

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 15 July 2021 at Church Fenton Village Hall

In attendance: Cllr Sam Charlston (Chair), Cllr Jess Cooper, Cllr Stewart Ferris, Cllr Andrew Mason, Cllr Jo Mason, Cllr Michelle Seguss, Georgina Ashton, Clerk to the Council. District Cllr K Ellis.

In addition 9 members of the public.

Meeting started at 7.33pm

21/34. To note Apologies and Approve Reasons for Absence

Cllr Higham provided his apologies in advance of the meeting. District Cllr Musgrave and County Cllr Lee have both given their apologies in advance of the meeting.

Resolution: Council agreed to accept the reasons for absence from Cllr Higham.

21/35. 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. Cllr A Mason and Cllr J Mason both declared a pecuniary interest in 21/42 (f).

Cllrs A Mason, J Mason and S Ferris have all submitted dispensation requests to the Clerk in advance of the last meeting held on 24 June 2021. The Clerk has sought legal advice from YLCA and the Monitoring Officer and has discussed these requests with the Chairman. The Clerk is yet to receive a response to these requests. This matter will be concluded at the next available meeting. Parish Councils are now responsible for determining requests for a dispensation by a parish councillor under Section 33 of Localism Act 2011. For CFPC, the Standing Orders make it clear that this power has been passed to the Clerk for consideration and decision. 13 e of the Standing Orders state that "A decision as to whether to grant a dispensation shall be made by the Proper Officer and that Decision" is final. This is because they are a "relevant authority" under section 27(6) (d) of the Act.

21/36. 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 – (i) Referendum on Tuesday 3rd August 2021. Suggested that a leaflet be distributed by the NDP group. Agreed that a leaflet be produced by the NDP group for households in the parish and a few posters – suggestion that this is printed by Creative Shed Agency. (ii) Do the Parish Council plan to comment on the consultation for the Boundary Commission proposals for a new parliamentary constituency. The new proposal is that Church Fenton falls within the Wetherby and Easingwold constituency. (iii) land ownership with regard to the village hall - A resident has submitted a form to contest the ST1 Adverse Possessory Title. This has led to a response from the Land Registry to provide requirement for a Section 40 be submitted with regard to any amendments to the boundary line on the ST1 and the open land in front of the gate adjacent to Main Street. Request for the Parish Council to support the legal representation to submit a Section 40. (iv) Fly tipping of 3x TV screens on Broad Lane.

Resident 2 – Rose Lane community have got together to discuss how to respond to Network Rail. Agreed a set of principles to engage with TransPennine. A few residents couldn't attend the meeting. As soon as all residents are in agreement, they will be inviting TransPennine to come and attend a meeting to discuss progress going forwards. Cllr J Mason explained that she had have a meeting with one of the project engineers regarding the possibility of a foot access solution, will aim to come back within 4 weeks with a variety of proposals.

21/37. Reports from other authorities

District Councillor(s), County Councillor, Police

County Cllr Lee and District Cllr Musgrave provided their apologies in advance of the meeting.

21/38. To approve Minutes of the Ordinary Meeting of Church Fenton Parish Council held on 24 June 2021.

Resolution: It was resolved that the minutes of the meeting which took place on 24 June 2021 were a true and accurate record.

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21/39. Planning

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

Date Received	Consultee deadline	Planning reference	Address	Details
14 June	13 July	2021/0748/TPO TP/2/2016	17 Laurels Farm Drive	Fell 1 no Ash Tree
17 June	15 July	2020/0787/HPA	10 Laurels Farm Drive	1 st floor extension above garage
13 July	14 August	2021/0685/FULM	Leeds East Airport	Full planning permission sought for outdoor storage at LEA site.

District Cllr Ellis left the meeting.

2021/0685/FULM

Operating hours to be from 6.30am to 7pm for 7 days a week – suggest that the Council need to comment on this. The application is treating Brackenhill Lane as a good access road to and from LEA. Already had some concerns raised from residents with regard to volume of HGV vehicles going to LEA along Brackenhill Lane and Oxmoor Lane. The local infrastructure cannot support the level of development at that site. The planning application proposes that “It is beneficial to people’s health and quality of life”. There is no indication to the type of goods to be stored. One of the councillors has already complained to the site, regarding the mud mound developing along one side of the runway facing Busk Lane. Suggestion of doubling in size of road movements to 24 movements a day. 11,400 vehicles to be stored on site and other goods. Also state in the application that the site is in FZ1 and will employ 50 staff. Creeping development, from temporary to permanent and 10 fold increase the number of vehicles stored. “The entirety of the application site is in FZ1”. “In compliance with the Local Plan, this application will have no negative effects on the surrounding parish”. Council in favour of sending some negative comments. Clerk to use delegated powers and collate a response from the Parish Council before the deadline. Clerk to contact the Clerk at Ulleskelf to share collated comments.

Resolution: Clerk to use delegated powers to collate response on 2021/0685/FULM before SDC deadline.

b. Planning Decision Notices – **approved and declined**

none		
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c. To consider any Planning Enforcement Issues

2021/0212/LWCU – Land adjacent to Church Fenton Railway Station Car park, Station Road.

To note the Church Fenton Neighbourhood Plan referendum, planned for Tuesday 3rd August 2021. NDP group to create a leaflet for households in the parish and some posters and the Parish Council to stand the cost of these with the printers (Creative Shed Agency) circa cost of £75.

District Cllr Musgrave arrived

- (i) Local Government reform announcement is due any day now. Decision has been made, likely we will have one council covering the whole of North Yorkshire and the City of York Council will remain as is. Question from Cllr J Mason to ask if “wards” will continue, reducing the number of divisions to around 90.
- (ii) Public consultation on constituency boundaries in time for 2024 elections. Create a new Wetherby and Easingwold seat for the area, Church Fenton would sit in this new area and separate to the current Selby & Ainsty area. The difference is that Church Fenton is separate from the River Wharfe and one of few parishes south of the river. Cllr Musgrave urged the PC to consider commenting on this public consultation. This does mean that two public consultation reviews are happening in the area at the same time.
Cllr Seguss thanked Cllr Musgrave for contacts regarding Highways. Selby have brought in a pot of money for District Councillors to spend on local parishes - £3000 in total. Cllr Seguss to send highways related proposal to Cllr Musgrave.

District Cllr Musgrave left the meeting.

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21/40. Policy

- a. To ratify and approve the Expenses Policy and Expenses Claims Form.

Resolution: Council agreed to ratify the Expenses Policy and Claims form.

21/41. Staffing

- a. To consider PPE equipment and resources for newly appointed Lengthsman.

Clerk sought quotation from local firm at Sherburn Industrial Estate, ARC. Quotation is £44.76 in total and includes 3x Hi Vis vests with CFPC written on the back, 1 pair of strong gloves, 1 litter picker and 1 sack hoop.

Resolution: Clerk to process invoice with ARC, Sherburn Industrial Estate for £44.76.

21/42. Environment

- a. To consider the CIL money spend on the purchase of a VAS sign and associated fixtures and fittings for 3 lamposts on the three main entrances to the village.

Cllr Seguss has worked with Darren Griffiths, NYCC Highways Engineer to establish the best location for siting 3 fixings for VAS signs on the main entrances to the village, Busk Lane, Church Street and Common Lane. Cllr Seguss has also sought quotations from TWM Traffic, NYCC recognised supplier. VAS signs cannot be operational for 52 weeks of the year so rotating signs around different locations is best practise. (LP1,3 and 7). Proposal is that the Council buy 3 sockets/fixings. Can purchase data collection radar for a VAS sign at £250+ VAT.

Resolution: To purchase 2 VAS signs, 2 installation and commissioning NYCC, 3x fixings/sockets, 2x warranty extensions to 5 years, and 1 data collection radar.

- b. To consider remaining S106 spend and repairs at Main Street Play area.

Cllr Seguss reported that the 3x picnic benches have been installed this week at the Main Street Play area. Remainder of S106 spend amounts to £120.61 which potentially could be put towards a waste bin – total cost of £266.17 ex VAT but include fitting. Urgent H&S repair needed for a patch of the artificial surface at the base of the multi play area inside the Main Street play ground area. Quotation of £200+VAT for a wetpour patch repair to be considered by Council.

Resolution: Council agreed to spend of £200+VAT for a wetpour patch repair to the area at the bottom of the multiplay area by Streetscape.

- c. To note Highways Committee update (including AJ1 Fund re-submission/ interim report)

The resubmission of the AJ1 Road Safety Fund for £4,195.76 has been accepted and agreed by the Panel. Thanks to the Clerk for writing the resubmission. This means that the Council now have the go ahead to purchase the suggested road safety and traffic calming measures. The £100 invoice of funds already spent was submitted with the resubmission. Cllr Seguss liaised with Gary Lumb, NYCC Highways Engineer and a designer will be appointed to the proposal asap to provide an outline of where and how road safety can support the parish. Clerk submitted 95 Alive form for Church Street. Suggest update for Fenton in Focus, 1st August deadline. Thanks from the Chairman to Cllr Seguss and the Clerk for submission to the AJ1 Fund panel. Next meeting agreed for Tuesday 7th September 2021 from 7.15-8.15pm.

- d. To note update on Main Street bridge repairs and consider the change in road markings outside Northfield Terrace.

Current update on Main Street bridge repairs still published for Monday 26 July 2021 for a period of 4 weeks. Cllr Seguss received information from Gary Lumb as he has been asked to consider double yellow lining Northfield Terrace to prevent on road parking on this stretch of Main Street. Gary Lumb happy to draw up a proposal design of where the double yellows would be positioned, this would be in sections of this road and not a through consistent double yellow from Great Brigg bridge to Hilahgarth/Main Street play area. Council members suggested that the on road parking provide a natural barrier to keep speeds down. Suggestion of double yellow / no waiting area immediately on the bend outside the Main Street play area. Consensus from council members was that double yellow lines should not be considered in this area of the village. Cllr Seguss to let Gary Lumb know.

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- e. To note traffic complaints regarding wide loads and large HGV vehicles entering LEA site.

Council agreed that they have received a number of complaints from local residents regarding the Increasing wide load vehicles. Comments to be collated into the planning application response to SDC as discussed in 21/39. above.

- f. To note correspondence received and consider the proposed developments at the Rose Lane Crossing. No further information received. Agreed to move forward to September agenda.

- g. Public Rights of Way - *To note any updates on public footpaths within the Parish*

Common Lane discussed. Still receiving a number of concerns from residents regarding the cutting of Common Lane as well as the state of repair of the path itself. Suggestion that the “report it north Yorkshire” site be shared widely amongst residents both on website, facebook page and in Fenton in Focus.

Resolution: Clerk to use delegated powers to cut the verges on the full length of Common Lane to Barkston Ash if this has not been completed by NYCC as a “special cut” by 23 July 2021.

- h. To consider the report received from an ex Councillor regarding Village Hall boundary.

Council to move this agenda item to September 2021 based upon the updated report to be received by the resident to include the possible submission of a section 40 to the Land Registry.

- i. To consider the purchase of additional bins in the Parish.

Council to move this agenda item to September 2021.

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

County Councillor Lee has agreed to fund 2x defibrillators and 2x external lockable cabinets. Cost excluding VAT is £2933.32 to be wholly funded through the locality budget. Council would have to purchase the cost of fitting, accessories etc. Phone box outside Fenton Flyer to have a defibrillator fitted and 2nd defibrillator to be sited outside the Sunar Bangla. Phone box outside the school yet to be agreed as usage. One resident and one councillor have offered to support the refurb of the phone box outside school. Suggestion that the lengthsman has some additional hours to refurb the phone box outside the Fenton Flyer. Clerk to design a poster for both phone boxes and the village shop to put a shout out to volunteers for help to tidy up and provide some TLC to the phone boxes. Email the Cricket Club and Football Club to see if they have any volunteers that would be happy to get involved prior to the defib being fitted.

- k. To consider the setting up of a Christmas Committee

Cllr Cooper suggested setting up a meeting in early September before the full council meeting. Suggested date Thursday 9th September 7-8pm. Invitation letter prepared and suggest that this is provided to a number of community groups and shared in the next copy of the Fenton in Focus.

- l. To note and consider the Queen’s Platinum Jubilee

Council members agreed that setting up a Jubilee committee would be a good idea. Cllr Cooper, Cllr J Mason and Cllr Ferris all happy to be involved. Date to be confirmed.

21/43. Finance

- a. RFO Finance Report

To approve the Bank Reconciliation to 12 July 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 15 July 2021

Bank Account	15 July 2021
Unity Trust Online	£30,195.09
Cambridge & Counties	£37,896.20
Redwood	£10,266.70
Totals	£78,357.99
Ringfenced funds at 15 July 2021	
CIL	£5,407.50
Shop Bond	£20,000.00
S106 Sandwath Endowment Balance	£22,459.43
Grant: NHPlan Balance	-£143.05
AJ1 Road Safety Fund Grant	£4,195.76
Total Ringfenced Funds	£51,919.64
General Fund - <i>not ringfenced</i>	£26,438.35
Total funds equals total bank ac's	£78,357.99

b. Payments- To consider and approve the invoices for the payment schedule from 24 June to 12 July 2021

Date	Cost code	Vcode	Description	Income	Expenditure	Totals
28/06/2021	LoanRep	22	PWLB: The White Horse loan repayments		£360.64	
28/06/2021	S106	INC16	BT: SDC (S106 draw down for picnic benches first half)	£1,275.00		
30/06/2021	Admin	33	BT: Unity Trust Online banking fees		£18.00	
01/07/2021	ShopRent	INC17	AC: Lease Payment: CF Community Shop Ltd	£1,108.07		
01/07/2021	Admin	27	BT: Fenton in Focus - Summer edition Inv 4193		£50.00	
02/07/2021	HubRent	INC19	AC: Lease Payment: CFCHub	£1,697.75		
02/07/2021	HubRent	INC18	AC: Lease Payment: CFCH admin charge	£98.33		
07/07/2021	Insurance	30	BT: Arthur J Gallagher (Came & Co Insurance)		£3,343.27	
07/07/2021	Salaries	31	BT: Clerk June salary		£494.80	
07/07/2021	S106	28	BT: Streetscape Ltd (Inv 5347) 3no Picnic benches		£3,060.00	
08/07/2021	Vcutting	29	BT: Shed Grounds Maintenance Ltd - JULY		£159.94	
09/07/2021	Insurance	INC20	BT: CFC Shop - Insurance recharge	£537.81		
Totals				£51,688.85	£51,976.57	
12/07/2021			Closing balance at BANK at 12 July 2021			£30,195.09

Current Bank Balance as at 12 July 2021 is £30,195.09

Known commitments for remainder of July and into August (due to no August meeting) are been recorded as follows:

			Known Financial Commitments			
	Gcutting	INC11	NYCC: Grass Cutting Grant	£175.26		
02/08/2021	LoanRep	32	PWLB: The White Horse loan repayments		£203.87	
	VAT		BT: VAT Return for Q1 to 30/6/2021		£821.94	
	Insurance	INC21	BT: CFC Hub Ltd - Insurance recharge	£1,362.46		
02/08/2021	Gcutting		BT: Fenton Landscape Services - JUNE invoice 3/2021		£356.00	
02/08/2021	Vcutting		BT: Shed Grounds Maintenance Ltd - AUGUST		£159.94	
02/08/2021	Salaries		BT: Lengthsman Salary July (19.5hrs x £9.50) = Gross £185.25		£185.25	
02/08/2021	Salaries		BT: Clerk July Salary		£494.80	

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01/08/2021	LoanRep		AC: Lease Payment: CF Community Shop Ltd	£1,108.07		
02/08/2021	LoanRep		AC: Lease Payment: CFCHub	£1,697.75		
02/08/2021	LoanRep		AC: Lease Payment: CFCH admin charge	£98.33		
			Uncashed transactions: August2021	£4,441.87	£2,221.80	

Balance at Bank August 2021

£32,415.16

One additional invoice received for £30 for Councillor training via YLCA.

Recommended that the Finance Report be noted by the Councillors. Cllr A Mason suggested that the 3 new councillors be added to the bank mandate.

Resolution: Council to approve Finance Report.

21/44. To receive Representatives Reports

Cllr A Mason – no report.

Cllr J Mason – surprised and disappointed by the response from the Planning Officer regarding issues raised from the Parish Council to do with the increasing number of flights into and out of Leeds East Airport. Concerns over the increase of flights, type of aircraft and intensification of low lying flying in and around the Parish. There is a clear intensification of use. A number of residents have complained about the intensity of flying over the village. Agreed that Council reply to SDC.

Cllr Ferris – no report.

Cllr Seguss – reports that the compound usage appears to have reduced and quieter on Sandwath Lane. Murphys / Network Rail have moved from LEA to Gascoigne Wood as a depot area.

Cllr Cooper – query over what Network Rail are doing at the station, measuring the kerb/layby at the top of the railway bridge outside the station entrance. Number of bus replacement services has operated at weekends in recent weeks. Suggestion that NR replace the fencing on the Sandwath Lane side of the bridge.

Cllr Charlston – Fenton in Focus deadline is 1st August 2021 for the Summer issue. Cllr Ferris has offered to do this for August. Cllr Charlston to email template and some content for Cllr Ferris. Cllr Jo Mason to provide an update on Rose Lane.

21/45. To note Correspondence received (not specifically dealt with on this agenda)

- i) Several emails from a resident regarding planning application for new BMX Track on Busk Lane. Comments arose that Flood Zones have changed since the initial application was submitted. Additional observations to SDC – does the land require a Flood Risk Assessment, if it fails/ceases to be used as a free BMX track then the land would be returned to a greenfield site within a set period of time.
- ii) Resident complaint regarding car parking at the entrance to Laurel Farm Drive during school pick up/drop off times. Cllr Charlston suggested that the school be notified regarding the complaint. Copy to Jigsaws Nursery. Worth contacting NY Police again to ask them to come out and look at this at busy time.
- iii) Tree planting Survey for Parish Councils received from SDC, Cllr Ferris has completed this.
- iv) Rural Housing Enabler Survey received from SDC, Cllr Higham to discuss with contact.

21/46. To note Agenda Items for:

- a) Next meeting – Highways, Graveyard acquisition, Car Park at train station, S106 completion. Rural Housing Enabler (RH). Christmas Committee. Rose Lane level crossing, Bins. Phone boxes and defibrillators. Future meetings - Village Entrance boundary sign. Strategy Parish Plan. Use of Survey Monkey for communication with Parishioners. Policy. HS2. ST1 Post box.

21/47. To confirm Date and time of next meeting – Thursday 16th September 2021 at 7.30pm, Village Hall, Main Street, Church Fenton.

The public part of the meeting closed at 9.58pm

At the conclusion of this part of the Agenda, the Chairman will move the resolution:

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21/48. To consider the exclusion of the Press and Public under The Public Bodies (Admissions to Meetings) Act 1960 sec 1, due to the confidential nature of the business.

Resolution: It was resolved under Section 1(2) of the Public Bodies (Admissions to Meetings) Act 1960, that the press and public be excluded from the meeting as publicity would be prejudicial to public interest because of the nature of the business to be transacted.

21/49. To consider the report and recommendations from Monitoring Officer, Selby District Council with regard to Code of Conduct complaints (note: confidential item under s1 of the Public Bodies (Admissions to meetings) Act 1960).

Confidential item

It was proposed and seconded by Council to postpone this agenda item until all council members could be in attendance. To this end, an additional meeting will be called for Tuesday 27th July at 7.30pm, purely to discuss this agenda item.

The meeting closed at 10.04pm

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

Date: 15 July 2021