

## Church Fenton Parish Council

### Minutes of the Meeting of Church Fenton Parish Council held on Thursday 12<sup>th</sup> September 2019 at the Village Hall, Main Street, Church Fenton

Present: Cllr Sarah Chester (Chair), Cllr Ross Higham, Cllr Andrew Mason, Cllr Craig Blakey, Cllr Samantha Charlston, Cllr Michelle Seguss, Cllr Paul Herbert

Jeremy Sherlock (Clerk); NYCC Cllr Andrew Lee; SDC Cllr Musgrave

11 members of the public;

#### 41. Apologies, Declarations, and Dispensations

Cllr Higham advised that he needed to leave the meeting at 9:30pm

Cllr Chester declared an interest in item 46a

Cllr Chester asked if the next meeting could be rescheduled to 10<sup>th</sup> October as she was away on the originally scheduled date.

**Resolved that the next meeting of the Council be held on 10<sup>th</sup> October.**

#### 42. Public Session

There has been contractor activity in the field at the rear of Sandwath Drive. It is believed this is advance work by Network Rail associated with Transpennine upgrades. It was agreed that the Clerk would contact Network Rail for conformation.

There have been a number of accidents along Oxmoor Lane, including one recently. This can be added to the highways considerations.

The park has been well used this summer.

#### 43. Reports

Cllr Musgrave advised that he has continued to raise concerns with the Planning Officer about the site next to the Church on design, heritage and flooding issues. There is still not a scheduled date for Committee. He also advised that he had concerns about the application on Hilahgarth. This application is likely to go to Committee.

Cllr Lee advised that he would make further enquiries regarding the condition of pavements in the village following the officer response that they are satisfactory. He advised that issues of overhanging vegetation at Hilahgarth and Sandwath Lane has been reported.

#### 44. Minutes of the Meeting held on 18<sup>th</sup> July 2019

Two amendments were proposed:

1. Under 33a a revised wording of “**One way** to manage parking...” rather than the “The only way...”
2. Under 33h the Council had agreed to pay overtime for 31.5 hours so that there was a nil balance with the cost to the Council being  $31.5 \times £14.96 = £471.24$ . The full minute should read “**Resolved that an overtime payment to the Clerk of £471.24 be approved.**”

**Resolved that the minutes of 20<sup>th</sup> June 2019 with the above amendments represent a true record of the meeting.**

#### 45. Matters Arising

None

#### 46. For Discussion

Cllr Chester left the meeting. Cllr Higham took the Chair.

- a. **Standards Complaint** – the Clerk advised that he had received a Standards Complaint relating to Cllr Chester. This has been passed to the Monitoring Officer at Selby DC who is liaising directly with the complainants. The Clerk will notify Councillors further when he receives further information from the Monitoring Officer.

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Cllr Chester returning to the meeting and retook the Chair.

- b. **Risk assessment** – the Clerk circulated a draft Risk Assessment. He advised that this should be considered annually and will be maintained as a live document for consideration in future years. It was agreed that it should be ensured that the defibrillator is being checked regularly, and was suggested that this be added to the lengthsman's duties.

**Resolved that the Risk assessment be approved**

- c. **Investment Strategy 2019** –the Clerk had prepared a draft paper to cover the Local Government Act requirement. The need has been brought about by the acquisition of the 2 properties though these had been acquired to protect services rather than as investments. Concerns were expressed that the draft paper did not represent an Investment Strategy, as it covered mitigation rather than measures to protect and develop investments. It was agreed to **defer** to consider further.
- d. **Financial Regulations** – the Clerk had circulated proposed revisions to the Financial Regulations following recommendations by NALC. Some minor amendments were proposed.

**Resolved that, with the minor amendments, the revised Financial Regulations be approved.**

- e. **The Public Sector Bodies (Websites and Mobile Applications) (No. 2) Accessibility Regulations, 2018** - the Clerk reported on the requirement for websites to meet WCAG 2.1 standard by 23rd September 2020 (unless disproportionate) and to include an accessibility statement. For number of years the Council has posted information on a Village website which is maintained by local resident, though only limited information can be posted directly. There are now increasing government requirements regarding websites. In the light of this and a desire to ensure that Council information is posted as quickly as possible it was felt sensible to consider setting up a Parish Council website which can link with the Village website.

**Resolved that the Clerk explore setting up a Parish Council website and report back to a future meeting.**

- f. **Highway Issues** – the sub group appointed by the Council have met to discuss the various issues and will prepare a paper for consideration at a future meeting. This will include consideration of priorities (with safety as the highest), and the potential for “quick wins” (such as an education leaflet). The Council has few powers to implement anything directly so will need to use the paper to influence other agencies, notably the County Council.
- g. **All Weather Play Area** – the Clerk reported that he had received an updated proposal from Premier Play (this had been delayed by holidays), and had prepared a consultation paper. Concern was expressed that, despite the Council decision to proceed with the All Weather facility, that alternative options had not been adequately explored or consulted upon. The Clerk reminder the Council that there was a budget through S106 and CIL which has limited flexibility. The further consultation will mean that any scheme would not proceed until next year.

**Resolved that:**

- 1. The decision to proceed with the all-weather facility be suspended to be reconsidered at a future meeting along with any other options**
- 2. The Clerk advise the preferred contractor of the decision not to proceed at this stage**
- 3. Consultation be held with local children on play provision**
- 4. A public meeting is held to discuss ideas and options**

Cllr Seguss agreed to take a lead on the consultation with children, and Cllr Chester agreed to arrange the Public meeting.

- h. **VE day 75** – the Clerk circulated a letter from SSAFA encouraging Councils to hold or support events for the VE Day anniversary in 2020. Cllr Higham agreed to take a lead on this.

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- i. **Library and Carers Box** – the Clerk reported that he had received an offer from a local resident to maintain a community library and carer’s box at Main Street Recreation Ground. It was agreed to defer this and consider it as part of the review of play provision.
- j. **Land Registration – Post Box Land** - when the Community Shop was acquired a small triangle of land was excluded from the title by the Land Registry. The post box is sited on this land, and it also includes a small part of the driveway. At Council on 22nd November 2018 it was agreed to seek possessory title through the Land Registry on the understanding that the previous owners could provide evidence to support this. The lease plan includes this area as it was understood that this formed part of the Shop/ Post Office land. To assist in the title application the Council Solicitors wrote to the previous owners requesting a Statement of Truth via their Solicitors but did not receive a reply. Separately I have also written to the previous owners for the Statement but have not received a reply.

Royal Mail have been contacted to see if they have any ownership information, but they advised that they had no records for this site.

The Council’s Solicitors have advised that documentary evidence they have seen does not include this area. “Possessory title to the small triangle of land will not be granted automatically on the Council swearing the declaration. We will need to apply to the Land Registry who will decide whether the declaration is sufficient for possessory title to be granted to the Council. The Land Registry will then either complete the application, request further information, or reject the application. As each application for possessory title will depend on the facts of the individual case, it is difficult to say how likely it is that the Land Registry will accept the application. However, it would be worth submitting the application as if the application is successful, it will make dealing with the property in the future easier. With possessory title, you can apply to upgrade the title to an absolute title once the possessory title has been registered for 12 years”.

The Land Registry fee for the application is £270 (although this may be refunded if the application is not successful) with additional fees for dealing with this application to be in the region of £250-400 plus VAT.

The 1908 OS map shows a kink in the former field boundary which matches the kink shown in the plan above so it looks like the land would have originally formed part of the land to the west. The 1966 plan also shows a small kink, though the Letter Box is shown. The boundary must have been finally straightened out when the Oakwood Close development took place. However the land has been used for many years by the Shop/ Post Office owners.

Issues to consider are:

- a. Claiming title would tidy things up and save problems in the future, but is not essential.
- b. In the light of the history it seems unlikely that anyone else will claim title.
- c. A claim may not be successful
- d. The claim would cost up to £670.

**Resolved that the claim for possessory title be progressed at a cost of up to £670+VAT**

- k. **Mint Festival 2019** – notes prepared following a meeting between Councillors and Mint had been circulated and posted on the Facebook page. Concern was expressed that a response had not yet been received to a supplementary request for information, and a promised plan. The Clerk will chase these.
- l. **Phone Boxes** – BT have sent a consultation to Selby DC regarding proposals to remove the 2 telephone boxes in Church Fenton. Of the Council do not object, and wish to consider acquisition (for £1 per box) there is a need to advise Selby DC before the consultation close on 26<sup>th</sup> November. A final decision on acquisition and use of the boxes can be taken at a future meeting.

**Resolved that Selby DC be advised that the Council has an interest in acquiring the phone boxes in Church Fenton**

- m. **Defibrillator** – it had previously been discussed that additional defibrillators were needed to fully

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cover the village. The owner of the Sunar Bangla had advised that they would be happy for one to be put on their wall, and the Phone Box near the Fenton Flyer could be a further site. Funding may be available through an Aviva grant – the Council could only submit one, but the Community Hub advised that they could submit a separate application.

### Resolved that

1. **The installation of 2 further defibrillators at the Sunar Bangla and near the Fenton Flyer be agreed in principle**
2. **A grant application for £1K be submitted to Aviva, and if successful authority be given to defray the funding for a defibrillator**

Cllr Higham left the meeting

47. For Information

None

48. Planning

### Applications to be considered

2019/0659/HPA – Proposed erection of a single storey side extension following demolition of existing outbuildings at The Willows, Nanny Lane, Church Fenton

### Resolved that no objection be raised

2019/0746/REM – Reserved matters application including appearance, landscaping, layout and scale of approval 2016/0457/OUT Outline application for the erection of 9 dwellings including access to serve the new development from Bridge Close and realignment access serving Church Fenton Hall at land south of Common Lane, Church Fenton

### Resolved that the Clerk submit an objection in consultation with Councillors to cover access arrangements, loss of car parking, turning facilities, and flooding

2019/0774/HPA – Proposed dormer over existing ground floor extension at 45 Oakwood Close, Church Fenton

### Resolved that no objection be raised

2019/0793/S73 – Section 73 application for proposed erection of 1 dwelling without complying with condition 15 of approval 2016/1384/FUL granted on 9th February 2017 at Old Forge Cottage, Busk Lane, Church Fenton

### Resolved that no objection be raised

49. Finance

- a. Clerk's Finance Report - an up to date receipts and payments analysis has been undertaken. This shows a balance of £65,397.21.

An analysis of general funds allowing for advance rental income, Sandwath Endowment, Bond and CIL grant, shows the following.

General Fund	£5,187.70
Net Pub/ Shop rental income	£8,104.30
Neighbourhood Plan Grant balance	£1,438.00
Sandwath endowment balance	£25,259.71
CIL	£5,407.50

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Shop Bond	£20,000.00
<b>TOTAL</b>	<b>£65,397.21</b>

### Resolved that this report be noted

#### b. Payments

Repairs and Maintenance	Grass Cutting	Shed Grounds Maintenance	412.77
Inspection and Maintenance	Grass Cutting	Shed Grounds Maintenance	22.91
Salaries	Tax	HMRC	207.00
Loan Repayment	Loan payment	PWLB	5,839.47
Salaries	Salary	J Sherlock	587.90
Salaries	Salary	Stephen Fisher	105.58
Administration	Stationery	Viking	52.16
Salaries	Salary	J Sherlock	277.16
Loan Repayment	Loan payment	PWLB	95.81
Salaries	Salary	Stephen Fisher	105.58
Salaries	Tax	HMRC	135.40
Repairs and Maintenance	Grass Cutting	Shed Grounds Maintenance	412.77
Grass Cutting	Grass Cutting	Shed Grounds Maintenance	22.91

#### c. Income

CS Rent	Church Fenton Community Shop Ltd	1,108.07
WH Rent	Church Fenton Community Hub	1,796.08

#### 50. Representatives Reports

Cllr Mason asked for a letter to be sent to the Sunar Bangla regarding a bin at the front which is a hazard

Cllr Chester has received a letter from someone looking for a Stella Wright

#### 51. Communications – any further Mint information. The Play meeting.

#### 52. Agenda Items for Next Meeting

Annual Review. Highways. Play meeting. Investment strategy

#### 53. Date and time of next meeting – Thursday 20<sup>th</sup> October at 7:30 at the Village Hall, Main Street, Church Fenton

Meeting closed at 9:45pm

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