

## Church Fenton Parish Council

### Minutes of the Meeting of Church Fenton Parish Council held on Thursday 20<sup>th</sup> September 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

Jeremy Sherlock (Clerk)

22 members of the public

#### 44. Apologies, Declarations, and Dispensations

Cllr Rebecca Hunt declared an interest regarding item 49h.

#### 45. Public Session

None

#### 46. Reports

None

#### 47. Minutes of the Meeting held on 19<sup>th</sup> July 2018

**Resolved that the minutes of 19<sup>th</sup> July 2018 represent a true record of the meeting.**

#### 48. Matters Arising

None.

#### 49. For Discussion

a. **Annual return** – the Annual Return has been considered by the External Auditor who has raised no comments.

**Resolved that the final Annual Return be approved**

b. **White Horse** – the Refurbishment – the White Horse CBS have requested Council consent for the following works (as required by the lease terms). The proposals involve:

- a. Carry out internal layout modifications to main bar restaurant areas.
- b. Replace existing windows in the ground floor extension area (Conservatory) with French style doors
- c. Extend the kitchen building.
- d. Erect a wall and fence structure to partition the car park from the garden and provide external serving area.

In the terms of the lease consent for works of this nature should not be reasonably withheld. The Council could consider having them independently assessed, but this may not be seen as necessary if the CBS are using suitable professional advisors.

At Council on 17<sup>th</sup> May 2018 it was agreed to grant aid the White Horse CBS so that they can carry out the refurbishment. The first phase of works will be implemented using CBS funds. It was proposed that the Council appoint an independent Quantity Surveyor to assess payment requests once this grant is in place.

Rent - the requirement for a 6 month up-front payment was omitted from the lease at the last minute without consent. The CBS have been invoiced for the full amount (including the admin charge) on the basis that they had agreed to the Heads of Terms. It makes no difference to the total income that the Council will receive - it just affects cash flow which can be accommodated.

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Premises Licence –the CBS have raised an issue regarding the Premises licence. This was not transferred to the new licensee at the time of purchase of the property which meant that they had to apply for a new licence incurring additional costs. This has been raised with the Council's Solicitors who has commented that this was not part of their scope of works. Councillors were concerned about the additional costs and considered that this should have been drawn to the Council's attention at the time.

Council nominee – the terms of the licence allow the Council to nominate a representative to the CBS. As a Councillors are already involved this was felt unnecessary at this point but it was agreed to have this as a standing item at future Annual Meetings.

### **Resolved that:**

- 1. Consent be granted to the proposed works at the White Horse**
- 2. The Council appoint a Quantity Surveyor to review grant aided work**
- 3. The Clerk write to the Council's Solicitors regarding the premises licence raising concerns about the potential impact on the Council and additional costs for the CBS**
- 4. The Council do not nominate a representative to the CBS but that the issue be reviewed at future Annual Meetings**

- c. **Community Shop** – Fees – since the receipt of the request for the SDLT and Land Registry payments the full amount of the borrowing approval has been drawn down. There is an unspent balance of £353.85 and the bill for legal fees (estimated as over £2.5K +VAT) has not yet been received. Having reviewed initial cost estimates it is clear that the fee element was underestimated (searches were omitted, and it did not allow for costs associated with the lease and overage bond). There are 2 ways to deal with these costs. Firstly the Council could borrow additional funds. The second option would be to fund it through the revenue budget. There are unallocated resources available to do this through the Projects budget which would not require the full amount as £1203.10 of the fees was funded through last year's revenue. If directly funded it would not impact on the level of rent which is directly linked to the borrowing.

Insurance –insurance cover of £200,000 has been arranged which matched the level of the existing Insurance. It may be prudent to undertake an Insurance valuation to ensure that the premises are fully covered. Assuming the cost would be the same as the White Horse fee this would be a fee of £350+VAT.

Council nominee – the terms of the licence allow the Council to nominate a representative to the Shop Company. As a Councillors are already involved this was felt unnecessary at this point but it was agreed to have this as a standing item at future Annual Meetings.

### **Resolved that:**

- 1. An allocation of up to £2,000 be approved to cover the balance of fees for the Community Shop**
  - 2. An insurance valuation be undertaken.**
  - 3. The Council do not nominate a representative to the Shop Company but that the issue be reviewed at future Annual Meetings**
- d. **Speeding** – Cllr Andrew Mason has met with Cllr John Brassington who has been taking the lead on the 20 is Plenty campaign in the Barkston Ash. A DfT report is due in the Autumn which is likely to promote more 20 mph areas. It was agreed that the Council sign up to the national 20 is

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Plenty campaign. It was agreed to consider installing signs similar to Barkston Ash, and illuminated signs at the next meeting.

- e. **Mint Festival** – at the recent consultation meeting organised by Mint concerns were raised about access arrangements, efficiency of leafleting, noise and whether the problems identified at the previous event had been adequately addressed. Concerns were raised about the adequacy of the Parish Council's response. It was, however, pointed out that the licensing responsibility lay with Selby DC who had provided limited information.

Mint had offered to make a contribution to a local charity nominated by the Parish Council, estimated at c £500.

**Resolved that the Friends of Kirk Fenton School be nominated for the charitable donation**

- f. **Neighbourhood Plan** – a revised Awards for All application was submitted about 4 weeks ago. A draft Plan will be circulated shortly.
- g. **HS2** – a meeting is being arranged with the HS2 team in October. It is expected that legislation for Phase 2b will be delayed by c 12 months.

Cllr Hunt left the meeting

- h. **Old School Field** – the Council considered the request by Jigsaw's Nursery to use the site on a regular basis. Responses to the consultation exercise were circulated to Councillors. Whilst accepting the positive nature of Jigsaw's proposal Councillors were concerned that this would limit use by other residents, and therefore were not prepared to allow use of any of the site on an exclusive basis. The site could still be used on an informal basis, and Main Street Play area could also be considered as an option.

**Resolved that the request by Jigsaws to use the Old School Field on a formal basis be declined.**

Cllr Hunt returned to the meeting

- i. **Village Hall** – a request had been received from the Village Hall Committee for the Council to pay for electrical works, on the basis that the Committee make a contribution to Council funds. .

**Resolved that the works be approved from the Projects budget on the basis proposed by the Village Hall Committee at a cost of £1713.00+VAT**

- j. **Traffic Regulation Order consultation** – North Yorkshire County Council have issued a consultation regarding waiting restrictions at the entrance to Chapel Close. Whilst understanding the reason why this had been proposed concerns were raised about the impact elsewhere, potential demands in other areas, policing and whether a 20 mph limit would remove many of the problems.

**Resolved that the Clerk submit observations in consultation with Councillors based on the comments above**

### 50. For Information

A notification has been received from North Yorkshire County Council that the operator of the bus service through Church Fenton will be withdrawing from 22<sup>nd</sup> October. The County Council will offer a minibus service while they seek a new operator.

### 51. Planning

Applications to be considered:

2018/0937/HPA – Proposed erection of a single storey rear extension at 28 Fieldside Court, Church

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2018/1072/FUL – Proposed erection of kitchen extension and construction of new walls to car park/garden area at White Horse, Main Street, Church Fenton

**Resolved that no objections be raised to the above applications**

### 52. Finance

- a. Clerks Report - an up to date receipts and payments analysis has been undertaken. This shows a balance of £68,851.79. An analysis of general funds allowing for the Sandwath Endowment, Bond and CIL grant, shows the following:

General Fund	£17,297.79
Sandwath endowment	£26,146.50
CIL	£5,407.50
Shop Bond	£20,000.00
<b>TOTAL</b>	<b>£68,851.79</b>

The General Fund includes invoiced rental income. In addition an invoice just received for the street light works carried out last year is not included.

The first VAT return since the Council registered will be submitted at the end of September. This will be checked by the Council's consultant to avoid any issues.

### Investments

As well as the Current Account the Council currently holds a Savings Account with Cambridge and Counties. They have recently advised that the interest rate on this Account has increased to 2% which is difficult to beat for an Account of this nature. However withdrawals require 120 days' notice which is difficult to manage for cashflow, so is only really suitable for long term funds which are principally the Sandwath endowment and Shop Bond. With the Council receiving rental income in advance it would be sensible to hold some of this in a short term savings account to generate some Interest. The best short term Business Account currently identified is a 31 day Notice Account also with Cambridge and Counties which is currently paying 1.3%.

Whilst transfers between these Accounts will require authorisation from Councillors I would recommend that the management of the Accounts be delegated to the Clerk to manage cash flow and to ensure that adequate funds are available in the current Account when loan payments are due (these are paid by Standing Order)

**Resolved that:**

- 1. The finance and VAT report be noted**
- 2. A short term savings account be opened with Cambridge and Counties.**
- 3. The management of the transfer of funds between the accounts be delegated to the Clerk**

### b. Income

PWLB	Loan (White Horse)	£10,975.00
NYCC	Verge cutting	£475.26
CF Community Shop	Bond	£20,000.00

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HS2	Licences	£1,250.00
CF Community Hub	Rent	£10,166.68
PWLB	Loan (Community Shop)	£316,189.05
CF Community Shop	Rent	£1,083.68
CF Community Hub	Insurance rent	£1,204.45
PWLB	Loan (Community Shop)	£7,700.00
<b>c. Payments</b>		
HAGS SMP	Playground Inspection	£91.20
Plan Ahead Communities	Neighbourhood Plan	£343.75
Sherburn-in-Elmet PC	Grass Cutting	£426.31
Wiles Ltd	Insurance Valuation	£420.00
S Fisher	Salary	£102.69
J Sherlock	Salary	£527.00
HMRC	Tax	£169.80
PKF Littlejohn	Audit	£240.00
Viking	Stationery	£78.92
YLCA	Training	£115.00
Freeths LLP	Fees - White Horse	£2,295.08
Came & Company	Insurance (White Horse)	£803.54
Freeths LLP	Shop Purchase	£315,023.00
Sherburn-in-Elmet PC	Grass cutting	£410.03
Freeths LLP	SDLT etc - shop	£7,270.00
Came & Company	Insurance (Shop)	£200.07
North Yorkshire CC	Refund	£300.00
J Sherlock	Salary	£272.40
S Fisher	Salary	£102.69
HMRC	Tax	£131.80
Sherburn-in-Elmet PC	Grass Cutting	£426.31

### **Resolved that the above income and payments be noted**

#### 53. Representatives Reports

Cllr Blakey has held a meeting with the footpaths officer regarding the path near Sycamore Farm, and reported that the owner would like to move the path.

The Bowls Club reported that good use was being made by the Primary School of the Bowls that were acquired through parish Council grant.

Cllr Chester advised that she will erect the noticeboard near the Fenton Flyer in the near future. She also thanked Church Fenton Community Hub for their recent presentation.

Cllr Jo mason advised that there will be s CEF meeting in the village on Monday.

#### 54. Agenda Items for Next Meeting

White Horse refurbishment, Neighbourhood Plan, Speeding

#### 55. Date and time of next meeting – Thursday 18<sup>th</sup> October at 7:30 at the Village Hall, Main Street, Church Fenton

Meeting closed at 9:40 pm

**Jeremy Sherlock; Clerk; [clerk@church-fenton.net](mailto:clerk@church-fenton.net); 07981 371937**