

Fulford Parish Council

The Cemetery Lodge, Fordlands Road, Fulford, York, YO19 4QG

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**Minutes of the Meeting of Fulford Parish Council held at 19:30 on
Tuesday 3 October 2017 in the Old Library,
Fulford Social Hall, School Lane, Fulford.
Clerk/RFO: Rachel Robinson**

17108. Chair's welcome

The Chair welcomed all present to the meeting

17109. To receive apologies and approve reasons for absence

- a. Present: Cllr. de Vries (Chair), Cllrs. Clare, Loft, Urmston, G Walker, the Clerk and 5 Members of the Public.
- b. Apologies were received and approved from Cllrs. Aspden, Francis, Vevers and J Walker.

17110. To receive any declarations of interest

No interests were declared.

17111. To receive and approve the Minutes of the Parish Council meeting held on 5 September 2017

Subject to one amendment to the first paragraph on Item 17087, the Minutes of the meeting held on 5 September 2017 were approved as a true record.

17112. To receive Parishioners' Questions and comments

Two parishioners raised concerns at the state of the road on Main Street and reported broken grates and holes in the road. They further reported that heavy traffic, in particular construction lorries, are frequently causing properties on Main Street to reverberate as they drive past. The main area of concern was reported to be near the pedestrian crossing. Both parishioners (and another parishioner present) had reported their concerns to City of York Council (CoYC) and Yorkshire Water (YW) but because they had not received satisfactory response, requested the Parish Council contact CoYC. Following discussion, it was resolved that the Parish Council would contact Cllr. Aspden to request that he report the concerns to the relevant departments within CoYC and ask what plans are in place to remedy the issues with the road.

The same parishioners raised a further issue concerning numbers of cyclists using footpaths instead of the road on Main Street. They suggested that a sign should be placed at the end of the cycle path by Landing Lane indicating that the cycle path has ended. It was recommended that such signage would be a matter to take up with CoYC and the numbers of cyclists on the pavements should be raised with the police.

They also mentioned that a wooden bollard near the pedestrian crossing has been damaged. Members referred them to the CoYC website which has a page for reporting such issues.

Mr Ian Greig updated the Parish Council to inform them of the most recent valuation on the Fulford Shilling by Tony Abrahamson who has valued it at up to £8,500 and would display the coin should he be permitted to purchase it. Discussion of the Fulford Shilling was deferred to Item 17131.

The Chair closed Parishioners' Questions and 4 of the 5 members of the public left the meeting.

17113. To receive a report from the Ward Councillor

Cllr. Aspden had reported details of correspondence about the replacement of the Swan Neck street lights. Following discussion about the preservation of the conservation area, it was resolved that investigations for Ward grant funding would be carried out to ensure that the lights are replaced with swan neck designs.

17114. To receive a report from the Police

The Police Report from September was noted.

17115. Financial Matters

a. To approve the following payments:

	£
<u>Cemetery</u>	
FuelGenie – Cemetery Fuel	249.63
BT – Cemetery Lodge Phone	41.23
BT – Cemetery Lodge Broadband (Qtr)	126.00
British Gas- Electricity 12.5.17-29.8.17	323.48
Viking – Postage	56.00
Cemetery Assistant Travel Expenses to Training Course (120 miles)	54.00
<u>Social Hall</u>	
British Gas – Gas 24.05.17-22.8.17	264.72
Viking – Cleaning Supplies	18.73
<u>Open Spaces</u>	
MJ Backhouse Fordlands Rd Pest Control Service Agreement (Rabbits)	282.00
Elcocks – Street Cleaner Protective Clothing	89.34
<u>Training</u>	
YLCA – Cemetery Management Course – Cemetery Assistant	115.00
YLCA – VAT, Contracts & Procurement Course – Clerk	115.00
YLCA – Employment Law Course – Clerk	235.00
<u>Clerk</u>	
PKF Littlejohn – External Auditor Annual Return Fee 2016/2017	720.00
Giff Gaff Monthly Mobile Phone Bill	7.50
Viking – Stationery	20.22
<u>Staff Costs</u>	
City of York Trading – Temp Street & Social Hall Cleaner	1181.27
Salaries & Wages September 2017	7630.74
HMRC September 2017	1663.65
NYPF September 2017	2726.00

All payments were approved

b. To consider the quotation from Came and Co Insurance Brokers for renewal of the Parish Council Motor Insurance Policy and decide on any necessary action.

The quotation was considered and approved.

c. To consider whether to renew Sage Cover Extra at a cost of £173 + VAT for the year and decide on any necessary action.

Following discussion, it was resolved to renew Sage Cover Extra for the year.

d. To note the budget year to date comparisons

The budget year to date comparisons were noted.

17116. To consider the 2018-2019 Budget requirements and take any necessary action

The chairs of the working groups and committees were reminded to provide the Clerk with their requirements for the year 2018/2019. Cllr. G Walker proposed that wifi for the Social Hall be considered for inclusion in the budget. Following discussion, it was agreed that the Clerk would investigate costs of wifi and the possible potential savings to heating costs resulting from a smart meter.

17117. To note the Audited Annual Return from the External Auditor for the Year Ended 31 March 2017

It was noted that the Audited Annual Return had been circulated and advertised.

17118. To consider the request from the Cemetery Assistant for attendance at a course run by CRUSE at the University of York for bereavement assistance.

Following discussion, this course was not approved.

17119. To note the requests by three parish councillors (in accordance with the Standing Orders) to rescind the decision for Item 17089 considered at the meeting of 5 September 2017 and to reconsider the installation of the Link Cabinet Installation on land registered under Title No. NYK412156 and decide upon any necessary action.

Following receipt of requests by three parish councillors, the decision on Item 17089 was rescinded and it was resolved that it should be reconsidered.

Following discussion and, in the absence of the requested further information from IFNL, it was resolved to request that the link cabinet be removed and the site restored to its original condition within 30 days.

17120. To consider the response from the Returning Officer regarding the 2 Councillor vacancies and if necessary, consider a by-election or candidates for co-option and decide on any necessary action.

Upon receipt of confirmation from the Returning Officer that insufficient requests had been made for a by-election, applications from candidates were considered for co-option. Two applications for the vacancies had been received.

After hearing from Mr Tom Frusher and following discussion, it was resolved to co-opt Mr Frusher. The Clerk witnessed Mr Frusher's signing of the Acceptance of Office.

Following the written application of Mr David Gardiner, a former parish councillor, it was resolved to co-opt Mr Gardiner to the second councillor vacancy. Signing of the Acceptance of Office was deferred to the next meeting when Mr Gardiner would be available.

17121. To consider the City of York Local Plan Pre-Publication Report and decide upon any necessary action

Following consideration of a draft response from Michael Courcier and the Planning working group and discussion thereon, it was resolved to delegate the response to the Planning working group subject to the content not being significantly varied. The final draft is to be circulated and if there is anything contentious or requires variation, a meeting of the Planning Committee will be called.

17122. Planning:

a. To receive a report of planning applications and questions considered by the Planning Working Group and to decide on any further action required:

New applications

17/02105/FUL Erection of hip to gable and dormer to rear 42 Heath Moor Drive York YO10 4NF
It was resolved to comment as follows: The development has already been carried out and therefore the application description should be amended to 'retrospective'. The hip-to-gable roof extension presents an unbalanced appearance in the streetscene and reduces the symmetry of the semi-detached dwelling. The size of the rear dormer is excessive and conflicts with advice in the SPD regarding dormer windows. The materials used are also unsympathetic to the host building. Whilst the dormer is to the rear, there is an oblique view from Low Moor Avenue and it can be glimpsed from Heslington Lane

17/02299/TCA Fell Arbutus tree in a Conservation Area 127 Main Street Fulford York YO10 4PP
It was resolved that there were no objections

On-going applications

17/01969/FULM Revised Drawings Erection of 64 bedroom care home, car parking and landscaping following the demolition of existing care home Site of Former Fordlands House 1 Fordlands Road York – It was resolved to send the letter drafted by the planning working group to maintain previous objections and add further comments on the revisions in the context of appraisal and bats and trees. It was further resolved to request recommendation of TPOs for trees and hedges on the south and east boundary.

17/00904/FUL - Installation of wetland habitat suitable for water voles (retrospective) - A draft letter to Natural England by the planning working group was considered and approved.

17/00971/FUL - Variation of condition 9 of permitted application 12/00384/REMM to alter bat mitigation strategy and removal of condition 13 to allow landscaping works on land south of plots 137 to 159 – No further update

17/00972/FUL - Variation of conditions 13 and 32 of permitted application 01/01315/OUT to allow drainage works within archaeological zone and to allow construction of spine road into phase 1 as a continuous operation with the associated access and junction with the A19 - No further update on this application but a letter still needs to be drafted regarding the tip materials present on the site.

12/01749/REMM - Reserved matters application for details of appearance, landscaping, layout and scale of 655 dwellings and associated facilities granted under outline permission 01/01315/OUT (duplicate application) (revised scheme) – No update

Enforcement Action

None

b. To note details of planning applications decided by City of York Council

17/01207/FUL Variation of condition 2 of permitted application Blacks Property Consultants 95 Main Street Fulford York YO10 4PN – Approved

17123. To receive an update on matters pertaining to Germany Beck and to decide on any necessary action to include consideration of:

- a. The proposed A19 Flood Alleviation Works Fordlands Road Playing Field Bund Plan and decide upon on any necessary action.

It was reported that a Site Meeting with Brian Hebditch from CoYC had been arranged for Thursday 5th October at 4pm.

To consider exclusion of the press and public from the discussion of any aspect of item 17124 below by virtue of s.1(2) of the Public Bodies (Admission to Meetings) Act 1960.

No exclusion was deemed necessary.

17124. To receive an update on the Germany Beck boundary dispute and to decide on any necessary action

No response has been received from Walker Morris to DAS' letter sent on 6th September

Work has commenced to construct the retaining wall along the access route between the A19 and Fordlands Road. The planning working group considered that the bricks used are not appropriate for the conservation area and recommended that the Parish Council write to CoYC about the choice and to question why consent was granted to construct walls in the Conservation Area that don't match existing walls/brickwork. Following discussion, it was agreed that Cllr. Urmston would draft a letter for approval.

17125. To receive an update from the Neighbourhood Plan working group and decide upon any necessary action

Cllr. de Vries reported that the next meeting of the Neighbourhood Plan working group will be on Monday 9th October and invited all members to attend.

17126. To receive a report from the Open Spaces working group and to decide on any necessary action to include:

- a. **To consider the Ward Grant costings for the village green fencing and decide on any necessary action;**

In the absence of Cllr. Vevers this item was deferred to next meeting

- b. **To consider potential tender companies for the School Lane playground and decide on any necessary action;**

Following discussion, it was resolved to allow the Open Spaces working group to agree which companies (from the list provided by CoYC) to send the agreed tender out to and arrange for it to be sent.

- c. **Consideration of the following requests from the Sport Clubs:**

- i) **To consider the Sports Club's suggestion for the Parish Council to be a joint applicant in their application for funding for maintenance equipment and decide on any necessary action;**

This item was deferred to the next meeting as it was considered that legal advice may be required in respect to the proposed lease/grant application and members felt Cllr. Vevers should have the opportunity to provide input. It was further agreed that the Clerk is to investigate the Drainage Agreement to ascertain whether this has a bearing on any future decisions in terms of usage of the field.

- ii) **To consider the potential location of the Sports Club proposed container and decide on any necessary action;**

This item was deferred to the next meeting

- iii) **To consider the Sports Club request for partial match funding a grant being applied for and decide on any necessary action;**

This item was deferred to the next meeting

- iv) **To consider the proposal for grass cutting services to be supplied by the Sports Club to Fulford Parish Council in exchange for contributing towards the maintenance equipment (upon receipt of the maintenance equipment) and decide on any necessary action.**

Following discussion considering health and safety implications and practicalities, it was agreed to defer this to the next meeting.

17127. To receive a report from the Cemetery working group and decide on any necessary action to include:

- a. **Cemetery Lodge Renovation – to consider the recommended queries/clarification requests for the tender documents received from David Horsley and decide on any necessary action**

The Cemetery working group's recommendations for queries/clarification had been circulated and were approved.

The tender costs estimates were considered and agreed to be high but on the basis that these were estimates and not quotations, it was agreed to approve the project being put out to tender subject to the agreed changes being included and consent being received from Pauline Stuchfield at CoYC. It was further agreed that clarification on timescales would be required and confirmation that the Parish Council would be signatory to any commitments.

- b. **Cemetery Policy – to consider and decide upon the recommended updates to the Cemetery Rules to include**

- i) **prevention of vehicular access;**

Following consideration of the recommendations, it was agreed that no vehicles would be given access to the Cemetery except funeral corteges and, with permission, Blue Badge Holders. A 5 mph Speed Limit was set for permitted vehicles

- ii) **policy with respect to keys;**

Following consideration of the recommendations, it was resolved that the keys to the Cemetery gates would only be held by the Cemetery Office and that the keys that have been issued to visitors will be requested back, failing which the locks will be changed.

- iii) **new signage to increase awareness of the policies of no vehicles (except funeral corteges and Blue Badge holders), speed limit of 5 miles per hour for permitted vehicles, no dogs and no bicycles;**

All new signs were approved.

- c. **Cemetery Maintenance – to consider and decide on the recommended long-term plan for maintenance to the cemetery;**

Following consideration of the recommendations, it was resolved that the long-term maintenance plan was approved.

- d. **To consider and decide upon the recommended response to a request from a member of the public regarding the establishment of a “Friends” of Fulford Cemetery group; Recommended response approved.**

Following consideration of the recommendations, it was agreed that a scheme of this nature would not be viable for a number of reasons mainly relating to issues of health and safety (training requirements, equipment availability, first aider requirements, liability, insurance). It was further agreed that the Clerk write to the member of the public to thank them for their concern and their idea but explain why it would not be possible.

- e. **To consider the recommendation to set aside an area for 80 full size burial plots and 20 ashes plots for the proposed Jewish Burial Area and decide on any necessary action.**

Following discussion, it was resolved to approve the request. The Clerk will notify the Jewish Community.

17128. To receive a report from the Social Hall working group and to decide on any necessary action

Cllr. Clare reported that the new cleaner has started and seems to be doing well. Cllrs. Clare and Vevers had given some thought to the rates at the Social Hall and made some comparisons with similar venues. Following discussion, it was resolved to keep the rates at the Social Hall the same for the next financial year.

17129. To receive a report from the HR panel and to decide on any necessary action

In the light of the Local Plan Consultation being held on the same evening, it was resolved to postpone the meeting of the HR panel and agree a new date by email.

17130. To consider any update with regard to the Persimmon Liaison Committee and decide on any necessary action.

The Parish Council has made enquiries as to the terms of reference and the members of the committee and is awaiting a response.

17131. To receive an update of advice from YLCA and their nominated solicitors relating to the Fulford Shilling and decide on any necessary action.

Members considered the advice from YLCA and their nominated solicitors regarding the questions of ownership and disposal of the Fulford Shilling. The Clerk recommended following the YLCA advice. YLCA had advised that "the most likely owner of the coin is the Parish Council" and as the Council is a local authority it "needs to manage its assets in lines with legislation and financial regulations". The Parish Council has, within its financial regulations, adopted clause 14.2 of the model document which states "No tangible moveable property shall be purchased or otherwise acquired, sold, leased or otherwise disposed of, without the authority of the council, together with any other consents required by law, save where the estimated value of any one item of tangible movable property does not exceed £250". The coin has an estimated value of between £6,000 and £8,500.

Following discussion, members surmised that there was no direct evidence of a legal requirement to retain full ownership and the Parish Council owed a moral obligation to the finders of the coin (Mr Ian Greig & Ms Emma Pemberton) to endorse the assumption that had been made in 2015 (at the time of the find) of equal shared ownership between the Parish Council and the finders. This decision was made on the basis that the finders showed honesty in coming forward with the artefact when they may have chosen not to and the Parish Council hoped that its' action in sharing ownership would encourage any future finders of artefacts in coming forward. The Parish Council deemed that half of the value of the coin was preferable to the potential financial risk of taking legal action to prove ownership that may or may not be successful.

Accordingly, the Parish Council resolved to give authority (under clause 14.2 of the financial regulations) to allow ownership of the Fulford Shilling to be shared at fifty per cent with the Parish Council and fifty per cent between Mr Greig & Ms Pemberton. It was further resolved to commence negotiations for the sale of the Fulford Shilling and to consult with Mr Greig for details of the contacts he has made in this regard.

17132. Confirm date and time of next meeting.

The meeting of the HR Panel is to be re-arranged;

The next meeting of the Parish Council is 7 November 2017 at 7.30 pm.

The meeting closed at 10.50 pm.