

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 25 November 2021 at Church Fenton Methodist Hall

In attendance: Cllr Sam Charlston (Chair), Cllr Stewart Ferris, Cllr Ross Higham, Cllr Andrew Mason, Cllr Jo Mason, Cllr Michelle Seguss, Georgina Ashton, Clerk to the Council. County Councillor Andrew Lee, District Cllr Richard Musgrave, District Cllr Tim Grogan. In addition 11 members of the public.

Meeting started at 7.32pm

21/85. To note Apologies and Approve Reasons for Absence *It is a requirement in law, Localism Act (2011, s31) that Council members declare any Disclosable Pecuniary Interest.*

No apologies for absence.

a. To note dispensation requests

21/86. Public Participation Period (no longer than 30 minutes)

Members of the public are politely reminded to speak for no more than 5 minutes.

None

21/87. Reports from other authorities

District Councillor(s), County Councillor, Police

District Cllr Musgrave – A busy period since the last meeting attended in September. 90% of work since the last meeting has related to two retrospective planning applications with concerns raised from residents and the Parish Council. Firstly, 2021/1127/FUL – to create 5 touring/camping pitches, mobile amenity block and glamping pod at The Fenton Flyer. Request made by Cllr Musgrave to call it in for consideration by the Planning Committee. Noted that comments can be made up to the point of determination, although the sooner the better so they can be fully taken into account. The other application is 2021/0685/FULM, large storage area at Leeds East Airport. Following discussion with SDC's planning team, movement of HGV vehicles has now ceased on the site and excavation works will cease within the next 24 hours. Some of the work undertaken is outside the red line boundary of the current application. Resident concerned about the damage to a WWII monument site. This has been passed to deal with by Historic England who are the custodians of the site and the photographic evidence suggests that there has been some excavation of the site. It is particularly concerning that the alleged work took place over the Remembrance weekend when most were paying tribute to the fallen. Important to note that the comments made by NYCC Highways which require the applicant to submit a Transport Assessment due to the cumulative effect of a large number of applications/planning consents now on the site.

District Cllr Grogan – wished to support Cllr Musgrave in terms of significant concerns raised by residents and the Parish Council in relation to the LEA storage application. In terms of breaching the site, 48 hours started this morning. Lot of work continued yesterday and today, Head of Planning and Senior Enforcement Officer visited this afternoon. Request made by SDC to look at the CCTV footage in and out of the site. It is apparent that damage has taken place on the site at the WWII monument. Historic England is the lead on any criminal prosecution. However, SDC could further prosecute on the back of this. Martin Grainger, Head of Planning, will if necessary seek permission for powers to stop work on the site through a temporary stop notice. All work in regard to the retrospective application should cease by close of play on Friday 26 November as the landowner has been allowed to "make the site safe".

Regard to SDC, Local Plan – next consultation will take place in Summer 2022 rather than spring due to the May 2022 elections. Likely that Parish Council elections will take place at the same time as the new county council elections. The current intention is that all Parish and town councils will have elections at the same time (May 2022). The draft order is under discussion and the Structural Change Order will be agreed in late January 2022. It makes sense to align all elections at parish, town and County council level. On behalf of SDC, District Cllr Musgrave has agreed that Parish Councils will not have to bear the cost of these elections. Many of you will remember that Mr Snowden came to September's meeting regarding his application for a new vehicular access and dropped kerb. I am pleased to report that the Planning Officer's now wish to support the application and an approval should be issued in the next few weeks. Since the last meeting, District Cllr Musgrave has been able to grant £1325 donated through the Members Community Fund towards the Bin project in the parish.

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County Cllr Andrew Lee – contacted by villagers in both Ulleskelf and Church Fenton in terms of the traffic movements. Very little that Highways can do with the “tipping movements”, as there is no traffic order to prevent businesses from using the road. Action has now been taken, hopefully this will create a cease of activity and things will return to the normal application process. Important to consider the cumulative impact of the number and significance of current and consented applications on the site. Report through to the planning department if there are any further issues. Cllr Seguss contacted Cllr Lee, staffing issues at Highways dept however, there is now some movement on this. Majority of the changes will take place in post-election 2022.

Cllrs Lee, Grogan and Musgrave left the meeting.

21/88. To approve Minutes of the Ordinary Meeting of Church Fenton Parish Council held on 21 October 2021.

Resolution: It was resolved that the minutes of the meeting which took place on 21 October 2021 were a true and accurate record.

Cllr Cooper has resigned since the last meeting. It is probable but not confirmed that parish councils will take place in May 2022. If a by-election is forced, it is likely that the successful candidate will only be in place for a maximum of 3 meetings. Those present reminded that the Parish Council would have to pay election costs for a by-election (in the region of £3000).

21/89. Planning

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

Date Received	Consultee deadline	Planning reference	Address	Details
9 Nov	7 Dec	2021/1192/FUL	Maple Gardens, Nanny Lane	Erection of a garden storage building (retrospective)

No comments.

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

2020/0904/S73	9 dwellings at Church Fenton Hall, off Bridge Close (S73 variation)	3 Nov 2021 Permitted
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c. To consider any Planning Enforcement Issues – to include 2021/0381/MWCU against 2021/0685/FULM

- Parish Council wish to re-iterate and support the comments made on the application by NYCC Highways Engineer with regard to the request for a Transport Assessment due to the cumulative impact with a significant number of planning applications / consents on the site which all lead to a vast increase in traffic movements to and from the area.
- Clear access routes – it needs to be clarified the main routes in and out of LEA as well as their approved accesses to the site.
- Comments and concerns raised on the Earth mound as a form of “curtain shielding of the site” rather than the approved tree line, HGV movements, support a full traffic assessment of the site to consider the cumulative impact of all businesses operating from the site, current work beyond the red line, summary of the last 2 weeks.
- Council agreed to strongly object to the proposals for the storage facility. Clerk to summarise and circulate a proposed consultee comments to council prior to submission to SDC planning comments.

Resolution: To submit comments as above, explained in more detail and to object strongly. Clerk to write planning observations and circulate to council members prior to submitting to planning portal.

d. To consider the structure of planning comments provided by the Council as a statutory consultee.

In summary, in June 2020, the Clerk provided a report to Council. Resolved in June 2020 that councillors adopt a proposal of structure of planning comments to reflect any material considerations and focus on objective rather than subjective comments. Proposal to suggest that it is put to the vote when the council consider it pertinent to object, support or neutral where there are significant concerns.

Resolution: Council agreed to resolve to use on an individual basis, the statutory consultee powers of object and support based on individual planning applications.

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21/90. Policy

- a) To consider a voting record for all resolutions taken at full council meetings.
Under LGA 1972, Sch12, paras 13 and 29; If any member so requires, the manner in which each member voted on any particular question must be recorded in the minutes.

Cllr J Mason requested that if there isn't a unanimous vote that there is a note against the resolution of how councillors voted. The useful information to the electorate is how an individual voted on a particular subject. Increase in democracy. Proposed that if a resolution is not unanimous that the voting record for the resolution is recorded.

Resolution: Council resolved that if a resolution is not unanimous, that the voting record for the minority is recorded in the minutes. This will include the use of the casting vote to be recorded. The Standing Orders will be amended to reflect this decision. 2 abstentions, Cllr Seguss and Cllr Charlston.

21/91. Staffing

- a) To note any updates. None.

21/92. Environment

- a) To note Highways Committee update – Minutes of meeting circulated. VAS signs to be rotated on 8th December 2021 and the data will be downloaded at this time. Data box VAS sign to be moved to Church Street. Busk Lane will have no VAS sign for the next 3 months. 20s plenty campaign – agreed to bring back to council to adopt. However, the NYCC Highways Engineer suggested that this requires more research and discussion prior to adoption. Site visit took place on Tuesday to look at the 3 main entrances to the parish. Clerk has collated this discussion into a series of suggestions for new/replacement signage at each main entry point to the village. This has been returned to NYCC Highways dept to be passed to the design team to provide a formal financial quotation back to the council.

- b) To note correspondence with Area 7 Highways regarding the layby on Busk Lane. Highways Engineer is aware. Evidence of overnight parking (video/photographic evidence) needs to be provided before this is recommended for a Traffic Regulation Order in January 2022 to provide, for example no waiting signage/ no overnight parking or double yellow lines around the lay-by area.

- c) To note correspondence received and consider the proposed developments at the Rose Lane Crossing Request from Electrical Engineer working on the new road design proposals to seek a strategic view of the principle of streetlighting on the new road. Some councillors felt they had insufficient information to make this decision. Discussion to be carried forward to the next meeting for discussion in January.

Resolution: discussion to be carried forward to the next meeting for discussion in January 2022.

Cllr Ferris, Cllr A Mason, Cllr J Mason against. Cllr Charlston used her casting vote as Chairman to carry the resolution forward.

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

Cllr Ferris to check if the route has been corrected on footpath no17 at Brackenhill Lane.

- e) To consider the purchase of a new notice board for the parish – Clerk provided an updated report and confirmation that the Village Hall trustees are happy with the proposals for a new notice board outside the village hall. Clerk provided three companies and associated research into the size, type, number of bays, lockable doors etc on the board.

Resolution: to agree a budget of £3000 excluding VAT for the purchase of a new Oak framed notice board, 3 bay, free standing. 1 against, Cllr Higham.

- f) To note proposals for the celebration of the Queens Jubilee – meeting on 11th January 2022

Some positive responses from the flyers and information sent out to the local groups with regard to the initial planned for 11th January 2022 at the village hall.

- g) To note update from the Christmas Committee

New Chairman required for this group in January. Carols round the tree planned for 7pm on Christmas Eve. 2 new lights have been purchased by the CFC Hub and will be delivered tomorrow. Thank you for their generous donation for these 2 new lights. Meeting planned for January.

- h) To consider the NGET PLC statutory consultation for the Yorkshire Green Energy Enablement Project (proposal to upgrade and reinforce the electricity transmission system in Yorkshire) – deadline 9th Dec 21. Agreed that Councillors will make individual responses to the public consultation if they feel appropriate as the line of the new / upgraded systems is not across this parish.

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21/93. Finance

a. RFO Finance Report

To approve the Bank Reconciliation to 24 November 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>

Bank Account	24 Nov 2021
Unity Trust Online	£44,229.80
Cambridge & Counties	£37,896.20
Redwood	£10,379.16
Totals	£92,505.16

Ringfenced funds at 24 Nov 2021

CIL	£0
Shop Bond	£20,000.00
S106 Sandwath Endowment Balance	£21,794.73
Grant: NHPlan Balance	-£143.05
AJ1 Road Safety Fund Grant	£4,195.76
Total Ringfenced Funds	£45,847.44
General Fund - <i>not ringfenced</i>	£46,657.72
Total funds equals total bank ac's	£92,505.16

b. Payments- *To consider and approve the invoices for the payment schedule from 20 October to 24 Nov 2021*

Date	Cost code	Vcode	Description	Income	Expenditure	Totals
28/10/2021	Vcutting	#78	BT: Shed Grounds Maintenance Ltd - OCT		£159.94	
28/10/2021	Training	#77	BT: YLCA (Off to a flying start Cllr training)		£60.00	
28/10/2021	Admin	#76	BT: Fenton in Focus (Autumn 2021 advert)		£50.00	
01/11/2021	LoanRep	INC40	AC: Lease Payment: CF Community Shop Ltd	£1,108.07		
01/11/2021	LoanRep	#75	DD: PWLB Community Shop		£662.61	
02/11/2021	HubRent	INC42	AC: Lease Payment: CFCHub	£1,697.75		
02/11/2021	HubRent	INC41	AC: Lease Payment: CFCH admin charge	£98.33		
08/11/2021	CIL		BT: SDC 15% CIL PC Contribution - The Orchards,	£2,649.52		
08/11/2021	Admin		BT: Bin Replacement refund from SDC	£120.61		
11/11/2021	Salaries	#82	BT: HMRC PAYE OCT		£37.20	
11/11/2021	Vcutting	#79	BT: Shed Grounds Maintenance Ltd - NOV Inv21196		£159.94	
11/11/2021	Admin	#80	BT: Crombie Wilkinson Solicitors LLP (Old school playing field)		£498.00	
11/11/2021	Salaries	#83	BT: Clerk OCT salary		£494.80	

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11/11/2021	Salaries	#81	BT: Lengthsman Salary OCT		£148.05	
	Totals			£88,764.37	£75,017.38	
11/11/2021			Closing balance at BANK at 11 November 2021			£44,229.80

The Bank Balance as at 24 November 2021 is £44,229.80. Redwood Savings 35 Day notice account received the annual interest income payment of £112.46 on 12 November 2021 taking the balance on this account to £10,379.16. Council to note requests made to update signatories on the 2 savings accounts, Redwood and Cambridge & Counties Bank. Both savings accounts require ex-councillors to be removed as signatories and also both accounts require a change in the nominated account (the current account that savings can be transferred to) due to a change in the current account banking details.

Payments due on the following: Expenses claim for repairs to Christmas Lights - £134.26; YLCA - £22.50 training; Grass cutting - £356 for October; Salaries – November and December salaries for the Clerk and the lengthsman.

Councillors to note that the Living Wage has increased from £9.50 to £9.90 from 1st November 2021. Reference to: <https://www.livingwage.org.uk/calculation> Request that council resolve to increase the Lengthsman salary in line with the Living Wage increase in November 2021. This will increase the salary for the Lengthsman from £185.25 gross pay to £193.05 per month (based on 19.5 hours per month). Recommended that the Finance Report be noted by the Councillors.

Resolution: To resolve to increase the salary for the Lengthsman in line with the Living Wage increase from 1st November 2021.

21/94. To receive Representatives Reports

Cllr J Mason – streetlight not working on Brockley Close

Cllr Seguss – state of the path on Main Street. Already reported by the Clerk to Area 7. 2 residents contacted Cllr Seguss with regard to speeding vans on Sandwath Lane (Murphys vans) accessing the compound site. In addition Murphys vans parking on Oakwood close/Main Street and obstructing the entrance to Oakwood Close. Cllr Seguss to write to contact at Network Rail.

21/95. To note Correspondence received (not specifically dealt with on this agenda)

- (i) Various correspondence from YLCA
- (ii) HS2 Engagement Team – regarding announcement on 18th November 2021
- (iii) Fenton in Focus insert submitted – 18th November 2021 to Creative Shed Agency
- (iv) Email from Bolton Percy PC Clerk with regard to information on if the parish receives complaints regarding flying from LEA
- (v) Response from local business regarding refusal notice on an FOI request
- (vi) Concerns raised by resident with regard to state of footpath on Sandwath Lane
- (vii) Concerns raised by a resident regarding street lighting on Brockley Close/Station Road ginnel
- (viii) Correspondence received from a resident regarding the Campsite planning application at The Fenton Flyer

21/96. To note Agenda Items for:

a) Next meeting – Budgeting and Precept setting, review and adopt new NALC Code of Conduct, Rose Lane – lighting of the road, Highways design, sale of Arnold-Baker 10th edition, confirmation Bins order, fencing on railway embankment on all sides, village hall boundary, Main St phonebox.
Future meetings - Village Entrance boundary sign. Strategy Parish Plan. Use of Survey Monkey for communication with Parishioners. Policy. HS2. ST1 Post box.

21/97. To confirm Date and time of next meeting – Tuesday 4th January 2022 at 7.30pm, Village Hall, Main Street, Church Fenton.

The meeting closed at 9.30pm

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

Date: 25 November 2021