

## **TOCKWITH WITH WILSTROP PARISH COUNCIL**

### **Minutes of a Council meeting held on Wednesday 15th April 2009 in Tockwith Church**

**Chairman:** Councillor C Saunders JP

**Present:** Councillors Mrs Scholey, Mrs Wardman, C Billenness, M Algar, S Trenchard, R Ward-Campbell, Late arrival: Cllr N Alliott

**In attendance:** Mrs J Bygate (Internal Auditor), Mrs G Firth (Clerk to the Council), 2 members of the public

The Chairman welcomed everyone to the April Council meeting.

**Apologies for absence** – were received from County/District Cllr Savage (Other meeting) and Cllr N Waller (bereavement)

**2. Declarations of Interest** – Cllr Billenness declared a prejudicial interest in the discussion about a grant to Hunsingore District Church Council for grounds maintenance at Cowthorpe Church.

### **3. Minutes of the last Meeting**

The Minutes of the last meeting, having been circulated and taken as read, were agreed as a true record, and signed by the Chairman.

### **4. Matters arising from the Minutes/business remaining from the last meeting**

1) Questionnaire about flooding at Cowthorpe – Cllr Billenness reported that he would be returning this electronically.

2) Report from the Clerk on information obtained about noise from the go-karts on the airfield –

a) 'private' action through the County Court to obtain a Declaration of a Statutory Noise Nuisance under Section 80 of the Environmental Health Act cannot be taken by a Parish Council as it would have to provide evidence of the affect on its own home.

b) 'private' action can be taken by a householder, who would have to give a statement in court to say how the activity was 'ruining' lives. Records of instances would have to be kept and produced in evidence but no technical expertise would be required.

c) any action based on technical information produced from noise metering equipment – any such equipment used would have to be 'top of the range' and competence in the use of such equipment would have to be proved. Any evidence provided would be open to question/challenge by professionals employed by the site operator.

d) the Parish Council can support individual complainants but should be aware that any

action would have to be in the public interest, depending on the number of complainants.

e) Harrogate Borough Council will be targeting the times of worst problems for residents and it is important that residents continue to keep monitoring sheets and report when noisy activities take place so that the problems can be highlighted.

Resolved that the Clerk pass on to interested residents the information about taking private action.

Resolved also that the Clerk pass on to the District Cllr the concerns about Environmental Health Officers not working in the evenings and at weekends/bank holidays when the problems are at their worst.

Residents were to be encouraged to make complaints known so that a record can be kept of the strength of public feeling. A note to this effect to go in the Parish Magazine and on the PC and TRA websites.

3) Hens on allotments – Cllrs agreed to give permission subject to the welfare of the livestock being of paramount importance and the agreement of the tenant to sign a copy of the new rules produced for the purpose.

## **5. Public Questions or Statements**

Standing Orders were suspended.

- A resident expressed concern at the current work in Tockwith to provide bus shelters and new bus stops. The work was taking a long time and resulted in the pavements not being useable during the works, which meant pedestrians and prams/pushchairs/invalid chairs had to go round the obstructions by going out into the road which was dangerous.
- Another resident expressed concern at there not being enough verge marker posts on Southfield Lane so that parking over the daffodils was still occurring; parking on the verges opposite the School resulted in some children running across the road to get to School, dangerous at opening and closing times due to the amount of traffic present at those times; parking on footpaths in the village is still happening during current building works; a request was made for speed matrix signs in Tockwith as many had appeared in neighbouring villages.

Standing Orders were resumed.

Resolved to encourage NYCC to expedite the works at bus stops. More verge marker posts have been requested from NYCC at Starbeck and a delivery was awaited. It is the responsibility of parents delivering children to School to make sure children cross the road safely.

The Police have been informed about parking on the pavements – action is awaited.

Directional signposts on Tockwith lane/B1224 have been replaced recently.

## **6. Report from the Clerk**

Venue for future PC meetings – the Clerk has booked the Church for Council meetings during 2009/2010

Report back from Power of Well Being Training – the Clerk had provided, in the correspondence files, papers for Cllrs to read and digest.

The Power of Well Being was extended to Parish and Town Councils on 31st December 2008. County, District, Borough, Metropolitan and Unitary Authorities have been able to use this Power since 2000 for the social, economic and environment benefit of their communities. The new Power is very broad and will be regarded as a first resort power, i.e. Councils will be able to use it for many of the existing functions and functions for which the Parish Sector has not had power in the past. However, only certain Councils can use the Power and qualifying Councils will only hold the ability to use the Power for a specific period of time.

The Clerk spoke of the new rules regarding Quality Council status and the criteria to be met before Councils can use the Power of Well Being to benefit the local community:

- Have a qualified Clerk – this means that the Clerk must hold the 2008 edition of the Certificate in Local Council Administration (CiLCA) or the Certificate in Higher Education from Gloucestershire University or a previous edition of CiLCA supplemented by passing section 7 from the 2008 edition;
- Have a minimum of two-thirds of vacancies on the Council filled at the last ordinary elections;
- Have 80% of Cllrs trained in the use of the Well Being Power; and
- Must publish a statement of intent as to community engagement.

When/if a Council becomes eligible this Power will replace Section 137 of the Local Government Act 1972.

## **7. Police matters**

In the absence of a Police Officer there was no report. Resolved that the Clerk let Inspector Chapman know of the concerns of Cllrs at non-attendance of an Officer at PC meetings, lack of a report or details of crime figures.

Cllrs reported the following:

- Further damage to the roof and ridge tiles of the outbuilding adjacent to the Marston Road Play Area. The area has now become potentially dangerous to children using it.

Resolved to close the Play Area indefinitely until damage is repaired, the area is made as safe as possible and the culprits causing the damage are apprehended. The Clerk was asked to arrange provision of Harris fencing and suitable signs at the Play Area. The Clerk was also asked to inform the Police and ask an Officer to attend and speak to local Cllrs who might be able to pass on useful information. Cllr Trenchard was asked to mention the matter to the Junior Football Club members. The Clerk to contact local

groups so that as many people as possible are aware of action taken and the need for it.

- Acts of vandalism had occurred at the Sportsfield as well.
- Southfield Lane – several cars still park in the lay-bys on a night and very early in the morning. Poaching and drugs related activities are believed to be taking place.

The Clerk was asked to inform the Police and ask them to investigate both the above matters.

### **8. Village Hall**

Standing Orders were suspended. Mrs Steed gave a report.

### **TOCKWITH VILLAGE HALL MANAGEMENT COMMITTEE**

### **REPORT TO PARISH COUNCIL – 15TH APRIL 2009.**

1.	With reference to item 6(1) of the agenda, the committee thanked Mrs Firth for all her hard work in bringing to a satisfactory conclusion the preparation and ratification of the lease, constitution and associated documentation. We would not have managed without her help.
2.	Annual General Meeting. This will be on Wednesday 13th May, in the Village Hall, from 8pm.
3.	The Management Committee's Business Plan (3rd draft) for the 5 year period from April 2009 had been approved by committee at their meeting on 8th April, subject only to any comments that the Parish Council may wish to make. It was requested that any comments be forwarded to the committee by 6th May in order that the committee can determine if any further amendments are required to the business plan before presentation at the AGM.
4.	Finances. A full statement of accounts to be presented at the AGM. Finances healthy but considerably more funds to be found if the committee is to push on with the planned refurbishment. Fund raising – Following a four month pause, fund raising events now being planned to include a quiz, sponsored walk, entertainment evening, Christmas fair and others. Grant applications – Applications have been made to the Parish Council for £600 and to Awards 4 All for £9600. To pay for items including but not limited to proposed acoustic folding door, fitting out of the rear room for meetings and decorating. Decisions awaited. An application to Grassroots to be for £4010 to be submitted within days. To pay for items including new curtains, kitchen utensils, chairs and tables. An application to various charities for £75,000 to be submitted within a month to cover the cost of the proposed toilet and store refurbishment.
5.	Proposed toilet refurbishment. It was confirmed that a Planning Application for the proposed toilet and store refurbishment had been submitted.

6.	User Groups. New users this year include – Pilates, Scouts, Junior Tennis, Craft Club and the Drop-in Café had restarted. The committee thanked the Parish Council for their decision to relocate to the Church in order that the Scouts could use the village hall on 3 Wednesday evenings every month. Potential future users – A resident in Cowthorpe is trying to set up a choir to meet in the village hall. The committee is trying to help with this. Hire rates – These are expected to increase by approximately 3% from July. Details to be confirmed at the AGM.
7.	Communications. Next Village Hall newsletter due out during May. The committee thanked Mr Waller for incorporating village hall news in the April issue of the Village and Parish Magazine. The committee intended to continue to submit information on a monthly basis.

The end

- Parish Cllrs were urged to attend the VHMC AGM on 13th May.
- Cllrs were reminded of the need to have a five year plan for the VH.

It was agreed that Council priorities are: Health & Safety – boundary wall; Structural Integrity of the VH – rewiring and re-roofing; and Protecting the fabric of the building – new windows/doors, re-pointing etc.

In the absence of Cllr Savage, items 9 and 10 were as reported in the Minutes of the Annual Parish Meeting. (attached as appendices to these Minutes)

## **11. Correspondence**

Additional items 28 (part) to 37 were made known.

- Internal Auditor – Mrs Bygate read out her letter stating that after giving her report for the last financial year she wished to resign her position as Internal Auditor.

The Chairman and Cllrs wished to place on record their thanks to her for all her work on the Council's behalf during her time as Internal Auditor and said she would be missed.

- Cllr Training – Cllr Algar wished to attend the training CS6 and the Clerk was asked to book him a place.
- HBC – BAFTERS awards – copies to be sent to the School, Youth Club and Tockwith Show
- NYCC – reply re footpath past Dalton's – visit and report by Rangers awaited.

Standing Orders were suspended.

A resident advised that the fencing belongs to two different landowners and the field fence on the LHS had been erected by one of them, on the understanding that the RHS ditch and hedge were to be the responsibility of NYCC. Standing Orders were resumed.

## **12. Planning including standing item: BCB application**

**Applications** Tockwith Village Hall – erection of single storey rear extension *The Parish Council supports the application subject to receiving any subsequent neighbour comments.*

**Decisions – approved with conditions** 19, Kendal Gardens – conversion of garage to form additional living accommodation

**Decisions – refused** Hawthorne Cottage, 31, Westfield Road – erection of conservatory to rear

**Planning Enforcement** – Case No 09/00117/PR15 will be closed and the matter will be dealt with under Case No 08/00198/PR15

## **13. Accounts**

### Bank balances (as at 15/04/09)

Lloyds TSB current a/c 2,500.00

Lloyds TSB Deposit a/c 1,774.56

### A/c's to pay/ratify

Tebbutt (window repair as quoted) 750.00

Village Hall (room hire for 2008/2009) 157.50

Tockwith Church (annual room hire for 2009/2010) 250.00

YLCA (annual membership) 323.00

Ray Farrer (grounds maintenance) 125.00

MMIDB (drainage rate) 10.89

YLCA (Cllrs Training) 35.00

PWLB (advance notice of D/D on 1/5/09) 1,859.41

Agreed - the Clerk to attend the Regional Conference on 9/6 at Peterlee 56.35

### Receipts

Allotment rents 147.25

Art Group (reimburse for VH key) 8.69

Outstanding accounts Steve Tebbutt (to be paid on completion of damp work) 580.00

Annual central heating maintenance – to be decided Professional fees – once VH work completed

Resolved that the Bank balances be accepted, and accounts be paid/ratified as above.

Resolved also that grants be held over for decision until May, once the Precept has been received.

Financial year end The red Receipts and Payments ledger was presented for signature by the Chairman. Unaudited accounts for the year were presented and the Chairman signed the relevant pages.

The Clerk presented the Annual Return for the year ended 31st March 2008, to be sent to the External Auditor. Section 1, Statement of accounts was signed by the Chairman and the Clerk/RFO. Section 2, Annual governance statement was approved by the Council and signed by the Chairman and the Clerk. Section 4, Annual internal audit report had been completed and signed by the Internal Auditor

The Clerk made Cllrs aware of the ongoing situation with Denco, concerning the annual maintenance contract for the VH central heating. Alternative providers are still being sought, as new information on Gas Safety Registration had come to light.

**14. Date of next Meeting: WEDNESDAY 20th MAY 2009.** An ordinary meeting of the Parish Council will follow the Annual Meeting of the Parish Council (previously known as the AGM) to be held in the Church starting at 7.30pm.

There being no exempt matters to discuss, the Chairman thanked everyone for attending and declared the meeting closed.