

Church Fenton Parish Council

Minutes of the Meeting of Church Fenton Parish Council held on Thursday 19th April 2018

Present: Cllr Sarah Chester; Cllr Jo Mason; Cllr Andrew Mason ;Cllr Craig Blakey; Cllr Stuart Spensley, Cllr Rebecca Hunt, Cllr Ross Higham

NYCC Cllr Lee; SDC Cllrs Ellis and Musgrave

Jeremy Sherlock (Clerk)

22 members of the public

124. Apologies, Declarations, and Dispensations

Cllr Hunt declared an interest in item 129b relating to interest from Jigsaws Nursery.

125. Public Session

A number of highway issues were raised. These were considered in item 129e.

A number of concerns were raised about recent incidents of vandalism and anti-social behaviour. The Clerk agreed to write to the police requesting attendance at a future meeting.

126. Reports

Cllr Musgrave advised that a revised scheme for the land next to the Parish Church is due to be registered shortly. This will be in line with the outline approval. The Clerk was asked to write to the case officer highlighting issues of the footpath, running sand, and ensuring that the style of housing is in keeping with the village.

127. Minutes of the Meetings held on 15th March 2018

Resolved that the minutes represented a true record of the meeting.

128. Matters Arising

None.

129. For Discussion

a. **White Horse** – at the last meeting the Council agree to submit an offer at the asking price of £350K for the White Horse once borrowing approval is received, and to proceed with the purchase subject to a number of conditions. Progress is as follows:

1. The Council's offer being accepted – borrowing approval has been received from DHCLG and a formal written offer submitted. The agents have advised that they have received an offer above the asking price.
2. A valuation being received which the Clerk considers to be satisfactory – the DV has completed their valuation and consider the pub to be worth £290K in its current condition and £350K after refurbishment. This raised concerns about recovering funds should the venture fail. The Clerk considered that the Council has 4 options:
 - a. Withdraw the offer.
 - b. Offer £290K - this is unlikely to be successful
 - c. Confirm the offer of £350K as a final offer
 - d. Negotiate up to £360K which is closer to the alternative offer.

The Clerk advised that the Council can submit an offer higher than the valuation. This would represent a risk and may be criticised at Audit. Councillors felt that the risk and additional cost were worth it due to the benefits to the village of retaining the community pub.

3. Heads of Terms for the lease be agreed with the Community Benefit Society – draft Head of Terms had been discussed with the Community Benefit Society, and they had suggested some alterations. The principle is that it would be let on a full Repair and Maintenance

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basis with the Council removing the cost of the loan and insurance.

4. The Community Benefit Society provide evidence of proof of funds to the satisfaction of the Clerk in consultation with Councillors – to be requested
5. Consideration of consultation responses – 11 responses were received to the financial consultation, with 10 in favour and 1 against.

The Clerk advised that there are some detailed issues regarding VAT and that he is seeking advice through YLCA. He vendors have advised that VAT will be payable on the purchase, though this is recoverable by the Council.

Resolved that:

- 1. The Clerk be authorised to offer of up to £360K +VAT for the acquisition of the White Horse**
 - 2. The Council agree to purchase the White Horse if an offer of up to £360K +VAT is accepted, subject to the condition agreed at the last meeting**
 - 3. The Heads of Terms be agreed in principle with the Clerk delegated to agree the final version**
- b. **Community Shop** – the Clerk reported that the terms of purchase are nearly complete, and that funding for the deposit is being drawn down from PWLB. An issue relating to the overage remains in that the vendors solicitor have included a clause whereby the overage would be payable if the Community Shop extended the building. As this would not generate income for the Council it was agreed to be unacceptable. The Council's Solicitor is hopeful that this will be resolved shortly.

The Chair reported that a meeting had been held with the shop Management Committee to discuss some concerns that had been raised in the village. The following issues arising from the meeting were discussed:

1. Reporting – arrangements for reporting shop activities etc were discussed. It was agreed that this was best done on a voluntary basis
2. Councillors as Directors/ on Management Committee – it was felt that having dual roles blurred responsibilities, and was suggested that the Council should include a clause in the lease barring non nominated Councillors taking on these roles. The Clerk advised that this would create issues regarding local democracy, and would be virtually impossible to enforce. Issues relating to Interests are dealt with through the Standards regime. The Clerk suggested that Interests forms should be updated to ensure that they are accurate.
3. Interest from Jigsaws – the Chair advised that Jigsaws Nursery have expressed an interest in leasing the 1st floor, but would prefer to lease from the Council. It was agreed that this may be a good use, but there would be too many complications in changing the agreed lease arrangements at this stage. (Cllr Hunt did not participate in discussions on this issue)

Resolved that:

- 1. The Community Shop be asked to provide reports on progress every 6 months.**
 - 2. The Shop Management Committee be requested to positively consider an approach from Jigsaws for the use of the 1st floor**
- c. **Assets of Community Value** – deferred to the next meeting.
- d. **General Data Protection Regulations** – new regulations are being introduced on 25.5.18. The Information Commissioners Office has recognised that Parish Councils may not be fully compliant on that date, but should be working towards compliance. It will be an issue for the Council as a whole with councillors needing to change the way that they handle data. Most Council data handling will be done on a "lawful basis" (i.e. to manage Council business) with express consent not required. The Council will need to introduce a data retention policy, and

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review its policies and data security arrangements.

- e. **Highway Issues** – issues had been raised about speeding (Church Street, Main Street, Nanny Lane), the Church Street/ Main Street roundabout, and the lack of a footpath along Church Street. There was discussion about a 20mph limit, and unofficial signage. It was agreed that the Clerk would hold a meeting with an NYCC Engineer and report back.
- f. **HS2** – a request had been received from HS2 for licences to undertake survey work on Sandwath Play Area, and the Cricket Ground. There would be a fee of £1000 per site – for the Cricket Ground the club would receive £750 of this as leaseholder (they receive separate documentation).

Resolved that the Clerk be authorised to sign licences for survey work at Sandwath Play Area and the Cricket Ground

- g. **Selby DC Additional Sites consultation** – 4 additional sites have been put forward which have the same status as other sites that had been put forward (residential may not be required). On that the previously submitted comments apply to these sites.

Resolved that the Clerk submit comments supporting and reiterating the comments made for the original consultation

- h. **Sherburn and District Community Library** – a request had been received for £175 towards the Community Library. The Council have agreed the principle for ten support of this venture.

Resolved that a contribution of £175 towards the Sherburn and District Community Library be approved

130. For Information

Correspondence has been received from Selby DC advising that the deadlines for use of the available S106 or Church Fenton are November 2021 (£3,583.01) and January 2022 (£23,817.60)

131. Planning

Applications for consideration

2018/0391/HPA – proposed erection of a double garage at Old Forge Cottage, Main Street, Church Fenton

Resolved that no objections be raised

132. Finance

- a. Clerk's Finance Report

The Clerk had circulated a financial report which shows the following

Balance	£39,255.55
Sandwath endowment	(£26,841.00)
CIL	(£4,407.50)
GENERAL FUNDS	£8,007.05

Selby DC have advised that the CIL money was paid to Church Fenton PC in error as it relates to the Bellway development in Ulleskelf Parish. However they have agreed that we can retain the funds which can be used on "account" as other CIL schemes come forward. This means that the Council is unlikely to get any "new" CIL for some time.

Resolved that this report be noted

- b. Payments

YLCA

Subscription

£407.00

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J R Ink	Printing (White Horse)	£125.00
YLCA	Training	£45.00
J R Ink	Printing (NP)	£75.00
Sherburn-in-Elmet PC	Grass cutting	£388.47
Sherburn-in-Elmet PC	Grass cutting (Sandwath)	£21.56
HMRC	Tax	£169.80
J Sherlock	Salary	£403.28
J Sherlock	Travel expenses	£20.70
S Fisher	Salary	£102.69
S Fisher	Expenses	£8.34
Fenton in Focus	Newsletter	£36.00

Resolved that the above payments be noted

133. Representatives Reports

Cllr Blakey advised that he had arranged a meeting with the landowner and NYCC to discuss footpath issues near Brackenhill Lane

Cllrs Hunt and Spensley reported that there had been a number of issues regarding vandalism and anti-social behaviour and requested that the Police be invited to the next meeting.

Cllr Chester reported that a barbeque had been held in the Play Area without consent

134. Agenda Items for Next Meeting

Community Shop, White Horse, Neighbourhood Plan, Assets of Community Value, Highways

135. Date and time of next meetings –Thursday 17th May 2018 at 7:30 at the Village Hall, Main Street, Church Fenton (Parish Meeting followed by Annual Meeting)

Meeting closed at 9:50pm

Jeremy Sherlock; Clerk; clerk@church-fenton.net