

Church Fenton Parish Council

Minutes of the Meeting of Church Fenton Parish Council held on Thursday 10th January 2019 at the Village Hall, Main Street, Church Fenton

Present: Cllr Sarah Chester (Chair), Cllr Ross Higham, Cllr Jo Mason, Cllr Andrew Mason, Cllr Craig Blakey, Cllr Stuart Spensley

NYCC Cllr Andrew Lee; SDC Cllrs Musgrave & Ellis; Jeremy Sherlock (Clerk); Howard Ferguson (MP's Office)

12 members of the public

80. Apologies, Declarations, and Dispensations

None

81. Public Session

A resident raised strong objections to the development that had been carried out at the rear of 8 Northfield Terrace (under item 87).

82. Reports

Cllr Musgrave advised that discussions were still underway regarding the level of affordable housing for the proposed development to the rear of the Parish Church.

83. Minutes of the Meeting held on 22nd November 2018

Resolved that the minutes of 22nd November 2018 represent a true record of the meeting.

84. Matters Arising

None.

85. For Discussion

a. **Budget and Precept 2019-20** – the Clerk had prepared papers on the proposed budget and precept including a report regarding risk and reserves. A draft budget was circulated with the following comments:

- a. The carry forward figure includes around £16,000 advance rent. The reserve has been increased to allow for advance rent (effectively carried forward from this year).
- b. The income and expenditure relating to the recently acquired buildings balance.
- c. There is no longer a Selby DC grant.
- d. The recovered VAT figure is negative as the VAT payments from the WH rent exceed recovery from other activity.
- e. The rent income figure for the WH includes VAT.
- f. The budget takes account of the pay increase and continuing the Clerk's hours at 5 hrs pm longer term – this is covered in a separate report.
- g. A budget for streetlights is included as previously discussed.

A separate report was considered to assess what level of balances that should be held by the Council to cover potential risks particularly in the light of the recent property acquisitions. This should be a balance between ensuring that funds are available for unexpected expenditure and cash flow against avoiding holding excessive funds in the Bank that should be used to deliver services to the community.

Prior to the recent property acquisitions the Council worked on the basis of holding approximately 25% of income as a revenue reserve. NALC/ YLCA recommend this as a minimum. This was budgeted at £5,000 in 2018-19.

The Council is fully insured to cover any claims etc that may arise. Assets are also inspected regularly.

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General Fund - historically the Council has not held assets where large amounts of unexpected expenditure can be expected, such as buildings. The main areas are the play spaces and street lights where works to ensure Health and Safety are essential, but there is no reason why assets cannot be removed (at a relatively modest cost) rather than replaced if costs are excessive. The balance of funding is used for running costs, and one off grants/ projects. On that basis holding reserves at 25% of precept/ SDC grant income was always reasonable.

The majority of street lights have been replaced, with the balance due shortly, further reducing the risk.

A precept of £20,500, plus fee income of £1,000 would suggest a reserve of £5,375.

Sandwath Endowment - all works at Sandwath are funded that the S106 endowment of £38,676.66 which was received in 2012. To date £12,624.20 has been spent, leaving a balance of £26,052.46. On the basis of current levels of expenditure these funds should last around a further 15 years (to 2034), unless some of the funds are used as Capital to replace equipment. With the endowment acting as a reserve there is no need to hold any further funds as reserve for this expenditure.

Properties - the total borrowing cost in 2019-20 from the properties is £30,561.94 which is covered by the rental income due. Holding 25% as reserve would be £7,641, though this approach is rather simplistic. At the end of this financial year the net advance rent from the 2 properties will be £7958. In addition there is income to cover £741.21 due. As rent costs are fixed this will roll forward annually totalling £8699.21. This should form part of the reserve. It is similar to the 25% figure above.

Consideration of any further reserves funding requires a more detailed consideration of risk particularly as a number of mitigation measures were put into place when the properties were acquired. The risk to the Council is a default requiring the Council to cover loan costs which as indicated above would be in excess of £30,000 over 12 months. The following should be considered:

- a. The buildings are let on a full repair and maintenance basis and are fully insured.
- b. It is unlikely that the 2 properties would default at the same time.
- c. Rent is payable in advance so that there will be a surplus to cover rent due for part of any void period.
- d. Loan repayments are spread through the financial year.
- e. The Council can sell or let the buildings if the current ventures fail which would at least substantially cover outstanding loan payments.
- f. There is a Bond of £20,000 for the Community Shop which would cover an 18 month void period.
- g. The revenue reserve indicated above can also cover extra expenditure/ cash flow from the properties.
- h. It is reasonable to assume that the properties will not default over the next 12 months. This risk is likely to be higher in the future as economic circumstances change.

11. In the light of the above a reserve additional to the carry forward is probably not needed this year. The level of reserve should be reviewed annually.

Reserve - taking into account the issues highlighted above would indicate a reserve of around £14,000. The draft budget shows a lower figure than this. If it is felt appropriate to use this figure there are 3 different approaches to take:

- a. Increase the Precept
- b. Reduce expenditure (the main flexibility is streetlighting)
- c. Agree to work towards an increased reserve

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The lower figure was agreed providing this was reviewed annually and a higher figure achieved in future years. Councillors wished to maintain Council activity without an excessive precept increase.

Resolved that:

1. **The following budget be approved with a precept of £21,000.**
2. **Future budgets be set to increase the level of reserves with this being reviewed on an annual basis**

General Funds		Budget Head	
Carry forward	£16,500	Revenue reserve	£11,700
Precept	£21,000	Salaries	£6,250
Recovered VAT	-£1,500	Administration	£1,850
Interest	£500	Audit	£350
Other	£175	Insurance	£900
Shop rent/ Insurance	£13,700	Repairs and Maintenance	£7,600
WH rent/ Insurance/ fee	£23,050	Projects	£10,114
CIL	£5,408	Electricity	£1,200
		Loan Repayment - CS	£13,297
	£78,833	Loan Repayment - WH	£17,264
		CS Insurance	£400
		WH Insurance	£1,500
Sandwath endowment		Neighbourhood Plan	£1,000
Funds		Unallocated CIL	£5,408
Carry Forward	£25,938		
	£25,938		£78,833
Budget			
Insurance	£500		
Grass cutting	£250		
Inspection and maintenance	£500		
	£1,250		
Sandwath Balance	£24,688		

- b. **North Yorkshire Police Fire and Crime Commissioner Precept Consultation** – the Clerk had circulated this consultation for comment. The consultation provided information regarding the financial implications of a series of options, but did not provide this with the impact on service. In the light of this it was felt that it was not possible to make a meaningful comment.

Resolved that the Clerk respond on the basis that there is inadequate information to make a proper comment on the options.

- c. **Building acquisitions** – the Clrk provided an update on the current situation:

COMMUNITY SHOP - the land registration documentation has been received. As reported at the last meeting a small triangular area where the Post Box is sited has been omitted from the title as the Land Registry were not satisfied that it was owned by the vendors. A claim for Possessory Title is being submitted which, if unchallenged, would allow the Council to take full title in 10 years time. The title includes a restriction prohibiting disposition without written consent from the former owners or their successors. There is reference in the registration to a covenant made in 1965,

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but it states that “neither the original deed nor a certified copy or examined abstract thereof was produced on first registration”.

An invoice for Solicitors fees has not yet been received though is due shortly. All rent payments due have been made promptly. A planning application for various alterations to the building is included elsewhere on this agenda.

WHITE HORSE - the land registration documentation has been received. The land is subject to annual rent charges of £15/10s payable to the Vicar of Sherburne, and £10/5s/0d payable to the Vicar of Church Fenton which date back to 1918. I am not sure if this is still being claimed, but if so I would suggest that the Parish Council covers these costs as it is associated with the freehold. There are also 2 notes:

- a. The original 1918 conveyance was not produced on first registration
- b. There is a 1920 conveyance which includes a covenant to indemnify the purchaser against all actions or claims.

I do not feel that any of these clauses create any issues for the Council.

The Council's Quantity Surveyor identified works to the value £68,339.50 had been completed in mid December, and a stage payment of the grant has been made largely funded through the recovered VAT. Funds have been drawn down from the PWLB for the remainder of the grant works, and the remainder of the £83,000 grant will be paid once the balance of works are completed and inspected by the QS.

9. The invoice for the initial 6 months' rent has been paid. Invoices have now been issued for the remainder of this financial year.

- d. **Leeds East Airport** – a consultation has been received regarding the installation of a Global Navigation Satellite System. It was felt that there were issues with the consultation, and further information was needed. As the closing date was not until 21st March it was agreed to defer pending additional information.

Resolved that the Clerk write to Leeds East Airport querying the limited engagement with the community, requesting improved maps, and requesting more information about the implications of the proposal, with the issue being considered further t the next meeting

- e. **Speeding** – a letter has been sent to a number of relevant Councillors. Support for additional speed limits has been received from NYCC Cllr Jordan, from the Head of School Governors, and the Head Teacher.
- f. **Railway Station Parking** – a number of issuers were discussed, though it was agreed that there not a simple solution. There are limited options for additional parking, and additional parking restrictions my just move a problem and would be difficult to enforce. The following measures were agreed:
 - Clerk to write to NYCC as the issue should be considered as part of Transport Policy
 - Clerk to write to Selby DC regarding use of CIL to improve parking provision
 - Cllr Blakey to contact the adjacent landowner regarding the availability of additional land for a car park extension
 - Clerk to contact Northern Rail regarding measures to improve capacity of the car park
- g. **Neighbourhood Plan** – the Awards for All application has been approved, which should be adequate to complete the Plan. A draft has been circulated, and comments have been received from Selby DC. A final draft for formal consultation will be considered at the next meeting.
- h. **Cricket Club Entrance** – the Clerk has received a response from North Yorkshire CC who can recall it being discussed but have no details. Details of the current Cricket Club proposal have not yet been received and it was agreed to defer consideration until there is clarity about the proposal.
- i. **HS2 - Consultation on draft Environmental Statement and Draft Equality Statement** – Howard Ferguson form the MP's Office attended the meeting to give an update on the current

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situation. He advised that the designation of the consultation as “draft” is significant as currently proposals are “sketchy”. Nigel Adams MP made the following comments:

- The design is not complete and it is not possible to properly assess the proposals without full detail
- There is a need to integrate HS2 with other proposed improvements, and to link it with existing rail.
- There is a strong argument that a viaduct near Church Fenton is not needed

The results of the consultation will be processed by IPSOS MORI who will prepare a report for HS2. This is likely to take some time. There will then be further consultation. Selby DC have submitted a response which is available on their website. The Parish Council also submitted comments.

- j. **Clerk’s Salary and Hours of Work** - The Clerks Pay is calculated using NJC (Local Government) pay rates. The Clerk has been appointed on Salary point 31 and is contracted to work for 4 hours per week. Due to the volume of work last year the Clerk’s hours were increased to 5 hours per week, and he also received some overtime payments. The additional responsibilities that the Council have taken on will make the continuation of the additional hours appropriate

NALC have advised of a national pay award for 2019-20 which has been agreed by Employers and Unions. On the basis of 5 hours per week (paid for most of last year) this would increase the annual salary to £3,889.86, which is an annual increase of £76.26. The Clerk also receives a home office allowance of £18 per month (£216 pa) which remains unchanged.

The new payscales have been renumbered, so point 31 now becomes point 25. The Clerks contract needs to be amended to recognise this.

Resolved that

1. **The Clerk’s pay be increased from 1st April 2018 in line with the national pay award as follows - Salary - £3889.86; home office allowance £216.**
2. **An increase to the Clerk’s contracted hours be increased to 5 hours per week for 2019-20.**
3. **The Clerks contract be amended to change the scale point from 31 to 25 from 1st April 2019**

86. For Information

Information had been received and circulated about free energy training available in Tadcaster.

87. Planning

Applications for consideration

2018/0673/OUTM – RECONSULTATION – Hybrid application for (1) Full Planning Permission for the erection of a building for creative, digital and media use and associated works, including parking, servicing and access; and permanent change of use of existing buildings to commercial TV and film studios and associated services and activities; and (2) Outline planning permission, with means of access to be considered, for the development of a creative, digital and media industries employment park and film studios (including A1, A3, D1 and C1 use class buildings), open space, landscaping, car parking and ancillary works at Leeds East Airport, Busk Lane, Church Fenton

This involved changes to landscape details. The Council has previously commented on the application.

Resolved that no further comments be made

2018/1258/COU – Proposed change of use of double garage into additional sales spaced and stock room, change of use of first floor to self-contained apartment (with separate ground floor access), change of use of part of existing shop to café and change of use of existing garden to community

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garden/ allotment at the Post Office, Station Road, Church Fenton

Resolved that the application be supported

2018/1290/FUL – Proposed change of use from C3 to D1 (Dwellinghouse to Day Nurseries) and erection of a fence at Land Adjacent to Laurels Farm Drive, Laurels Farm Drive, Church Fenton

Resolved that no objections be made, but that a comment be submitted requesting the replacement of the mature tree that was removed during the development

2018/1305/HPA – Proposed conversion and extension to existing garage to create additional accommodation at 3 Oakwood Close, Church Fenton

Resolved that no objection be raised

2018/1306/FUL – Retrospective side extension to the kitchen; new structure to form external bar and kitchen; construction of new walls to car park/ garden area; new canopies to rear and side of building; external fire place to rear of kitchen; alterations to windows to form double glazed door openings at White Horse Inn , Main Street, Church Fenton

Resolved that the application be supported

2018/1416/HPA - Proposed single storey rear extension at The Bungalow, Brackenhill Lane, Church Fenton

Resolved that no objection be raised

2018/1319/HPA – Retrospective application for a log cabin and tree house at 8 Northfield Terrace, Church Fenton

Resolved that the Clerk submit an objection (following consultation with councillors) on the grounds that the proposed development is out of keeping and affects the amenity of adjacent residents

88. Finance

- a. Clerk's Finance Report - An up to date receipts and payments analysis has been undertaken. This shows a balance of £92,254.73. An analysis of general funds allowing for advance rental income, Sandwath Endowment, Bond and CIL grant, shows the following:

General Fund	£25,016.51
Net Pub/ Shop rental income	£15,778.26
Sandwath endowment	£26,052.46
CIL	£5,407.50
Shop Bond	£20,000.00
TOTAL	£92,254.73

The final draw down from the PWLB for the White Horse has been made. There is a grant balance of £14,660.50 still due

- b. Income

PWLB	Loan (White Horse)	£19,160.00
CF Community Hub	Rent	£285.24

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HMRC	VAT refund	£678.66
CF Community Hub	Rent	£1,796.70
CF Community Hub	Rent	£1,796.70
CF Community Hub	Rent	£1,796.70

c. Payments

PWLB	Loan Repayment (WH)	£7,972.23
SLCC	Subscription	£71.38
Plan Ahead Communities	Neighbourhood Plan	£500.00
Plan Ahead Communities	Neighbourhood Plan	£437.50
J Sherlock	Salary	£272.20
S Fisher	Salary	£105.58
HMRC	Tax	£122.92
Shed Grounds Maintenance	Grass Cutting	£403.89
Shed Grounds Maintenance	Grass cutting (Sandwath)	£22.42
Church Fenton Village Hall	Room Hire	£36.00
Church Fenton Village Hall	Room hire	£12.00
Church Fenton Community Hub	Grant	£68,339.50
Fenton in Focus	Newsletter	£36.00
Agrimech Farming Ltd	Christmas Tree	£144.00

89. Representatives Reports

Cllr Blakey – has held a meeting on site with the landowner and NYCC with regard to a potential diversion of footpath 17. A consultation will be available in due course.

Cllr Hunt commented about dog fouling and condoms at the Play Park. The Clerk will ask the lengthsman to inspect. He is also exploring costs of bin bag dispensers.

90. Agenda Items for Next Meeting

LEA consultation, Station Car Park, Speeding, Neighbourhood Plan, streetlighting, dog bin dispenser,

91. Date and time of next meeting – Thursday 21st February at 7:30 at the Village Hall, Main Street, Church Fenton.

Meeting closed at 9:40 pm

Jeremy Sherlock; Clerk; clerk@church-fenton.net; 07981 371937