Community Shop Ltd	£1,108.07		
04/10/2021	LoanRep	INC35	AC: Lease Payment: CFCHub	£1,697.75		
04/10/2021	LoanRep	INC36	AC: Lease Payment: CFCH admin charge	£98.33		
07/10/2021	Salaries	#72	BT: HMRC PAYE SEPT		£37.00	
07/10/2021	Salaries	#71	BT: Lengthsman Salary SEPT (19.5hrs x £9.50) = Gross £185.25		£148.25	
07/10/2021	Salaries	#70	BT: Clerk SEPT salary		£494.80	
07/10/2021	Gcutting	#68/69	BT: Fenton Landscape Services		£356.00	
07/10/2021	R&Main	#73	BT: Four Square Healthcare Ltd (2x new adult pads for VH defib)		£88.19	
07/10/2021	R&Main	#64/65	BT: HAGS SMP Ltd (playground inspection) Inv 277901		£108.00	
07/10/2021	R&Main	#66/67	BT: HAGS SMP Ltd (playground inspection) Inv 277900		£108.00	
07/10/2021	Admin	#63	BT: Recharge to G Ashton, expenses (SLCC CILCA Books)		£174.90	
07/10/2021	Asset	#51	BT: TWM Traffic Control Systems Ltd (VAS)		£8,274.70	
07/10/2021	R&Main	#62	BT: King Arboriculture (cherry tree disposal Playarea)		£100.00	
07/10/2021	Audit	#61	BT: PKF Littlejohn - External audit		£360.00	

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07/10/2021	Admin	#60	BT: CF Methodist Church Hall - room hire		£24.00	
07/10/2021	Training	#59	BT: Yorkshire & Humber RTP (CILCA training provider)		£325.00	
07/10/2021	Training	#58	BT: SLCC - Clerk's CILCA qualification fee		£410.00	
12/10/2021	Grant	INC37	BT: NYCC (Locality Budget grant for VAS signs)	£2,000.00		
14/10/2021	VAT	INC38	BT: VAT Return for Q1 to 30/6/2021	£4,515.60		
18/10/2021	VAT	INC39	BT: VAT Return for Q2 to 30/9/2021	£1,691.77		
Totals			Overall income / expenditure for financial year	£83,090.09	£72,746.84	
19/10/2021			Closing balance at BANK at 19 October 2021			£40,826.06
			Known Financial Commitments			
01/10/2021	Vcutting	#78	BT: Shed Grounds Maintenance Ltd - OCT		£159.94	
01/10/2021	Training	#77	BT: YLCA (Off to a flying start Cllr training)		£60.00	
01/10/2021	Admin	#76	BT: Fenton in Focus (Autumn 2021 advert)		£50.00	
			<i>The 3 transactions above are on Unity, awaiting authorisation</i>			

The balance of the two savings accounts is £48,162.90. Recommendation to council is that some of the funds from the C&C savings account could be removed to the Unity current account. This would reflect the fact that the CIL monies have now been spent. The expenditure last year between October meeting 2020 and year end 31 March 2021 was £25,000 and income was £19,000 (includes AJ1 fund Dec 2020 income). The ringfenced funds will soon total £41,000 (to include Shop Bond and S106 Sandwath Endowment) once the AJ1 fund has been spent. Defib grant from Locality budget not yet received, extra £1000 to cover total costs of two new defibrillators.

Additional CIL monies received during October for The Orchards development on Church Street £2,649.52. Clerk has already requested a drawdown into PC funds so that the monies can be allocated to a project. Agreed to drawdown the remaining S106 funds of £120.61 towards the cost of the new bins project.

Resolution: Council to note the Finance Report

21/81. To receive Representatives Reports

Cllr Charlston – Fenton in Focus insert due in November (Christmas poster added in as is), new gates, new bins, dog waste, footpaths

Cllr Seguss – received with thanks, Cllr Musgrave provided £1350 towards the bins and in addition Cllr Ellis has provided £1000. Remaining balance for the bins is circa £250 which will be covered by general reserves. Concerns raised from residents with regard to Murphys trucks parked on Main Street. Lots of complaints regarding the boundary fence with Network Rail on the embankment. Resident raised concerns regarding surveying for Common Lane from Network Rail to do with the changes at Rose Lane.

21/82. To note Correspondence received (not specifically dealt with on this agenda)

- (i) Concerns with overnight HGV parking on Busk Lane, layby adjacent to the millennium sign – Clerk to contact NYCC with regard to “no overnight parking” signage in the area and “unmake” the carriageway.
- (ii) Concern raised by resident over low flying, wing walking plane for 2 consecutive weekends
- (iii) Resident concerns regarding broken streetlights in need of repair on Main Street, Brockley Close
- (iv) Resident concern regarding footpath on the bridge at Sandwath Ln, and grit bin at the bridge
- (v) Request for a copy of the Asset Register from CFCHub
- (vi) Numerous communication from YLCA, Governance updates, LGA Code of Conduct, Training schedules.
- (vii) Resident concern re pumping station at Main Street play area and anti social behaviours
- (viii) Local Plan SDC public consultation submission
- (ix) FOI request received 15 October 2021 which does not necessarily meet the test of reasonableness and proportionality.

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Resolution: to move this agenda item to confidential session at the end of the meeting.

21/83. To note Agenda Items for:

a) Next meeting – review and adopt new NALC Code of Conduct, sale of Arnold-Baker 10th edition, confirmation Bins order, fencing on railway embankment on all sides, playpark resurfacing, notice board, voting record, Rose Lane level crossing. Acoustics in the hall.

Future meetings - Village Entrance boundary sign. Strategy Parish Plan. Use of Survey Monkey for communication with Parishioners. Policy. HS2. ST1 Post box.

21/84. To confirm Date and time of next meeting – Thursday 25 November 2021 at 7.30pm, Methodist Hall, Main Street, Church Fenton.

The meeting closed at 21.35pm.

Signed: *Samantha Charlston, Chair, Church Fenton Parish Council:* _____

Date: 21 October 2021

21/82 (xi) FOI request received 15 October 2021 which does not necessarily meet the test of reasonableness and proportionality.

Resolution: Clerk to seek further advice from NALC, YLCA and ICO. There is an understanding that the Parish Council can resolve to respond to the resident stating that this is an unreasonable request and therefore the information will not be provided.

The meeting closed at 21:51pm