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## Tockwith with Wilstrop Parish Council North Yorkshire

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### MINUTES MEETING OF TOCKWITH WITH WILSTROP PARISH COUNCIL WEDNESDAY 20<sup>th</sup> JULY 2016 AT TOCKWITH CHURCH AT 7.30 PM

**Present:** Councillor Mr N Waller (Chairman) Mr K Pope, Mrs S Corbett, Mr D Tanner, Mr A Dyason, Mr A Warneken, Mrs A Wilson, Mrs J Marsden

**16/292. Apologies for absence** – all Cllrs in attendance

**16/293. Approval of minute taker.** J Marsden unanimously approved as minute taker

**16/294. Declarations of Disclosable Pecuniary and other interests** – to disclose or draw attention to any disclosable pecuniary interests for the purposes of Section 31 of the Localism Act 2011 and paragraphs 16-18 of the Members' Code of Conduct. Also to declare any other significant interests which the member wishes to declare in the public interest, in accordance with paragraphs 13-15 of the Members' Code of Conduct to be considered at the meeting.  
No interests disclosed

**16.295. Parish Council Vacancies** – to discuss actions, progress and consider applications.

16/295.1 Wilstrop Vacancy

Harrogate Borough Council (HBC) has confirmed that the potential for co-option now applies. Cllr Waller has informed various residents in Wilstrop with whom he has email contact but to date there has not been a response.

16/295.2 Tockwith Vacancy – following the resignation of Mrs S Pearce.

A notice of the vacancy has been placed on the Tockwith Parish Council Noticeboard with an expiry date for application of 2<sup>nd</sup> August 2016. At this stage 10 electors can request an election. If the period expires without an application HBC will be consulted about the option of co-opting a potential applicant.

16/295.3 The Clerk to the Council and Responsible Financial Officer.

The vacancy has been re-advertised on parish noticeboards, parish clerks from surrounding parishes have been emailed to request the advert is placed on their noticeboards, it will be included in next month's Parish Magazine, and it is on the website. The details of the EGM relating to recruitment process will be discussed in exempt matters.

## **16/296. Minutes**

16/296.1 To resolve that the amended Minutes of the Ordinary Meeting of the Council held on Wednesday 18<sup>th</sup> May 2016, be signed as a correct record including points for clarification and correction of fact.

**Resolved** - that the amended Minutes of the Ordinary Meeting of the Council, held on Wednesday 18<sup>th</sup> May 2016, be signed as a correct record including points for clarification and correction of fact.

Proposed Cllr K Pope Seconded Cllr A Dyason. All agreed, minutes signed by the Chairman

16/296.2 To resolve that the minutes of the Ordinary Meeting of the Council held on Wednesday 15<sup>th</sup> June 2016 be signed as a correct record.

The minutes required multiple amendments for accuracy each of which were discussed and agreed by those Councillors who were in attendance at the June meeting (5 Cllrs). The amended minutes will be prepared by Cllr Marsden and be represented for signature for the meeting on 21<sup>st</sup> September 2016.

One outstanding issue which still had not been fully addressed was in relation to 16/269/2 – a potential breach of planning issue in Cowthorpe. HBC have not been informed of the updated information. It was agreed that HBC will be informed – action Cllr Marsden.

## **16/297 To receive information on ongoing issues and decide further action where necessary.**

16/297.1 To receive an update regarding issues on the Airfield - Tyres and other issues.

The Clerk sent an email dated 6 June 2016 to Sam Parkhouse at the Environment Agency requesting an update on progress now that the most recent compliance deadline of 31 May 2016 had lapsed relating to the removal of the illegally imported and dumped tyres on the airfield. A holding reply was received from Sam Parkhouse on 21st June 2016 but to date there has been no further response.

It was **resolved** that Cllr Wilson will draft a response to be sent from the Chairman.

16/297.2 To receive an update regarding NYCC Highways matters.

The Chairman had sent a reminder in May '16 which was referred to an engineer who apologised for the delay. Despite a further recent reminder from the Chairman there has not been a response.

One issue of concern is the NYCC Urban Grass Cutting Scheme to which the Parish Council is registered for inclusion. There appear to be problems with the work being satisfactorily completed and it is an issue that the Parish Council will need to monitor and review for 2017/18 since budget provision would have to be made. It would seem there is not much money available for the Parish Council to do the job but the option will be explored with budget preparation

NTCC Highways Dept. have notified resurfacing work in the area is planned for: Fleet lane, York Road, a stretch of road between Long Marston and Angram and Cattal Moor Lane.

16/297.3 To receive an update regarding the Community Resilience Plan.

The Battlebox and ancillary equipment is now housed in the village hall. There is a need to place a notice outside the village hall of relevant keys holders to contact to provide ease of access to the Battlebox and equipment, in case of an emergency. Currently there are a number of village hall keys holders and a comprehensive list is being prepared by members of the village hall committee for the selection by the Parish Council of and agreement with, the three key holders to be named on the notice.

16/297.4 To receive an update regarding the new signatory for the cheque book.

The paperwork for Cllr Pope has been submitted to Lloyds Bank. There has been no further correspondence from the bank about submitting personal documentation etc. It was **agreed** that Cllr Pope will go to the bank in person to make enquiries about urgently progressing this matter.

16/297.5 To receive an update on email addresses for Councillors.

At the 18 May Parish Council meeting, Cllr Wilson raised a potential problem regarding councillor emails ending in .gov.uk. Recent Government legislation has determined that it is no longer possible to have an 'alias' .gov.uk email address as Parish Councillors currently do. Two options were presented for consideration

Option 1 For Parish Councillors to continue to use a .gov.uk email and the Parish Council incur a charge of £15 per annum per mailbox; Based on the full complement of councillors this could cost the Parish Council £150 pa.

Option 2 Parish Councillors use and publicise their personal contact details, emails, telephone numbers (as they choose) at no cost to the Parish Council.

It was **resolved** that option 2 should be adopted with immediate effect. Cllr Wilson asked for individual Councillors to inform her of the contact details they wish to publish so that she can update the web site.

The Parish Council primary mailbox which is the one used by the Parish Clerk, i.e. [parish.clerk@tockwith.gov.uk](mailto:parish.clerk@tockwith.gov.uk) is not affected.

A suggestion was made that advice is sought of whether the email address [chairman@tockwith.gov.uk](mailto:chairman@tockwith.gov.uk) could be retained. Certainly through a transitional period, Emails would go to the Parish Clerk's mail box and not be lost.

Cllr Wilson will ask Vision IT, the Parish Council website provider, but she stressed that it cannot be used as an alias address and forwarded to the Chairman at his personal email address to respond, so managing it would be an issue.

16/297.6 Crime Prevention Talk and Personal Safety Talk.

Confirmed as Friday 9<sup>th</sup> September '16 in the Village Hall.

16/297.7 (16/278) HBC Green Garden Waste.

Correspondence has been received from HBC confirming the information provide by District Cllr T Myatt last month namely that from July 2017 there will be a charge of £39 per annum for the green bin collection on an opt in basis. Households will each receive a letter for them to register for the scheme from March 2017.

## **16/298. Report by County & District Councillors**

– Both Cllr Myatt and Cllr Savage sent apologies as both were attending Council meetings.

Cllr Myatt sent a report detailing the NYCC highways planned works as reported at 16/297.2 above. No report was received from Cllr Savage.

## **Suspend Standing Orders**

**16/299. Public Questions, Comments or Representations** – none were made.

## **16/300. Police Matters –**

PC Tim Craven submitted a crime summary report covering June 2016.

“Marston Moor Ward:

070616 – Violence – Tockwith Road, Tockwith – Assault at Tockwith Playing Field, male arrested by police and later given a Police Caution.

101616 – Domestic Incident – Westfield Road, Tockwith. Male arrested by Police and charged with assault.

260616

- Violence – Fleet lane Tockwith. Victim does not wish to make any further complaint to Police, so no action taken.”

## **16/301. Village Hall –**

Mrs Unsworth advised Council of the following matters:

- There had been a series of talks which although not greatly attended had been appreciated by those that had. The latest is on Sunday 24<sup>th</sup> July about a visit to The Great Wall of China.
- Wednesday 20<sup>th</sup> July had been a busy day as all groups had brought their portable electrical equipment/ appliances for Pat Testing.
- Planned Open Day - 10<sup>th</sup> Sept '16 for all groups and potential groups to showcase what they have to offer and contribute to village life. The village hall will be part of the day to market what it has to offer. An invitation was extended to the Parish Council as the Village Hall committee would like to include “The role of the Parish Council within the Community” as part of the day.
- An Evening of Entertainment is scheduled for 17<sup>th</sup> September '16. All are welcome to showcase their talents.
- Questions have been raised of why the Village Hall is limited to 100 people (actually 100 standing, 90 sitting), particularly when additionally there is the garden space. Fire Regulations and Insurance determines that an assessment of risk is carried out for the Fire certificate which is now a self-assessment. This is currently being carried out and is laborious but necessary. Once completed the results provides information about the upper limits of people allowed in the hall.

- The Parish Council will be provided with the information and stated it wishes to make the final decision on the upper limits.
- Before decision is made the Parish Council would like the Village Hall committee to discuss the findings with the Insurers and seek advice.

The Chairman thanked Mrs Unsworth and team for all their continued hard work and particularly the recent work on the new roof. At least there is a guarantee for this roof.

## **Resume standing orders**

**16/302. Electoral Review of Harrogate Council** – reply to consultation by 22/08/16. The details of the proposals have been received by each Councillor prior to the meeting to inform discussion.

With a view to equalising the numbers of electorate in each Ward as part of the boundary and electoral review of Harrogate Borough Council, it is proposed that Marston Ward will take on a few more villages north of the Nidd such as Ribston and therefore the District Councillor will have more Parish Councils to serve.

This will have the effect of a decline in the number of District Councillors, with each remaining having a wider geographical spread, more Parish Councils to serve and likely more District meetings/committees to attend. Views were expressed that the proposed changes are likely to impact on the capacity of a Councillor to do their job as effectively and may impact on the quality of support and service offered the communities.

It was agreed that the Chairman would respond by 22.08.16 with the issues raised in discussion.

## **16/303. Review of Council Policies (Phase1)**

### **16/303.1 Code of Conduct:**

"To adopt a revised Code of Conduct for Tockwith with Wilstrop Parish Council, which is based on the Harrogate Borough Council Model and which now reflects the necessary changes brought about by the Localism Act 2011." (Councillor Marsden)

Adoption Proposed Cllr Warneken, Seconded Cllr Dyason. All in favour.

### **16/303.2 Standing Orders**

"To adopt revised Standing Orders for Tockwith with Wilstrop Parish Council which is based on the NALC Model 2013 and reflects the changes brought about by the Localism Act 2011." (Councillor Marsden)

Discussion ensued re a potential amendment to the length of meetings resolved to insert 'normally' page 7 3(w) to read "A meeting shall not normally exceed a period of two 2 hours".

Proposed Cllr Tanner Seconded Cllr Warneken. All in favour

### **16/303.3 Finance sub-committee**

To overturn the resolution made at the AGM on 18th May 2016 to appoint an Audit Sub Committee on the basis that it was incorrectly constituted and form instead a **Resources Committee** and if approved approve terms of reference and appoint a Chairman and its members." (Councillor Marsden)

Discussion with explanation of the purpose and benefits of forming the Committee was held.

There was with an expression of an opposing view to forming a Resources Committee. The feeling of being excluded from decisions and the lack of opportunity for input from those not involved. The points raised were discussed and the potential efficiencies particularly with personnel issues explored as well as a built in appeals mechanism for any grievance. The benefits of additional work by a small team in preparation for the budget decisions by the full Parish Council were stated.

The Motion was Proposed by Cllr Tanner Seconded by Cllr Warneken followed by a vote by a show of hands. One Councillor objected to the motion. The motion was carried by majority decision.

Nominations for the Resources Committee as per terms of reference - Cllr Waller, Cllr Pope.

Other volunteers Cllr Tanner, Cllr Wilson, Cllr Marsden.

Accepted.

Chairman – Cllr Marsden Proposed Cllr Tanner Seconded Cllr Warneken  
Accepted

Assurances were given by Cllr Marsden that advice would be sought about concerns raised in discussion and feedback given.

#### **16/303.4 Grievance Procedure – (Employment Procedures)**

"To adopt the updated Grievance Procedure revised June 2016 and based on the Nalc Model 2016." (Councillor Marsden).

Proposed Cllr Warneken Seconded Cllr Tanner. All in favour

#### **16/303.5. Discipline Procedure (Employment Procedures)**

To adopt the newly drafted Disciplinary Procedure, which is a legal requirement for all employers but currently insufficiently explained in Tockwith with Wilstrop Contract of Employment, as based on the NALC Model 2016." (Councillor Marsden)

Proposed Cllr Warneken Seconded Cllr Pope. All in favour

At the end of these motions Cllr Wilson requested that Cllr Marsden forward the newly adopted policies and procedures for inclusion on the web site. Cllr Marsden agreed and informed that it is her understanding that the Employment related procedures should not be on the web site but will confirm and ensure that those covered by the Freedom of Information Act are.

#### **16/304. Planning Applications**

16/304.1 – **Planning decision** – 16/01886/FUL Sports Field Tockwith Lane – Erection of three 10m high lighting columns. – approved subject to conditions.

16/304.2 Erection of single storey extension to porch and alteration to fenestration 117 Prince Rupert Drive, Tockwith.

Report: No objections from neighbours, no issues identified, no increase to the footprint. Recommend Parish Council response is "A" no objection.

#### **16/305. Planning Responses/Enforcement**

**Point of Information** Appeal in relation to: - 15/04730/OUT Outline application for the erection of 5 houses and package treatment plant with access and layout considered (Site Area 0.24 ha). Land West Of Kendal Lane Tockwith York North Yorkshire YO26 7QN

The appeal is allowed and planning permission is granted for five houses subject to conditions.

16/305.1 Linden Homes proposed residential development at Southfield Lane, Tockwith. Reference 15/01484/FULMAJ – Southfield Lane, Tockwith. Receive an update. Commuted sums

Whilst there is no information regarding the submission of the planning application it has emerged that when HBC have done the recalculation of commuted sums due to the change in the number of houses, they appear to have withdrawn the condition for a contribution for the village hall. This is potentially a loss of £178K.

A copy of HBC policy for Commuted Sums for Village Halls had been sent by HBC but it does not provide any evidence of the reason for withdrawal. HBC officer has explained that it is because the Village Hall has already benefitted from commuted sums from 5 other developments and therefore they cannot ask for more. 5 pooled allocations is the maximum. Evidence of this ruling has been sought but to date no response has been received. It was unanimously agreed that this is a very significant issue particularly when Linden Homes used the incentive of how they would contribute to the community in relation to the Village Hall; children's play facilities etc. as part of their communication exercise. All of these 'intentions', have now been withdrawn through the changes to conditions and requirements for commuted sums for Village Halls of HBC Planning Dept. not Linden Homes themselves.

The situation will be monitored and reviewed again, potentially with a proposal to hold a meeting with Linden homes if there is not a positive outcome from HBC over the summer period.

16/305.2 Planning Enforcement case 16/00323/Trees – killing of tree in POS Westfield Green, Tockwith.

This tree has been deliberately killed by drilling holes in the trunk. The enforcement officer is investigating and we await the report before any action can be taken. The Parish Council have a responsibility to make the tree safe and the felling of the tree and replanting a replacement will be a requirement.

It was suggested that there is value in the wood, even in its current condition and unnecessary delay in felling the tree should be avoided to ensure that some value towards the necessary replacement action is realised. No action can be taken until the report is received.

16/305.3 Outline planning application 15/04636/OUT 5 Dwellings of War Field Lane Cowthorpe – Opportunity to speak.

No one attended the meeting but the recommendation of the Planning Officer was to approve with conditions. The issues raised by the Parish Council and residents who commented have in the main been addressed in the Planners report.

16/305.4 Harrogate Borough Council Local Development Plan consultation

It is expected that the consultation period will commence on 22.9.16 and therefore the Parish Council needs to set time aside to start this process to engage with the community. Harrogate Borough Council Local Development Plan consultation will therefore feature on the agenda at the October Meeting.

The planned item "The Resilience Plan" will be postponed to a later meeting to accommodate this important item. Cllr Waller will action.

## **16/306. Matters requested by Councillors**

306.1. Commuted sums – sums available.

Concern was expressed by the Chairman that the information provided by HBC may not be accurate as nothing is shown for sports facilities. He will make further checks. . In the meantime a review with potential beneficiaries is needed albeit that the amounts are relatively small since if the money is not spent it will not be claimed from the associated developer. The earliest deadline date for projects to complete is September 2018 so the new Parish Clerk can deal with this.

306.2 Overhanging Trees 40-42 Marston Road, Tockwith

A complaint from residents has been received about the overhang on trees which carry a TPO. This is not an issue for the Parish Council beyond being informed as it is a matter to be dealt with by the Housing Association responsible for the properties.

## **16/307. Bank statements and account reconciliation**

16/307.1 Bank Statements from Lloyds Bank. Circulated to Cllrs: - accepted

This highlighted the issue of a need to change the address on the bank accounts with retains that of the former clerk Mrs D Dyason. It was discussed and agreed that since the envelope clearly identifies Lloyds Bank, the envelope can be left unopened and the address will be changed with the appointment of a new Clerk.

In the meantime Cllr Dyason agreed to take the unopened envelope to the Chairman as he is currently dealing with such issues.

16/307.2 To receive and approve this month's bank reconciliation. Circulated to Cllrs and approved

16/307.3 To receive and approve this month's spend against budget report  
Circulated to Cllrs and approved

## **16/308. Accounts –.**

16/308.1 To approve payment of former Clerks salary and expenses up until and including 25th June to 6<sup>th</sup> July 2016 and PAYE payments. Approved

16/308.2 To approve payment Ainsty Internal Drainage Board re Community Fields £12.98. Approved

16/308.3 to approve payment of CPRE Annual Membership. £36.00.  
Approved

## **16/309. Information Exchange by Councillors –**

Cllr Marsden: Decisions have to be made about assets of the Parish Council, which include financial decisions for which the Parish Council has to know the Power under the Financial Regulations which allows the 'spend'. Certainly new Cllrs do not know what the agreed responsibilities are as defined in any Trust document or covenant and therefore may make decisions which are not soundly based.

The request is for sight of the relevant documents to write a briefing paper or for the Parish Clerk to produce in time for the budget review.



**Motion - Pursuant to Section 100 (A) of the Local Government Act 1972, the Public will be excluded from the meeting during the consideration of the processes in advertising and the appointment of a new Clerk and Responsible Financial Officer for Tockwith with Wilstrop PC on the grounds that it involves the likely disclosure of Exempt Information as defined in Paragraph 9 of Part 1 of Schedule 12A of the said act.**

**Proposed Cllr Waller Seconded Cllr Marsden. All in favour.**

**16/310 – *Minutes/notes of Exempt meeting 7<sup>th</sup> July 2016*** – to be approved in exempt session due to the confidential nature of the business concerning the appointment of new clerk.

**Outcome:** Minutes of exempt meeting 7<sup>th</sup> July 2016 Approved

Meeting closed 9.45pm

**16/311. Date of Next Meeting** – Wednesday 21<sup>st</sup> September 2016 at 7.30pm.  
Tockwith Church

**Jacqui Marsden**  
Notetaker

**22<sup>nd</sup> July 2016**

